



Extraordinary Planning Committee

To: All Members of the Planning Committee on 15th November 2017

Date of meeting: Thursday 23rd November 2017

Time: 6.30p.m.

**Venue: Hangar 42
Bruntingthorpe Proving Ground & Aerodrome
Bath Lane, Bruntingthorpe near Lutterworth
LE17 5QS
*Please note the venue for this meeting***

Agenda

1. Introductions.
2. Apologies for Absence and Notification of Substitution(s).
3. To receive any Declarations of Members' Interests.
4. To answer Written Questions or Receive Petitions Submitted by the Public.
5. To Consider Applications for Development Permission.

**NORMAN PROUDFOOT
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HARBOROUGH DISTRICT COUNCIL**

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EXTRAORDINARY
PLANNING COMMITTEE

23rd NOVEMBER 2017

APPLICATIONS FOR DETERMINATION

Index of Reports

Extraordinary Meeting of the Planning Committee, 23rd November 2017

Report	Parish / Ward	Applicant
Overview Report		
15/00865/OUT	Lutterworth / Lutterworth Orchard	Db Symmetry
15/01531/OUT	Bitteswell with Bittesby / Ullesthorpe	IDI Gazeley Limited
Summary report		

Please note:

- Each report has its own numbering system, starting from page 1.
- There is a header sheet between each report in the pack.

OVERVIEW REPORT

Extraordinary Planning Committee Overview Report

1. Purpose of the Report

- To explain the committee procedure.
- To set out the Planning Policy and other material considerations common to both applications
- To establish the key issues which are common to both applications.

2. Committee Procedure

- 2.1 This is the first report on the committee agenda for today's meeting. After this report has been considered, and any questions from Members are answered, the further three committee reports will be heard in the order they appear on the agenda.
- 2.2 It is intended that discussion takes place in relation to both sites before any resolution is made on either of the two applications.
- 2.3 The committee will proceed in the following order:
1. Officer Presentation on Overview Report
 2. Officer Presentation on 15/00865/OUT and 15/01531/OUT
 3. Registered Speakers on 15/00865/OUT and 15/01531/OUT
 4. Officer Presentation on Summary Report and response to Issues
 5. Committee debate on 15/00865/OUT and 15/01531/OUT
 6. Committee Members vote on how to determine 15/00865/OUT
 7. Committee Members vote on how to determine 15/01531/OUT

Note: The two application decisions will be taken one after the other. Once a decision has been made on either of the applications, no further committee debate will be allowed and the decision on the remaining application will be taken immediately.

3. Introduction

- 3.1 The applications that are to be heard at this committee meeting relate to proposals for strategic Distribution developments at two sites to the west of Lutterworth. 15/00865/OUT (*db symmetry*) relates land at Glebe Farm, Coventry Road and is for demolition of the existing buildings and erection of up to 278,709sq m of storage distribution. 15/01531/OUT (*IDI Gazeley*) is a hybrid application seeks outline consent on land at Mere Lane, Bittesby and is for the demolition of some of the existing buildings and the erection of up to 419,800sq m of storage and distribution, an educational facility, small business space, and the creation of a Country Park. The application also seeks detailed consent on land to the south of Asda George Headquarters to the south of the A4303 for an HGV parking facility, an HGV Driver Training Centre and a rail freight shuttle terminal.
- 3.2 Consent has previously been granted (15/00919/FUL) to the north west of Magna Park for a 100,000sqm storage and distribution building and associated infrastructure.
- 3.3 **Figure 1** indicates the site areas of each application in the context of the surrounding area. Likewise, **Figure 2** gives an indication of how the area could appear were all three proposals to be granted consent



Figure 1: Contextual Site Area aerial photo



Figure 2: Composite aerial photo

3.4 There are issues common to both planning applications, for example the need for such development, the Socio-Economic impact of the proposals, highways issues and the impact on landscape, and each application is a material consideration in the determination of the other. The components of each scheme are detailed in **Figure 3**.

	15/00865/OUT	15/01531/OUT
Quantum of B8 floor space	278,709sqm	419,800sqm (100,844sqm previously approved through 15/00919/FUL, therefore proposal is for 318,956sqm additional floor space)
Maximum building Height	<ul style="list-style-type: none"> • 18m to ridge • 145m AOD 	<ul style="list-style-type: none"> • 23m to ridge (previously approved through 15/00919/FUL, highest additional building is 18.5m) • 142.6m AOD (previously approved through 15/00919/FUL, highest additional building is 139m AOD)
Maximum B8 floor space within any 1 parcel	120,709sqm	163,000sqm
Infrastructure Provision	<ul style="list-style-type: none"> • Creation of access roundabout on A4303 • Creation of emergency access on to A5 • Creation of SUDS facilities 	<ul style="list-style-type: none"> • Creation of additional access roundabout on A5 over and above that previously approved through 15/00919/FUL) • Creation of SUDS facilities • Creation of rail freight shuttle terminal
Lorry Park Capacity / facilities	<ul style="list-style-type: none"> • 52 spaces for use by Symmetry Park users only 	<ul style="list-style-type: none"> • 134 spaces for use by Magna Park users only (existing and proposed) • Vehicle wash • Fuel facility • HGV Driver training facility
Other elements	<ul style="list-style-type: none"> • Demolition of Glebe Farm • Creation of Country Park 	<ul style="list-style-type: none"> • Demolition of Lodge and Emmanuel Cottages (approved as part of 15/00919/FUL) and Bittesby Cottages. • Retention and re-use of Bittesby House and relevant outbuildings. • Logistics Institute of Technology, Estate Office. • Creation of Country Park and Meadow Land. • Provision of Innovation Centre • Provision of small business units

Figure 3: Components of Schemes

3.5 This overview report is in addition to each of the detailed reports on the two applications and sets out the common considerations and establishes the issues which are common to both proposals. Members are referred to the detailed reports for full consideration of the merits of the applications.

3.6 Throughout the report, a number of reports and studies are referred to. To aid the reader, these are shortened to their relevant acronym, a list of which is available at **Figure 4.**

Acronym	Meaning / Report Name
(L)LCA	(Local) Landscape Character Assessment
ALC	Agricultural Land Classification
ANPR	Automatic Number Plate Recognition
AOD	Above Ordnance Datum
AONB	Area of Outstanding Natural Beauty
AQMA	Air Quality Management Area
BMV	Best and Most Versatile Land
CA	Conservation Area
CBLO	Community Business Liaison Officer
CEMP	Construction Environment Management Plan
CHA	County Highways Authority
CIL	Community Infrastructure Levy
CJBES	Construction Job Business Employment Strategy
CLP	Construction Liaison Plan
CNG	Compressed Natural Gas
CPRE	Commission for the Protection of Rural England
CS	Harborough District Core Strategy 2006-2028
DAS	Design and Access Statement
db symmetry	Planning Application 15/00865/OUT – Land at Glebe Farm, Coventry Road
DBA	Desk Based Assessment
DIRFT	Daventry International Rail Freight Terminal
DMV	Deserted Mediaeval Village
DP	Development Plan
DPD	Development Plan Document
DtC	Duty to Cooperate
ECMS	Ecological Construction Method Statement
EDP	Environmental Dimensions Partnership Ltd
EHO	Environmental Health Officer
EIA	Environmental Impact Assessment
ES	Environmental Assessment
FEMA	Leicester and Leicestershire Functional Economic Market Area
FFL	Finished Floor Level
FRA	Flood Risk Assessment
fte	Full Time Equivalent
FUL	Full application
GCN's	Great Crested Newts
GHG's	Green House Gasses
GVA	Gross Value Added
HBO	Historic Buildings Officer
HDLP	Harborough District Local Plan 2001-2011
HEDNA	Leicester and Leicestershire Housing and Economic Development Needs Assessment (2017)
HER	Historic Environment Record
HMA	Housing Market Area
HPIG	Leicester and Leicestershire Housing Planning and Infrastructure Group
IDI Gazeley	Planning Application 15/01531/OUT – Land at Mere Lane, Bittesby
JSA	Job Seekers Allowance
KAO	Key Area of Opportunity
LCC	Leicestershire County Council
LCS	Landscape Capacity Study
LDSGP	LLEP Logistics Distribution Sector Growth Plan (June 2015)
LEAMP	Landscape, Ecology and Arboricultural Management Plan

LIT	Logistics Institute of Technology
LLEP	Leicester and Leicestershire Economic Partnership
LLFA	Leicester and Leicestershire Lead Local Flood Authority
LLSEP	Leicester and Leicestershire Strategic Economic Plan 2014 – 2020
LOAEL	Lowest Observed Adverse Effect Level
LPA	Local Planning Authority
LPEAP	Harborough District Council Local Plan Executive Advisory Panel
LPG	Liquid Petroleum Gas
LRBG	Leicestershire and Rutland Badger Group
LRERC	Leicestershire and Rutland Ecological Records Centre
LTP	Leicestershire Local Transport Plan
LVIA	Landscape and Visual Impact Assessment
LWS	Local Wildlife Site
MPEGSS	Magna Park Employment Growth Sensitivity Study (2017)
MPL	Magna Park Lutterworth
NDC's	National Distribution Centres
NOEL	No Observed Effect Level
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
NPSE	Noise Policy Statement for England (2010)
NTS	Non-Technical Summary
OAN	Objectively Assessed Need
OLP	Occupation Liaison Plan
OUT	Outline application
PBA	Peter Brett Associates Ltc
PBA	Peter Brett Associates LLP
PLWS	Place of Local Wildlife Significance
PM ₁₀	Particulate Matter smaller than 10micrometers
PM _{2.5}	Particulate Matter smaller than 12.5micrometers
PPA	Planning Performance Agreement
REM	Reserved Matters application
SA	Sustainability Appraisal
SDS 2014	Leicester and Leicestershire Strategic Distribution Sector Study (November 2014)
SDS 2016	Leicester and Leicestershire Strategic Distribution Sector Study – Refresh (September 2016)
SELAA	Strategic Employment Land Availability Assessment (March 2017)
SM	Scheduled Monument
SOAEL	Significant Observed Adverse Effect Level
SPG	Supplementary Planning Guidance
SRFI	Strategic Rail-Freight Interchange
SSSI	Site of Special Scientific Interest
SuDS	Sustainable Drainage Systems
TA	Transport Assessment
TLP	The Landscape Partnership Ltd
TP	Travel Plan
VER	Valued Ecological Receptor
WBRC	Warwickshire Biological Records Centre
WCC	Warwickshire County Council
WHO	World Health Organisation

Figure 4: List of regularly used acronyms and their meanings

4. Policies and Considerations common to both proposals

- 4.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 provides that planning applications must be determined in accordance with the provisions of the development plan (this is the statutory presumption) (hereafter referred to as the 'DP'), unless material considerations indicate otherwise.

a) Development Plan

- 4.2 Section 38(3) (b) of the 2004 Act defines the DP as the DP documents (taken as a whole) that have been adopted or approved in that area.
- 4.3 The DP for Harborough therefore comprises:
- The Harborough District Core Strategy adopted November 2011; and
 - The saved policies of the Harborough District Local Plan adopted April 2001.
- *Harborough District Core Strategy*
- 4.4 The Core Strategy (hereafter referred to as the 'CS') was adopted in November 2011 and covers the period from 2006 to 2028.
- 4.5 **Policy CS1: Spatial Strategy for Harborough** sets out the spatial strategy for Harborough, the principal aim of which is to maintain the District's "unique rural character whilst ensuring that the needs of the community are met through sustainable growth and suitable access to services". CS1 seeks to achieve that aim by, amongst other ways, **(CS1f)** developing Lutterworth as a "Key Centre" with additional housing, employment, retail, leisure and community facilities to serve the settlement and its catchment area; **(CS1j)** allocating new employment land with the Allocations Development Plan Document to ensure that "any losses in the overall stock of employment land are suitably replaced"; **(CS1k)** identifying existing sites of "important employment use" and safeguarding their function through the designation of Key Employment Areas; **(CS1n)** developing the green infrastructure assets of the District; **(CS1o)** supporting development which protects, conserves, and enhances the District's built heritage whilst ensuring that new development is safe, well designed, adapts to climate change and helps to reduce the District's carbon emissions.
- 4.6 **Policy CS5: Providing Sustainable Transport** states that future development in the District will seek to maximise the use and efficiency of existing transport facilities and achieve the "best overall effect" for transport for the District "as it looks for a lower carbon future". To achieve this aim, CS5 states (amongst other things): **(CS5a)** the "majority" of future development will be located in areas well-served by local services, where there is convenient access to public transport services for longer journeys and where local journeys can be undertaken on foot or by bicycle; **(CS5b)** all significant development proposals should provide for the co-ordinated delivery of transport improvements outlined in the place-based policies of the Strategy; and **(CS5c)** the type of transport enabling and mitigation works provided by each development should be geared to transport improvements that are beneficial to the wider area and which can complement works to be provided by other developments.
- 4.7 **Policy CS7: Enabling Employment and Business Development** states that economic and employment development "will be enabled within Harborough District in support of the sub-regional economic growth of Leicester and Leicestershire". **CS7c** states that to achieve that aim, the spatial strategy "seeks to" review existing employment sites and allocations in the District in the Allocations Development Plan Document and "confirm a portfolio of sustainable sites, of the right quality and at the right time, to meet any identified shortfalls in future need" using a criteria based

assessment that will include “accessibility tests, policy factors, market attractiveness, sustainable development and strategic planning factors”. **CS7d** says that it will designate “Key Employment Centres” in Market Harborough, Key and Rural Centres; and CS7e says that proposals to renew or upgrade other employment areas will be approved where, “based on an up to date assessment of employment land needs” they are not detrimental to the overall level of employment provision in the area.

- 4.8 **CS7f** supports employment development within the “countryside, beyond towns and villages, only where it contributes to the retention and viability of rural services or land based business, aids farm diversification, or promotes the conversion and re-use of existing buildings “particularly those adjacent to or closely related to towns or villages”.
- 4.9 **CS7h** seeks to protect “Magna Park’s unique role as a strategic distribution centre (B8 uses / Min size 10,000 m²) of national significance and an exemplar of environmental performance.” CS7h goes on to say, “No further phase of development or large scale expansion of the site, beyond the existing development footprint (to be defined in the Allocations DPD) will be supported.”
- 4.10 The CS written statement explains that the employment need evidence base for Policy CS7h is the 2008 Leicester and Leicestershire HMA Employment Land Study 2008 which found “no overall strategic need” for additional employment land in the District over the plan period (paragraph 5.89). Paragraph 5.70 of the statement goes on to explain that “Harborough’s contribution to Leicestershire’s economic growth is to sustain local economic prosperity; enable businesses to start and grow; and making local as opposed to strategic provision for employment needs.” Paragraph 5.73 elaborates on that position in respect to Magna Park and says the “site meets a regional, or strategic, rather than local need and concludes –that because of future road / rail network developments, travel to work patterns, the mismatch between the logistics’ sector’s occupational structure and the District’s skills base, that there are “more suitable locations and sites (both rail and non rail-linked) than Magna Park” to meet the forecast need for strategic distribution to 2026. That is despite even the 2008 study finding a shortfall of 32.9 ha over the 2007-2026 period between the demand for logistics warehousing and the supply of land to accommodate it.
- 4.11 Nonetheless, paragraph 5.69 of the statement explains, “existing employment provision will be re-assessed and depending on particular circumstances, additional site allocations will be considered via the Allocations DPD and applications for additional employment sites may be permitted.” However, no Allocations DPD was ever prepared. Instead consultation on the options for the location of development to inform a new Local Plan is in progress.
- 4.12 **Policy CS8: Protecting and Enhancing Green Infrastructure** seeks to secure a high quality, accessible and multi-functional green infrastructure network across rural and urban parts of the District. Green infrastructure will be encouraged through the promotion of, amongst other things, recreation, tourism, education, biodiversity, and the protection and enhancement of heritage assets. The means include developer contributions to improve the quality, use and multi-functionality of the green infrastructure assets and making use of opportunities to maximise the potential of existing and new green space.
- 4.13 **Policy CS8d** states that the Council and its partners will (amongst other things): protect, manage and enhance the District’s biodiversity assets (including those that are not designated); encourage the restoration of fragmented habitats, promote the management of biodiversity (encouraging the maintenance of wildlife corridors,

ecological networks and “stepping stones” at a local level that contribute to the sub-region’s Green Infrastructure Network); avoid demonstrable harm to habitats or species which are protected or important to diversity; require proposed new developments to incorporate beneficial features for biodiversity “as part of good design and sustainable development”; and support measures aimed at allowing the District’s flora and fauna to adapt to climate change.

- 4.14 **Policy CS9: Addressing Climate Change** states that development which adapts to climate change and helps to reduce the District’s carbon emissions will be supported through the means listed in CS9a)-CS9f). **CS9a** directs new development to the most sustainable locations and militates against any impacts on the environment; **CS9b** prioritises brownfield land; **CS9c** supports and encourages sustainable construction materials and methods; **CS9d** encourages new non-residential developments to meet a BREEAM assessment of “very good” and, from 2016, “excellent” and on-site or decentralised renewable energy to provide a minimum of a site’s total energy requirements. **CS9e** promotes the use of standalone renewable and low carbon energy sources – subject to (amongst other things) siting that avoids harm to heritage assets, minimal impact on local landscape character and does not create overbearing cumulative noise or visual impacts. **CS9f** supports additional innovations which have a positive impact on climate change adaptation – and states that the innovations supported include appropriate shading and planting, Sustainable Urban Drainage Systems, rain harvesting and storage, and grey water recycling.
- 4.15 **CS10: Addressing Flood Risk** states that new development will be directed towards areas at the lowest risk of flooding within the District; with priority given to land within Flood Zone 1. The use of Flood Zones 2 and 3a for recreation, amenity and environmental purposes will be supported where an effective means of flood risk management is evident. All new development will be expected to ensure that it does not increase the level of flooding experienced in other areas of the District. Surface water run-off in all developments should be managed, to minimise the net increase in the amount of surface water discharged into the local public sewer system.
- 4.16 **CS11: Promoting Design and Built Heritage** seeks the highest standards of design in new development to create attractive places for people to live, work and visit. **CS11a** states that development should be inspired by, respect and enhance local character, building materials and distinctiveness of the area; **CS11b** obliges all development to respect the context in which it is taking place and respond to the unique characteristics of the individual site and wider local environment beyond the site’s boundaries, and states that new development should be directed away from undeveloped areas of land which are important to the form and character of a settlement or a locality. **CS11c** states that development should be well-planned so that, amongst other ways, it is of a scale, density and design that would not cause damage to the qualities, character and amenity of the area in which it is situated; ensures that the amenities of existing and future neighbouring occupiers are safeguarded; where appropriate, encourages travel by a variety of modes of transport; and minimises waste and encourages re-use and recycling wherever possible. **CS11d** states that the heritage assets within the District, and their setting, will be protected, conserved and enhanced, ensuring that residents and visitors can appreciate and enjoy them, and that Scheduled Monuments and non-scheduled nationally important archaeological remains and other areas of archaeological potential will be safeguarded. The Policy encourages improved access to buildings and places of heritage for local people and visitors. In this context it is important to note section 66(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 which provides that In considering whether to grant planning permission for development which affects a listed building or its setting, a

local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. In substance this provides for statutory presumption in favour of the preservation of listed buildings and their settings and any harm to the significance of a listed building should be given considerable importance and weight in the overall balance. Section 72 of the same Act places a requirement on a local planning authority in relation to development in a conservation area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. This too is a statutory presumption in favour of preservation and, if harm is caused to a Conservation Area that should be given considerable importance and weight.

- 4.17 **CS Policy CS14: Lutterworth** states that the town will be developed as a Key Centre for the District to provide new housing, employment, retail, leisure and community facilities to serve the settlement and its catchment area. The policy states that in doing so steps will be taken to accommodate businesses dependent on HGV access in locations where such traffic does not need to travel through the town centre.
- 4.18 **CS14b** states that transport interventions associated with additional development in and around Lutterworth will focus on improving air quality and reducing the adverse impacts of traffic flow in the town centre. Amongst other ways, this is to be achieved by resisting development that would result in additional HGVs passing through the town centre; supporting routeing schemes for Magna Park; locating future HGV generating business developments to the south of the town with good access to the M1, the A4303 and A426; and improving links within the existing urban area for walking, cycling and local bus provision.
- 4.19 **CS14d** states that employment development will be supported which strengthens the role of Lutterworth as a Key Centre within the District and reinforces the Spatial Strategy set out in Policy CS1, and that any additional proposals for business development in Lutterworth which require access by heavy goods vehicle should be located near the M1, A426 and A4303.
- 4.20 **CS14e** states that the principle of a separation area between Magna Park, Bitteswell and Lutterworth will be maintained to ensure the retention of the identity and distinctiveness of these nearby places. Proposals leading to the formation of accessible natural and semi natural green space, tree planting, improved local routes for walking, horse riding and cycling and the promotion of improved biodiversity will be supported in this area.
- 4.21 **CS17: Countryside, Rural Centres and Rural Villages** states that outside the named rural settlements, “new development in the Countryside and other settlements not identified as selected rural villages will be strictly controlled.” Only development required for the purposes of agriculture, woodland management, sport and recreation, local food initiatives, that supports visits to the countryside and renewable energy production will be appropriate in the countryside. **CS17c** states that “rural development” will be located and designed in a way that is sensitive to its landscape setting, retaining, and where possible, enhancing the distinctive characteristics of the landscape character area in which it is situated. CS17c refers to the district’s five landscape areas, and sets a number criteria to be met by development in those areas – including:
- protecting and, where possible, enhancing the character and quality of the landscape in which the development is situated (CS17ci)
 - conserving and, where possible, enhancing local landscape distinctiveness (CS17cii)

- protecting and, where possible, enhancing local character through appropriate design and management which is sensitive to the landscape setting (CS17ciii)
 - avoiding the loss of features and habitats of landscape, historic, wildlife or geological importance, whether of national or local significance (CS17civ)
 - safeguarding important views and landmarks (CS17cv)
 - protecting the landscape setting of individual settlements (CS17cvi)
 - restoring, or providing mitigation proportionate in scale for damaged features/landscapes in poor condition (CS17cvii)
 - improving the green infrastructure network, including increased opportunities for public access to the countryside and open space assets (CS17cviii).
- *Harborough District Local Plan – April 2011*
- 4.22 The sole saved policies of the 2001 Local Plan that are relevant are:
- saved policy EV2, which seeks to protect the open and undeveloped character of defined Green Wedges (one of which lies between Lutterworth and Magna Park)
 - saved policy EV3, which responds to the statement (paragraph 3.9) that most settlements in the district are physically separated from each other such that “there is little danger of new development resulting in the coalescence of villages” – but that Lutterworth, Bitteswell and Magna Park (and two others) are exceptions. Thus EV3 says it will refuse planning permission for development between Lutterworth, Bitteswell and Magna Park that would adversely affect the predominantly open character of land, or result in a reduction of open land separating these settlements.

b) Material Planning Considerations

- 4.23 The material considerations to be taken into account in considering the merits of this application include, amongst others, the National Planning Policy Framework, the National Planning Policy Guidance, the Environmental Statement information, together with responses from consultees and representations received from all other interested parties in relation to material planning matters.
- *The National Planning Policy Framework*
- 4.24 The National Planning Policy Framework (hereafter referred to as ‘The Framework’) published in March 2012 replaces previous national guidance set out in Planning Policy Guidance and Planning Policy Statements.
- 4.25 The overarching policy objective of the Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision-taking.
- 4.26 Paragraph 7 of The Framework identifies three dimensions to sustainable development: economic, social and environmental. These can be defined as follows:
- an economic role – contributing to building a strong, response and competitive economy by ensuring that sufficient land of the right type and in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirement, including the provision of infrastructure;
 - a social role – supporting strong, vibrant and healthy communities by, amongst other things, creating a high quality built environment, with accessible local services that reflect the community’s needs and support health, social and cultural well-being; and
 - an environmental role – contributing to protecting and enhancing our natural, built and historic environment and, as part of this, helping to improve biodiversity,

use natural resources prudently, minimise waste and pollution and mitigate and adapt to climate change including moving to a low carbon economy.

- 4.27 These issues are mutually dependent and in order to achieve sustainable development economic, environmental and social gains should be sought jointly and simultaneously through the planning system (paragraph 8). The presumption in favour of sustainable development is the “golden thread” that should run through both plan-making and decision-taking.
- 4.28 Paragraph 11 confirms that planning applications must, by law, be determined in accordance with the development plan unless material considerations indicate otherwise – and that the statutory basis for such decisions is not changed by the NPPF. It counsels, however, that it is “highly desirable” that local planning authorities should have an up-to-date plan in place.
- 4.29 The Framework indicates that where development accords with an up to date DP it should be approved (paragraph 12).
- 4.30 Paragraph 14 of the Framework states that when making decisions on development proposals the decision maker should “approve development proposals that accord with the DP without delay”. It goes on to say where the DP is absent, silent or where relevant policies are out of date, permission should also be granted, unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the Framework taken as a whole, or specific policies in the Framework suggest development should be restricted.
- 4.31 Paragraph 17 sets out the 12 core ‘planning principles’ which should underpin decision making. Summarising, they should:
- 1) be led by local plans which set out a vision for the future of the area;
 - 2) enhance and improve the places where people live;
 - 3) drive sustainable development;
 - 4) secure a high quality of design and a good standard of amenity;
 - 5) protect the diversity of different areas;
 - 6) support the transition to a low-carbon future;
 - 7) help conserve and enhance the natural environment;
 - 8) encourage the re-use of land;
 - 9) promote mixed use developments;
 - 10) conserve heritage assets;
 - 11) make full use of public transport, walking and cycling; and
 - 12) improve health, social and cultural wellbeing.
- 4.32 Paragraph 19 states, “Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.”
- 4.33 Paragraph 20 states that in order to help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century.
- 4.34 Paragraph 21 states that in drawing up Local Plans local planning authorities should, amongst other things, support existing business sectors, taking account of whether they are expanding or contracting.

- 4.35 Paragraph 29 says that the transport system needs to be balanced in favour of sustainable transport modes but that the Government recognises that opportunities to maximise sustainable transport solutions will vary from urban to rural areas.
- 4.36 Paragraph 31 states that local authorities should work with neighbouring authorities and transport providers to develop strategies for the provision of viable infrastructure necessary to support sustainable development, including rail freight interchanges and other major generators of travel demand within their areas.
- 4.37 Paragraph 32 advises developments that generate significant amounts of movements should be supported by a Transport Assessment and decisions should take account of whether:
- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
 - safe and suitable access to the site can be achieved for all people; and
 - improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
- 4.38 Paragraph 35 states that plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Developments should be located and designed where practical to:
- accommodate the efficient delivery of goods and supplies;
 - have access to high quality public transport facilities;
 - create safe and secure layouts which minimise conflicts between traffic and cyclists;
 - incorporate facilities for charging plug-in and other ultra-low emission vehicles; and
 - consider the needs of people with disabilities.
- 4.39 Paragraph 56 explains the great importance Government attaches to the design of the built environment: that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- 4.40 Paragraph 58 states that planning decisions should aim to ensure that developments will function well and add to the overall quality of the area, establish a strong sense of place, optimise the potential of the site to accommodate development, respond to local character and history, create safe and accessible environments, and are visually attractive as a result of good architecture and appropriate landscaping.
- 4.41 Paragraph 60 states that planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles.
- 4.42 Paragraph 61 states that securing high quality and inclusive design goes beyond aesthetic considerations. Planning decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.

- 4.43 Paragraph 69 sets out how the planning system can play “an important role in facilitating social interaction and creating healthy, inclusive communities”. Paragraph 69 states that LPAs, in making planning decisions, should aim to achieve places which promote safe and accessible environments where crime and disorder do not undermine quality of life or community cohesion, and safe and accessible developments, containing clear and legible pedestrian routes, and quality public space.
- 4.44 Paragraph 73 states that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities.
- 4.45 Paragraph 75 seeks to protect and enhance public rights of way and access and seek opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.
- 4.46 The NPPF recognises that action to reduce the impact of human activity on the climate system will be achieved primarily through reducing greenhouse gas emissions. Paragraph 93 emphasises that planning plays a key role in helping to shape places to secure radical reductions in greenhouse gas emissions, minimise vulnerability and provide resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure; and makes it clear that it is this that is central to the economic, social and environmental dimensions of sustainable development.
- 4.47 To support the move to a low carbon future, new development should comply with adopted local plan policies on the requirements for decentralised energy supply and seek to minimise energy consumption unless it can be demonstrated that this is not feasible or viable; and (Paragraph 96).
- 4.48 Paragraph 99 restates the need for new development to be planned to avoid increased vulnerability to the range of impacts arising from climate change. Paragraphs 100 and 103 direct development away from areas at the highest risk of flooding and which does not increase flood risk elsewhere.
- 4.49 Paragraph 109 states the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, recognising the wider benefits of ecosystem services and minimising the impacts on biodiversity and providing net gains in biodiversity where possible to establish coherent ecological networks that are more resilient to current and future pressures. It seeks to prevent both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution and land instability.
- 4.50 Chapter 11, Paragraph 112, advises planning decisions should encourage the effective use of land by re-using land that has been previously developed; take into account the economic and other benefits of the best and most versatile agricultural land; conserve and enhance biodiversity and green infrastructure; ensure new development is appropriate for its location taking account of ground conditions.
- 4.51 Paragraph 118 states that when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity. They should refuse planning permission for development that would cause significant harm where this harm cannot be avoided, adequately mitigated or compensated for. Opportunities to incorporate biodiversity in and around developments should be encouraged.

- 4.52 Paragraph 120 states that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.
- 4.53 Paragraph 123 states that planning policies and decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development. Decisions should mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions.
- 4.54 Paragraph 124 states that planning policies should sustain compliance with, and contribute towards, EU limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and cumulative impacts on air quality from individual sites in local areas.
- 4.55 Chapter 12 outlines how LPA's should determine applications that affect the historic environment. Paragraphs 126 and 131 state that LPAs should take account of the desirability of new development making a positive contribution to local character and distinctiveness, as well as opportunities to draw on the contribution made by the historic environment to the character of a place. The positive contribution that conservation of heritage assets can make to sustainable communities, including their economic vitality, should be taken into account in decision taking.
- 4.56 Paragraph 128 states that LPAs should require applicants for planning permission to describe the significance of any affected assets (including their setting), providing a level of detail appropriate to their significance using appropriate expertise to do so where necessary.
- 4.57 Para 129 states that Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.
- 4.58 Paragraph 131 states in determining planning applications, local planning authorities should take account of:
- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - the desirability of new development making a positive contribution to local character and distinctiveness.
- 4.59 Paragraph 132 advises that great weight should be given to the asset's conservation when considering the impact of a proposed development on the significance of a designated heritage asset. The more important the designated asset, the greater the weight should be. It goes on to advise, that significance can be harmed or lost through alteration or destruction of the designated heritage asset or development within its setting and as heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

- 4.60 Paragraph 133 states that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:
- the nature of the heritage asset prevents all reasonable uses of the site; and
 - no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
 - conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
 - the harm or loss is outweighed by the benefit of bringing the site back into use.
- Paragraph 134 advises 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 securing its optimum viable use
- 4.61 Paragraph 135 refers specifically to non designated heritage and requires a balanced judgement to be made. Paragraph 136 provides that local planning authorities should not permit the loss of the whole or part of a heritage asset without taking reasonable steps to ensure that the new development will proceed after the loss has occurred.
- 4.62 Paragraph 137 states that LPAs should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets “to enhance or better reveal their significance”; and states that proposals that “preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably”.
- 4.63 Paragraph 141 states that Local planning authorities should make information about the significance of the historic environment gathered as part of plan-making or development management publicly accessible. They should also require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible
- 4.64 Paragraph 157 explains the “crucial” requirement for local plans to “plan positively for the development and infrastructure required in the area” (bullet 1); be based on cooperation with neighbouring authorities; allocate sites to promote development and flexible use of land, bringing forward new land where necessary (bullet 5).
- 4.65 paragraphs 160-161 set out the obligation on LPAs to have a clear understanding of the business needs within the economic markets operating in and across their area - and, in developing that understanding, to work together with neighbouring authorities to develop and maintain a robust evidence base and to work closely with the business community to understand their changing needs and identify and address barriers to investment. (NPPF paragraphs 160-161)
- 4.66 Paragraphs 178-179 guide performance of the “duty to cooperate” within plan preparation in relation to planning issues that cross administrative boundaries - to meet development requirements which cannot be met in their own areas – “for instance, because of a lack of physical capacity or because to do so would cause significant harm to the principles and policies of the NPPF”

- 4.67 At Paragraph 186 the Framework advises LPA's to approach decision-taking in a positive way to foster the delivery of sustainable development and seek to approve applications for sustainable development where possible.
- 4.68 Paragraph 187 states that LPAs should "look for solutions rather than problems". Decision-takers "at every level should seek to approve applications for sustainable development where possible", working "proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area."
- 4.69 Paragraph 190 recognises that the more issues that can be resolved at the pre-application stage, the greater the benefits. Paragraph 191 also states that the participation of other consenting bodies in pre-application discussions should enable early consideration of all the fundamental issues relating to whether a particular development will be acceptable in principle.
- 4.70 Paragraph 196 reiterates Section 38 (6) of the Planning and Compulsory Purchase Act 2004 which requires all applications to be determined in accordance with the DP unless there are material considerations which indicate otherwise and advises the Framework is a material consideration in planning decisions.
- 4.71 In respect of planning obligations, the Framework advises that these should only be used where it is not possible to address unacceptable impacts through a planning condition. They should, in addition, meet all of the following tests, which mirror those in the Community Infrastructure Levy Regulations 2010:
1. necessary to make the development acceptable in planning terms;
 2. directly related to the development; and
 3. fairly and reasonably related in scale and kind to the development.
- Where obligations are being sought or revised, LPA's should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled.
- 4.72 Paragraph 206 advises LPA's to only impose planning conditions where they meet six tests. Conditions should be:
- i) necessary,
 - ii) relevant to planning
 - iii) relevant to the development to be permitted,
 - iv) enforceable,
 - v) precise and
 - vi) reasonable in all other respects.
- 4.73 Annex 1 to the Framework advocates how the Framework should be implemented. In particular it advocates:
- only due weight should be given to relevant policies in a Local Plan according to their degree of consistency with the Framework and
 - the weight to be afforded to emerging plans, which is to be determined having regard to their stage of preparation, the extent of unresolved objections and the degree of consistency with the Framework.
- *Noise Policy Statement for England 2010 (NPSE)*
- 4.74 The vision of the NPSE is to promote good health and a good quality of life through the effective management of noise within the context of Government policy on sustainable development. The aim of the NPSE is through the effective management and control of environmental, neighbour and neighbourhood noise within the context of Government policy on sustainable development to:

- avoid significant adverse impacts on health and quality of life;
- mitigate and minimise adverse impacts on health and quality of life; and
- where possible, contribute to the improvement of health and quality of life.

The intention is that the NPSE should apply to all types of noise apart from noise in the workplace (occupational noise). For the purposes of the NPSE, “noise” includes:

- “environmental noise” which includes noise from transportation sources;
- “neighbour noise” which includes noise from inside and outside people’s homes; and
- “neighbourhood noise” which includes noise arising from within the community such as industrial and entertainment premises, trade and business premises, construction sites and noise in the street.

- 4.75 The application of the NPSE should mean that noise is properly taken into account at the appropriate time. In the past, the opportunity for the cost effective management of noise has often been missed because the noise implications of a particular policy, development or other activity have not been considered at an early enough stage.
- 4.76 In addition, the application of the NPSE should enable noise to be considered alongside other relevant issues and not to be considered in isolation. In the past, the wider benefits of a particular policy, development or other activity may not have been given adequate weight when assessing the noise implications.
- 4.77 There are two established concepts from toxicology that are currently being applied to noise impacts, for example, by the World Health Organisation. They are:
- NOEL – No Observed Effect Level - This is the level below which no effect can be detected. In simple terms, below this level, there is no detectable effect on health and quality of life due to the noise.
 - LOAEL – Lowest Observed Adverse Effect Level – This is the level above which adverse effects on health and quality of life can be detected.
- 4.78 Extending these concepts for the purpose of this NPSE leads to the concept of a significant observed adverse effect level.
- SOAEL – Significant Observed Adverse Effect Level – This is the level above which significant adverse effects on health and quality of life occur.
- 4.79 It is not possible to have a single objective noise-based measure that defines SOAEL that is applicable to all sources of noise in all situations. Consequently, the SOAEL is likely to be different for different noise sources, for different receptors and at different times. It is acknowledged that further research is required to increase our understanding of what may constitute a significant adverse impact on health and quality of life from noise. However, not having specific SOAEL values in the NPSE provides the necessary policy flexibility until further evidence and suitable guidance is available.
- 4.80 The first aim of the NPSE is to avoid significant adverse impacts on health and quality of life from environmental, neighbour and neighbourhood noise within the context of Government policy on sustainable development. The first aim of the NPSE states that significant adverse effects on health and quality of life should be avoided while also taking into account the guiding principles of sustainable development.
- 4.81 The second aim of the NPSE is to mitigate and minimise adverse impacts on health and quality of life from environmental, neighbour and neighbourhood noise within the context of Government policy on sustainable development. The second aim of the

NPSE refers to the situation where the impact lies somewhere between LOAEL and SOAEL. It requires that all reasonable steps should be taken to mitigate and minimise adverse effects on health and quality of life while also taking into account the guiding principles of sustainable development (paragraph 1.8).

- 4.82 The third aim of the NPSE is to, contribute to the improvement of health and quality of life through the effective management and control of environmental, neighbour and neighbourhood noise within the context of Government policy on sustainable development. This aim seeks, where possible, to positively improve health and quality of life through the pro-active management of noise while also taking into account the guiding principles of sustainable development, recognising that there will be opportunities for such measures to be taken and that they will deliver potential benefits to society. The protection of quiet places and quiet times as well as the enhancement of the acoustic environment will assist with delivering this aim.
- *National Planning Practice Guidance*
- 4.83 The National Planning Practice Guidance (hereafter referred to as the NPPG) published 6th March 2014 replaces a raft of previous planning guidance documents that have been cancelled as part of the Government's drive to simplify the planning process. The PPG complements The Framework.
- 4.84 Set out below are the topic areas contained within the PPG that are of most relevance to the consideration of the proposal:
- Design
 - Design and Climate Change
 - Air Quality
 - Housing and Economic Development Needs
 - Natural Environment
 - Heritage
 - Renewable and Low Carbon Energy
 - Noise
- *New Local Plan*
- 4.85 On 3 December 2012, the Council resolved to prepare a new Local Plan for Harborough District. The new Local Plan will incorporate a focused review of the Harborough CS (adopted in November 2011) and will also identify key areas of land for development, thereby obviating the need for an allocations plan.
- 4.86 The new Local Plan scoping consultation was completed in April 2013. The Scoping Consultation noted that the Plan Period would be extended to 2031. The pre-submission consultation is currently taking place, with an examination timetabled for Spring 2018. It is envisaged that the plan will be adopted no earlier than Summer 2018. Consequently, the emerging plan carries **very limited weight** in determining this application.
- 4.87 In terms of evidence base, the Leicester and Leicestershire Strategic Distribution Sector Study (SDSS 2014, 2016) (see **Para's 4.102 – 4.122**) concluded that the key to maintaining the East Midlands and Leicestershire's competitive advantage in the logistics sector is the continued development of new commercially attractive sites. The study forecast predicted a total gross new-build floor-space and land requirement for the Housing Market Area of 1,445,000sqm which equates to 361ha of required land. Taking the study recommendation and conclusions together, when preparing Local Plan and policies, the evidence states that the demand forecast

figures should be viewed as minimum requirements going forward, not 'targets' or maximum levels of provision not to be exceeded.

- 4.88 The minimum floor space and land requirements are not disaggregated by individual districts. The Leicester and Leicestershire Housing and Economic Development Needs Assessment HEDNA (2017) (see **Para's 4.132 – 4.135**) assumes that the minimum requirement set out in the SDSS study will be met and forecasts the housing requirement arising from it, in addition to the other components of population growth. Evidence indicates that completions and commitments in the District (at March 2017) and across the HMA (to June 2016) are sufficient to meet the minimum for non railserved sites need without further allocation, however, market demand for sites in this District remains high. The SDSS, and success of Magna Park and market demand for further development, supports the case for the Harborough District to continue contributing towards meeting the future needs of the sector. The available evidence does not set out an upper limit for strategic distribution in the HMA and the Council, through the Local Plan process, is positively planning for an appropriate level of strategic distribution development.
- 4.89 In May 2017 a Duty to Cooperate Workshop with neighbouring authorities highlighted that further work was required to support the Draft Proposed Submission Local Plan and Policy BE2 relating to strategic distribution. There was a clear need to consider whether any proposed increase in strategic distribution development above that assumed within the HEDNA (2017) would have any significant impact on housing and employment requirements and their distribution. In particular, consideration was required of the need to place an upper limit on potential strategic distribution development to address concerns regarding impacts on housing and employment from other Local Authorities. The aim was to ensure that the relationship between the level of employment growth being promoted within the District and the proposed level of housing growth was balanced and sound. This must be clearly evidenced to ensure that a requirement of the HEDNA is met and any resulting Duty to Cooperate matters could be addressed.
- 4.90 The Magna Park Employment Sensitivity Study (see **Para's 4.123 – 4.131**) was therefore undertaken during July and August 2017 to understand the housing and employment implications of levels of strategic distribution growth in the District above that assumed for within the HEDNA 2017 and to provide evidence to support the Draft Proposed Submission Local Plan.
- 4.91 A report on the emerging conclusions of the Employment Sensitivity Study was presented to Local Plan Executive Advisory Panel on the 24th July 2017. This report included a revised Policy BE2: Strategic Distribution, informed by the results of the Study, identifying the proposed quantum of strategic distribution for the plan period of 700,000 sq m. gross of additional strategic distribution floorspace.
- 4.92 Policy SS1 of the emerging New Local Plan states:
The spatial strategy for Harborough District to 2031 is to:
2) *enable housing and commercial development, during the period 2011- 2031, including:*
c. *Strategic storage and distribution: safeguard existing provision at Magna Park and ensure further sites contribute towards meeting the future requirement for non rail-served land across Leicester and Leicestershire in accordance with Policy BE2.*

- 4.93 The amount of Strategic Distribution sector growth proposed within Local plan policy BE2 takes account of the inter relationship with housing needs. The conclusion from the Magna Park Employment Sensitivity Study is that;
- At the Leicester and Leicestershire level, the HEDNA's objectively assessed housing needs (OAN) conclusions remain true and robust both for the Leicester and Leicester HMA and the OAN of 532 dwellings per annum for Harborough District remains the baseline housing need to 2031;
 - Any growth at Magna Park would not increase the OAN for the Harborough District but would lead to a small increase in housing requirement to 557 for the District (on which the 5 year supply would in future be judged);
 - However, the total amount of housing provision in the Local Plan (640 p.a. and 12,800 in total) is sufficient to cover this increase.
- 4.94 Draft Policy BE2:2 of the forthcoming New Local Plan states:
Additional development of up to 700,000 sq.m. for non rail-served strategic storage and distribution (Class B8) use will be permitted where it would:
- a. form an extension of, or be on a site adjoining, Magna Park;*
 - b. support or at least have no adverse impact on the viability and deliverability of existing or further Strategic Rail Freight Interchanges (SFRI's) within or serving neighbouring authorities and Leicestershire;*
 - c. increase employment opportunities for local residents, including training and apprenticeships;*
 - d. include measures to enable an increase in the proportion of the workforce commuting from locations within Harborough District;*
 - e. not lead to severe traffic congestion anywhere on the nearby strategic and local road network, particularly the A5, whether within Harborough District or outside; and*
 - f. ensure 24 hour operations do not have an unacceptable environmental, community or landscape impact in the immediate and wider surrounding area.*
- The applicants for each application have submitted a statement of conformity setting out how they consider that their applications comply with this draft Policy. These Statements can be seen at **Appendix B** of each of the individual Application reports.

c) Other Relevant Documents

- *Community Infrastructure Levy Regulations*
- 4.95 The Community Infrastructure Levy (hereafter referred to as 'CIL') is a planning charge, introduced by the Planning Act 2008 as a tool for local authorities to help deliver infrastructure to support the development of their area.
- 4.96 Regulation 122 of the CIL Regulations 2010 introduced into law three tests for planning obligations in respect of development that is capable of being charged CIL. Obligations should be:-
- necessary to make the development acceptable in planning terms
 - directly related to the development
 - fairly and reasonably related in scale and kind to the development
- *Circular 11/95 Annex A - Use of Conditions in Planning Permission*
- 4.97 Although publication of the PPG cancelled Circular 11/95, Appendix A on model conditions has been retained. These conditions are not exhaustive and do not cover every situation where a condition may be imposed. Their applicability will need to be considered in each case against the tests in paragraph 206 of the Framework and the guidance on the use of planning conditions in the PPG.

- *Supplementary Planning Guidance*
- 4.98 A series of guidance notes were adopted as Supplementary Planning Guidance (hereafter referred to as 'SPG') to the Harborough District Local Plan in March 2003. They cover a range of topics relating to layout and design issues. Council agreed (19th December 2011) to retain the said SPGs and link them to CS policies as applicable, until a new Supplementary Planning Document is produced. The relevant SPGs are:
 - SPG 7 - Industrial and Commercial Layout and Design
 - SPG 10 -Trees and Development
 - SPG 11 - Hedges and Development
 - SPG 12 - Lighting in the Town and Country
- *Leicester & Leicestershire Strategic Economic Plan 2014-2020 (LLEP)*
- 4.99 The Economic Plan sets ambitious targets for 'Place', 'Business' and 'People' development in terms of job creation (45,000 jobs), leveraging private investment (£2.5bn) and increasing GVA (by £4bn). It identifies a lack of suitable land for our most land intensive priority sectors (logistics and manufacturing) as 1 of 5 major risk to the areas economy. In particular the SEP promotes 5 growth areas in Leicestershire (keep Figure 9), including South West Leicestershire which impacts on the west of Harborough district.
- *LLEP-Logistics Distribution Sector Growth Plan (June 2015)*
- 4.100 The Growth Plan sets out actions to support growth in the sector addressing people, business, place, and the environment. It identifies issues of recruitment (i.e. Drivers, warehouse operatives, the young and unemployed), career development, training and sector perception, business advice and support, land and roadside facilities provision, and environmental improvement. Underpinning the 'Place' element of the action plan is a commitment to implementing the recommendations of the SDSS for collaboration between LPAs to ensure that land and premises provision continues to meet sector needs in the short, medium and long term.
- 4.101 Leicester & Leicestershire Growth Plan 2050: the Strategic Planning Group, on which the LLEP and local authorities are represented, is in the formative stages of agreeing combined governance arrangements and a schedule for the preparation of a strategic growth plan for the area which aligns long term economic and spatial development ambitions.
- *Leicester and Leicestershire Strategic Distribution Sector Study (SDS) (November 2014)*
- 4.102 In December 2013 the Leicester and Leicestershire Housing Planning and Infrastructure Group (HPIG) commissioned *MDS Transmodal and Savills* to undertake a study examining the strategic distribution sector in the county. HPIG represents the county's local planning authorities, Leicestershire County Council and the Leicester and Leicestershire Local Enterprise Partnership (LLEP) on spatial planning matters. The main objectives of the study were to enable a better understanding of the sector and objectively determine future need, together with managing change and supporting sustainable economic growth.
- 4.103 It is also important that the SDS is considered alongside the LLEP's Strategic Economic Plan 2014-2020 (SEP). The 'ambition' of the SEP is to create an additional 45,000 jobs, lever £2.5 billion of private investment and increase GVA by £4 billion to 2020. In particular, the SEP is promoting five growth areas in Leicestershire, as illustrated at **Figure 5**.



Figure 5 – The LLEP Growth Areas (Source: SDS: Executive Summary)

- 4.104 The study was undertaken in three phases, with Parts A and B being of most relevance to the decision making process:
- Part A: Review and Research;
 - Part B: Planning for Change and Growth; and
 - Part C: Developing a Strategy for the Distribution Sector in Leicestershire
- 4.105 Analysis was undertaken in Part B of the SDS assessing total supply chain operating costs which would be incurred by a National Distribution Centre (NDC) occupier located in the golden triangle and at competing locations/sites to the north and east of the Golden Triangle or within Port areas. The outputs of the analysis demonstrated that, given a choice of sites, a major distribution centre operator would be expected to locate at a rail served site in the Golden Triangle as it continues to offer the most competitive location, particularly when handling a mixture of deep-sea, EU and domestic sourced cargo. Consequently, the key to addressing the identified challenges to the Golden Triangle (and by implication Leicestershire), and hence maintaining the established competitive advantage, is the development of new commercially attractive strategic sites in Leicestershire and the East Midlands which will be directly rail-served.
- 4.106 Conversely, the inability to bring forward a range of commercially attractive sites in Leicestershire (and the wider golden triangle) would most likely result in an overall reduction in the region's total warehouse floor space capacity. As described in Part B of the SDS, the vast majority of new-build floor space is actually replacing existing obsolete capacity. Consequently, this replacement capacity along with any growth build element would migrate to other regions given a lack of sites in the Golden Triangle. This clearly has GVA and employment implications.

- 4.107 The southern part of the East Midlands region (including Leicestershire) became the preferred location for most large scale National Distribution Centres (NDCs). This was for three main reasons, namely:
- It was broadly central to the major domestic production sites, the deep-sea and Channel ports (for imported cargo) and Regional Distribution Centres (RDCs) in other regions (the next stage in the supply chain).
 - The release of large competitive sites by local authorities for B8 use during the 1980s which were close to junctions on the M1/M6. This, combined with the above reason, meant that most inbound or outbound cargo movements could be undertaken within 4.5 hours drive time, this being half a HGV driver's daily driving limit. Consequently, a HGV could round-trip within a driver's shift (enabling a HGV to undertake at least two round-trips over a 24 hour period); and
 - Historically, relatively low road haulage costs (in turn driven by low fuel costs) and competitive labour rates.

The combination of these factors meant the southern part of the East Midlands region became the competitive 'location of choice' in both supply chain cost and performance terms when sourcing and distributing on a national basis. The area has become known as the '*Golden Triangle*'¹, and has to date consequently established a distinct competitive advantage in the strategic logistics sector.

- 4.108 This position was evidenced by the analysis undertaken in Section 4 (warehouse floor space) and Section 6 (Employment) of the Part A report. A significant quantum of large scale warehouse floor space has been developed in the Golden Triangle. In Leicestershire, there currently exists *2.25 million square metres* of floor space across *89 large scale warehouse units*². Around 72% of East Midlands floor space capacity is located in Leicestershire or Northamptonshire. The East Midlands region records around 8% of the population of England and Wales, however it accommodates 20% of total English and Welsh warehouse capacity. This means that the identified warehouse capacity in Leicestershire is predominantly serving a national market.
- 4.109 The table at **Figure 6** compares the expected forecast demand at road-only sites to 2036 with land supply at existing sites with B8 consents. The preferred high replacement scenario suggests around 153ha of new land at non rail-served sites will need to be brought forward within Leicestershire up to 2036. To put this figure into context, the existing Magna Park development has a gross land area of around 220ha i.e. plot footprints plus service roads etc. The application proposal has a plot area of c22ha. While a lower replacement build element was also undertaken as part of the forecasts (low replacement scenario), it is the view of the authors of the SDS that the 'high' replacement scenario should be considered as the preferred option going forward for planning purposes.
- 4.110 In order to ensure that there is a sufficient pipeline of strategic distribution sites, new land should be identified and allocated in the following sequential order, namely:
- The extension of existing strategic distribution sites, both rail-served and road-only connected. For existing rail-served sites, this should only be permitted where there is spare capacity available at the existing rail freight terminal or capacity can be enhanced as part of any extension. Likewise, site extensions should only be permitted where there is adequate road capacity serving the site and at adjacent motorway/dual carriageway junctions or capacity can be enhanced as part of any extension;

¹ There is no one standard recognised definition of the 'golden triangle'. It may be referred to as the area bounded by the M1, M6 and M69, albeit that others consider it to be a larger area broadly enclosed by Milton Keynes, Birmingham and north Leicestershire (along the M1 and M6 corridors). The SDS has taken the broader definition.

² As defined in the Part A report, units greater than 9,000sqm (approx 100,000 sq ft)

- In circumstances where rail-served sites cannot be extended, local plans should consider satellite sites (which shall be located close to the existing strategic distribution sites) which meet the site selection criteria and could utilise the existing rail freight infrastructure at the core site. A prerequisite for satellite sites to be considered should be spare rail capacity being available at the core site rail terminal or capacity that can be enhanced as part of any satellite development;
- Identifying suitable new strategic distribution sites on previously developed land which meet the site selection criteria; and
- Identifying suitable new strategic distribution sites on greenfield land which meet the site selection criteria.

Year	ha			
	2021	2026	2031	2036
Leicestershire				
Total Supply - Available at current sites	45	45	45	45
Forecast Demand - high	80	109	152	198
Shortfall - high	-35	-64	-107	-153
East Midlands				
Total Supply - Available at current sites	528	528	528	528
Forecast Demand - high	306	420	585	765
Shortfall - high	222	108	-57	-237

Figure 6: Land required at Non-rail-served sites, Potential Land Supply and Shortfall to 2036 (Source SDS Executive Summary)

4.111 The SDS states that the process of identifying new sites for development (the proactive approach) should be guided by and based around the following site selection criteria:

- At least 50ha of developable land;
- Good highway connectivity – demonstrating that the motorway/dual carriageway junctions serving the prospective sites and the approach routes have sufficient network capacity;
- Showing that a prospective site can be connected to the railway network and that it is served by a railway line offering a generous loading gauge (minimum W9), available freight capacity and connects to key origins/destinations directly without the requirement to use long circuitous routes; (*RAIL CONNECTED SITES ONLY*)
- Are the prospective sites sufficiently large and flexible in configuration to accommodate an intermodal terminal and internal reception sidings;
- Similarly, are they sufficiently large and flexible in configuration to accommodate the size of distribution centre warehouse units now required by the market;
- Demonstrating that they are accessible to labour, including the ability to be served by sustainable transport, and located close to areas of employment need; and
- Located away from incompatible land-uses.

4.112 The report identified ‘key areas of opportunity’ and these are illustrated at **Figure 7**. Those enclosed in red are key areas of opportunity for both rail and road only connected sites, while those enclosed in blue are key areas of opportunity for road

only connected sites. It is broadly within these identified key areas of opportunity where individual sites commercially attractive to the logistics market might be located. These are therefore the key areas where a strategy for growth should be allocating new sites to meet the identified land shortfall, through a pro-active search for sites alongside a 'calls for sites' process with the commercial property sector (see above). As part of the Local Plan Options Consultation, HDC issued such a call for sites, which informed the options formulation process. The call for sites did not identify any rail served sites within the District.

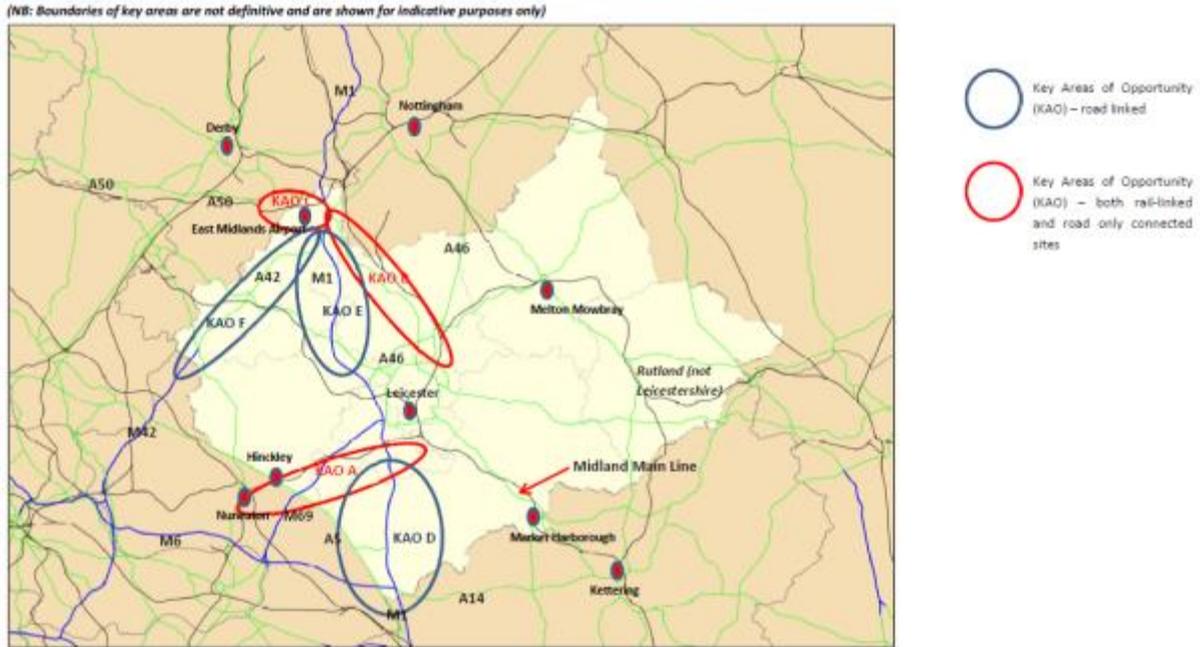


Figure 7: Key Areas of Opportunity (Source: SDS Executive Summary)

4.113 Four over-arching conclusions can be drawn from the SDS, namely

- A need to identify and allocate new land at commercially attractive strategic sites, the purpose of which is to maintain and enhance the established competitive advantage, enabling the sector to grow in a sustainable manner;
- To deliver the identified need, there will be a requirement to continue long-term strategic and collaborative planning across the county of Leicestershire, and potentially with authorities in neighbouring areas. This study should therefore not be viewed as a 'one-off process', and HPIG or a similar grouping will need to take the strategy forward on a longterm basis (and review the strategy periodically);
- While the strategy outlined is a long-term plan (up to 2036), the preparatory work will need to begin immediately. Infrastructure delivery is by its nature long-term, albeit that the underlying evidence base and the preparation of local plan policies needs to commence now so that the right sites in the most competitive locations can come forward for development as and when they are required by the market; and
- The strategy requires the implementation of a number of highway and railway enhancement schemes. Consequently, there will be a requirement for the planning authorities and LLEP to liaise with (and lobby) the Highways Agency and Network Rail to ensure that the enhancement schemes are ultimately delivered.

- *Leicester and Leicestershire Strategic Distribution Sector Study (SDS) Refresh (September 2016)*
- 4.114 HDC commissioned a further piece of work to supplement the SDS in the form of a refresh report. The report was commissioned in three elements:
- Scope A: Clarification on conclusions and recommendations;
 - Scope B: Update and refresh of outputs and conclusions; and
 - Scope C: Wider market developments and implications for Leicestershire.
- 4.115 Part A1 of the report provided clarification on what was meant by an ‘extension of an existing strategic distribution site’. With respect to the identification and allocation of new B8 plots, the Leicester and Leicestershire SDS concluded the following:
- “In order to ensure that there is a sufficient pipeline of strategic distribution sites, new land should be identified and allocated in the following sequential order, namely:*
- *The extension of existing strategic distribution sites, both rail-served and road-only connected. For existing rail-served sites, this should only be permitted where there is spare capacity available at the existing rail freight terminal or capacity can be enhanced as part of any extension. Likewise, site extensions should only be permitted where there is adequate road capacity serving the site and at adjacent motorway/dual carriageway junctions or capacity can be enhanced as part of any extension;*
 - *In circumstances where rail-served sites cannot be extended, local plans should consider satellite sites (which shall be located close to the existing strategic distribution sites) which meet the site selection criteria and could utilise the existing rail freight infrastructure at the core site. A prerequisite for satellite sites to be considered should be spare rail capacity being available at the core site rail terminal or capacity that can be enhanced as part of any satellite development;*
 - *Identifying suitable new strategic distribution sites on previously developed land which meet the site selection criteria; and*
 - *Identifying suitable new strategic distribution sites on greenfield land which meet the site selection criteria. “ (Paragraph 3.15 of Final Report)”*
- 4.116 For clarification purposes, the ‘extension of an existing strategic distribution site’ is defined as follows:
- Where at least one of the proposed new plots directly faces or forms a boundary with the developed and operational plots at the existing strategic distribution site, to the effect that when developed the new plot(s) will extend the officially defined perimeter boundary of the existing development so that it includes the new plot(s);
 - The new plot(s) can be accessed via the existing strategic distribution site’s connections to the public road network and internal estate roads, albeit that new connections to the public road network could be developed or may be required as part of the site’s expansion;
 - Where the existing site is rail-served, the new plot(s) are able to access the intermodal terminal by exactly the same means as the existing operational plots and subsequent occupiers of the new plot(s) will be able to gain access to the intermodal terminal on the same non-discriminatory commercial terms as occupiers at the existing operational plots; and
 - Where feasible and practical, some or all of the utilities currently connected to and serving the existing strategic distribution site can be extended to serve the new plot(s). Utilities in this case means water/drainage, gas, electricity, telephone and fibre optic broadband connections.

- 4.117 With respect to the requirement for at least one of the new plots to directly face or form a boundary with existing operational plots, this does not necessarily mean that the new boundary fence should directly run alongside the existing one. This requirement should be interpreted flexibly in order to allow for necessary physical design features such as drainage channels, gaps required for fire breaks or landscaping. Likewise, the new plot may be physically separated from an existing plot by an internal estate road. An existing operational plot may also include the intermodal terminal at a railserved development.
- 4.118 Further, this requirement should also allow for the possibility that the new plot(s) are being developed by a different promoter to that which originally developed the existing strategic distribution site or the current title owner of the existing site or plots if they have changed hands in the intervening years. For example, Company A may have originally developed the existing site, albeit that some of the plots were subsequently sold to Company B (with the remaining plots and wider estate, roads etc... still being owned by Company A). Meanwhile, Company C owns the land upon which the extension plots are located and will be the developer of those plots.
- 4.119 For the avoidance of doubt, it should be possible to access any new plot(s) at an extended site via the existing strategic distribution site's connections to the public road network and internal estate roads. However, it should also be recognised that new connections to the public road network may be required in order to expand an existing site. For example, forecast traffic to the new plot(s) may result in the existing connection to the public road network exceeding its current design capacity. This could be alleviated through the provision of a new connection at a different location, thereby providing additional capacity for the whole expanded site across two connections with the public road network. Where this occurs, it should therefore be possible to access existing plots via the new road connection and any new internal estate roads, in the same way that the new plots can be accessed via the existing public highway connections and estate roads.
- 4.120 Ideally, the utilities currently connected to and serving the existing strategic distribution site should be capable of being extended to serve the new plot(s). This requirement should however be interpreted flexibly in order to allow for the possibility that the existing utilities are operating at capacity. For example, the electricity sub-station serving the existing development may have no further capacity available to provide for power to the new plot(s).
- 4.121 Part A2 of the report provides a clarification of outputs in respect of the demand forecasts contained within the SDS, and in-particular, clarification on how the demand figures should be used. Taking the analysis and conclusions contained within the SDS together, when preparing Local Plans and policies the demand forecast figures should be viewed as minimum requirements going forward in order that a geographical spread of commercially attractive sites is always available. In practical terms, the quantum of land allocated to strategic distribution should always exceed expected demand in order to maintain a competitive market; multiple strategic sites with vacant plots at different geographic locations should always be available. The demand figures should not be viewed as 'targets' or maximum levels of provision which should not be exceeded.
- 4.122 Part A3 provided clarification on what should be considered to be a "rail-served" facility. In practical terms, there are two possible means by which strategic distribution/logistics sites are 'rail-served' or 'rail-connected'. Provision can be made for warehouse units to have a dedicated rail-siding alongside the unit, alternatively, an intermodal terminal can be located within the same site as the warehouse units.

This would be within the officially defined boundary of the development (which may be delimited on the ground by means of fences, security gates etc..) and where access between the intermodal terminal and the development's warehousing units is entirely via internal private haul roads or where the public road distance is less than 1km. Intermodal container units arriving by train are transferred between the intermodal terminal and the warehousing units by means of the yard tractors hauling skeletal semi-trailers. In this case, private haul road includes the internal estate roads of a strategic distribution/logistics development which were originally built by the developer and are maintained on an ongoing basis by the current private sector site owner. They are therefore used by a variety of vehicles, including delivering/collecting HGVs and employee cars. Public roads are defined as those maintained by the public sector e.g. local highway authority, albeit they may have originally been built by the site developer and subsequently adopted. Vehicle and fuel duty regulations permits so called 'works trucks' (in this case yard tractors) running on rebated diesel to use public (adopted) roads between private premises where the distance is less than 1km.

- *Magna Park Employment Growth Sensitivity Study (MPEGSS) (January 2017)*
- 4.123 The Magna Park Employment Sensitivity Study (MPEGSS) considers three different levels of Strategic Distribution (B8) growth scenario at and adjoining Magna Park.
- Scenario A: 100,000 square metres
 - Scenario B: 400,000 square metres
 - Scenario C: 700,000 square metres
- 4.124 The scenarios tested are based on previous options and SA work undertaken at the 'Options' stage of plan preparation (Autumn 2015) and reflect the most recent evidence on forecast demand provided by the SDSS (2016).
- 4.125 The scenarios have been informed by the Strategic Employment Land Availability Assessment (March 2017) and the current and recent planning applications. One of these planning applications (15/00919/FUL for c100,000sq.m) has been considered by the Planning Committee and consent has been granted for this development. The scenarios assess the housing impact of the alternative growth scenarios for the Local Plan to consider, thus aligning housing and employment.
- 4.126 In addition to floorspace, the MPEGSS also considers the impact of achieving more sustainable commuting patterns, thus increasing the level of self containment in the District as part of the Local Plan's wider aims and objectives as follows:
- Scenario 1: Census based commuting assumptions 18.9% (ie no change to current levels)
 - Scenario 2: Proportion of Magna Park workers living in Harborough increased to 25%
 - Scenario 3: Proportion of Magna Park workers living in Harborough increased to 35%
- 4.127 The purpose of the study is to ascertain the job growth and housing need impacts of each scenario for Harborough, our Leicester and Leicestershire partner authorities and authorities in other counties, namely Rugby, Daventry, Nuneaton & Bedworth, Coventry and North Warwickshire. These are areas from which a high level of the Magna Park workforce reside and travel from for work.
- 4.128 In appraising the results of the Magna Park Employment Sensitivity Study, officers have concluded that scenario C2 700,000 sq m with a level of 25% self containment

presents the most reasonable option and this has been endorsed by the Council to be taken forward within the Draft Proposed Submission Local Plan.

- 4.129 The housing requirement of 557 dwelling per annum does not alter the OAN of 532, but would result in a housing requirement of an additional 25 dwellings per annum. This housing requirement can be accommodated within the total Local Plan housing land provision for 12,800 dwellings (equivalent to 640 dwellings per annum).
- 4.130 Consideration was given to testing a higher level of development but based on the initial findings of the MPEGSS it was considered that such an option would have unacceptable additional housing requirements and impacts on the District and other authorities.
- 4.131 In conclusion, the evidence from the MPEGSS demonstrates that the strategic distribution upper limit level of 700,000sqm can be accommodated at or adjoining Magna Park in terms of supporting infrastructure, housing provision and commuting patterns. In addition an objective runs through the Local Plan to further enhance the sustainability of commuting patterns in the future during the plan period. In the light of the emerging Policy, BE2 sets the upper limit for strategic distribution at or adjoining Magna Park at 700,000sqm.
- *Leicester and Leicestershire Housing and Economic Development Need Assessment 2017 (HEDNA)*
- 4.132 The HEDNA considers the need for B-class employment land across the Functional Economic Market Area. The Leicester and Leicestershire authorities are strategically located at the centre of the UK and see strong demand for logistics/ distribution floorspace. The HEDNA shows strong market demand for additional development. Traditional forecasting approaches used in employment land studies are ill-suited to modelling needs for large-scale B8 development (defined as units of over 9,000 sq.m/ 100,000 sq.ft) for a range of reasons including as employment densities can vary significantly and that there is a weak correlation between net growth in jobs and floorspace/ land requirements.
- 4.133 A more appropriate approach to forecasting demand for this sector is to consider requirements for replacement provision (given that warehouses typically have a 25-35 year lifespan, and a shift towards increasing scale of facilities which provide economies of scale) together with provision associated with expected growth in traffic volumes. Demand forecasting has been provided by MDS Transmodal in the 2014 Leicester & Leicestershire Strategic Distribution Sector Study. This has recently been reviewed and the forecasts confirmed as remaining reasonable. These show the following forecast minimum gross land requirements for strategic B8 development to 2036.
- 4.134 Alongside the strategic warehouse / distribution forecasts, the HEDNA has sought to quantify land requirements for smaller warehouse/distribution activities (units of less than 9,000sq.m), based on projecting forward past trends in completions. This results in a need for 446,000 sq.m of additional B8 floorspace, and a requirement for a further 117 ha of land to 2036.
- 4.135 The Planned Growth Scenario does not specifically take into account the current applications albeit that at a housing market area level growth in logistics / distribution employment of 6,200 (2031) to 6,800 (2036) is forecast. This compares to potential growth in distribution employment of around 3,100 jobs which might arise from the 'Growth Build' element of the MDS Transmodal forecasts for strategic B8 development. Taking into account some potential additional jobs growth in smaller

warehouse facilities, the HEDNA analysis shows that at a HMA level, major potential schemes such as those proposed in Harborough District are not expected to result in employment growth over that already considered in the Planned Growth Scenario forecasts.

- *Planning Obligations Developer Guidance Note*
- 4.136 The Planning Obligations Developer Guidance Note was approved by the Council's Executive in September 2009 and sets out the range of infrastructure, services and facilities that the Council will normally seek to secure via planning obligations in relation to development proposals within the District.
- 4.137 The Note advises if the requirement for developer contributions or for the provision of infrastructure result in viability concerns being raised it will be the responsibility of the Applicant's to provide an independent financial viability assessment to substantiate the situation. If the assessment is accepted as reasonable the Council may request lower contributions for a particular Site provided that the benefits of developing the Site outweigh the loss of the developer contribution.
- 4.138 The Note also advises that an Applicants may be required to enter into a bond with a bank or insurance company in order to prevent any default in payment through bankruptcy, liquidation or refusal to pay. The Council will also seek a contribution of 15% of the total planning application fee to recover costs associated with the negotiating, production and subsequent monitoring of developer contributions.
- 4.139 There are two supporting documents associated with this guidance note:
- Provision for Open Space, Sport and Recreation (September 2009) which provides details of the arrangements for assessing contributions to open space; and
 - Assessment of Local Community Provision and Developer Contributions (October 2010) which provides additional evidence to support the case for developer contributions to local indoor community and sports facilities.
- *Statement of Requirements for Developer Contributions in Leicestershire*
- 4.140 The Statement of Requirements for Developer Contributions in Leicestershire is the County Council's developer contributions policy document. The document was approved as Leicestershire County Council policy in December 2014.
- 4.141 The District Council will take account of the adopted guidance and responses from all services providers, including the County Council in deciding which contributions are necessary to mitigate the impact of a development for the benefit of the community.
- *Harborough District Landscape Character Assessment and Landscape Capacity Study (Sept 2007)*
- 4.142 This Assessment included an identification of Landscape Character Areas across the District. The detail of the report is considered further in **Section 6** of the specific detailed report for each application.
- *Lutterworth and Broughton Astley Landscape Character Assessment and Landscape Capacity Study (December 2011)*
- 4.143 This Assessment built upon and refined previous landscape character, sensitivity and capacity work carried out by The Landscape Partnership in 2007 for the land around Lutterworth. The assessment provided a detailed landscape sensitivity/capacity of the area. The detail of the report is considered further in **Section 6** of the specific detailed report for each application.

- *Leicestershire Local Transport Plan*
- 4.144 The 3rd Leicestershire Local Transport Plan (LTP3) covers the period 2011-2026. It sets out the transport vision and longer term strategy for the County and identifies priorities and objectives to help deliver the vision. Objectives include tackling congestion, improving access to facilities for all, reducing the impact of transport on the environment, and improving road safety.
- 4.145 The LTP3 focuses, in particular, on the need to tackle congestion by increasing the use of public transport, walking and cycling with less growth in car mileage. This would be achieved by improving access to facilities including employment, education, health care and food shops.
- *Leicestershire County Council 6C's Design Guide*
- 4.146 The 6Cs Design Guide (hereafter referred to as 6CsDG) deals with highways and transportation infrastructure for new developments
- *6C's Green Infrastructure Strategy*
- 4.147 The 6C's Green Infrastructure Strategy (hereafter referred to as '6CsGIS') was prepared on behalf of a partnership of local authorities and agencies for the East Midlands, setting out a strategic spatial framework needed to safeguard, manage, and extend networks of Green Infrastructure.
- *5 Year Housing Land Supply Statement*
- 4.148 The Council produces bi-annual monitoring reports on the level of housing supply within the District. These reports include a five year housing land supply calculation and a housing trajectory for the remainder of the DP period. The latest report covers the period from 1 April 2017 to 31 March 2022 and demonstrates a housing supply of 4.45 years.

d) **Additional Information**

- *Appeal Decisions*
- 4.149 Within the main body of the reports reference is made to appeal decisions including high court judgements and recovered secretary of state decisions. Whilst every application is considered on individual merit, appeal decisions and judgements are helpful in demonstrating the weight to be applied to material considerations and the correct interpretation of planning policy.
- *Business Rates*
- 4.150 The increase in business rates for the district from each application (assuming a rates contribution pro-rata to Magna Park's existing £20m), would be in the order of £7m annually once fully occupied, of which HDC would be entitled to keep some 50%³.
- *Vision and Priorities for the District of Harborough*
- 4.151 The Council adopted a vision and four priorities in February 2014. Approving sustainable developments is one way in which the vision and priorities can be achieved.
- *Reason for Committee Decision*
- 4.152 These applications are to be determined by Planning Committee because:
 - a) of the scale and nature of the proposed development

³ The Government formula for the retention of business rates is complex, but Government's policy since 2013 has been to induce local authorities to support economic growth through this "localism" measure. The present indication is retention locally of about 50% of rates.

- b) the proposed development is a departure for the Development Plan
- c) of the level of community interest

5. Key Issues common to both proposals

5.1 The following sub-headings highlight the issues which are common to both applications and the views taken by officers on these issues. Members are referred to the individual reports for full details of all the issues pertinent to the applications. The common issues have been identified as follows:

- 1) The Principle of Development
- 2) The Need and Capacity for both developments

1. The Principle of Development

5.1.1 The application sites are located outside the settlement development boundary (limits to development) of Lutterworth (as defined by the Harborough District Local Plan Proposal's Map), and furthermore, are outside of the current development area of Magna Park. The sites therefore lie within the countryside (See **Figure 8**).

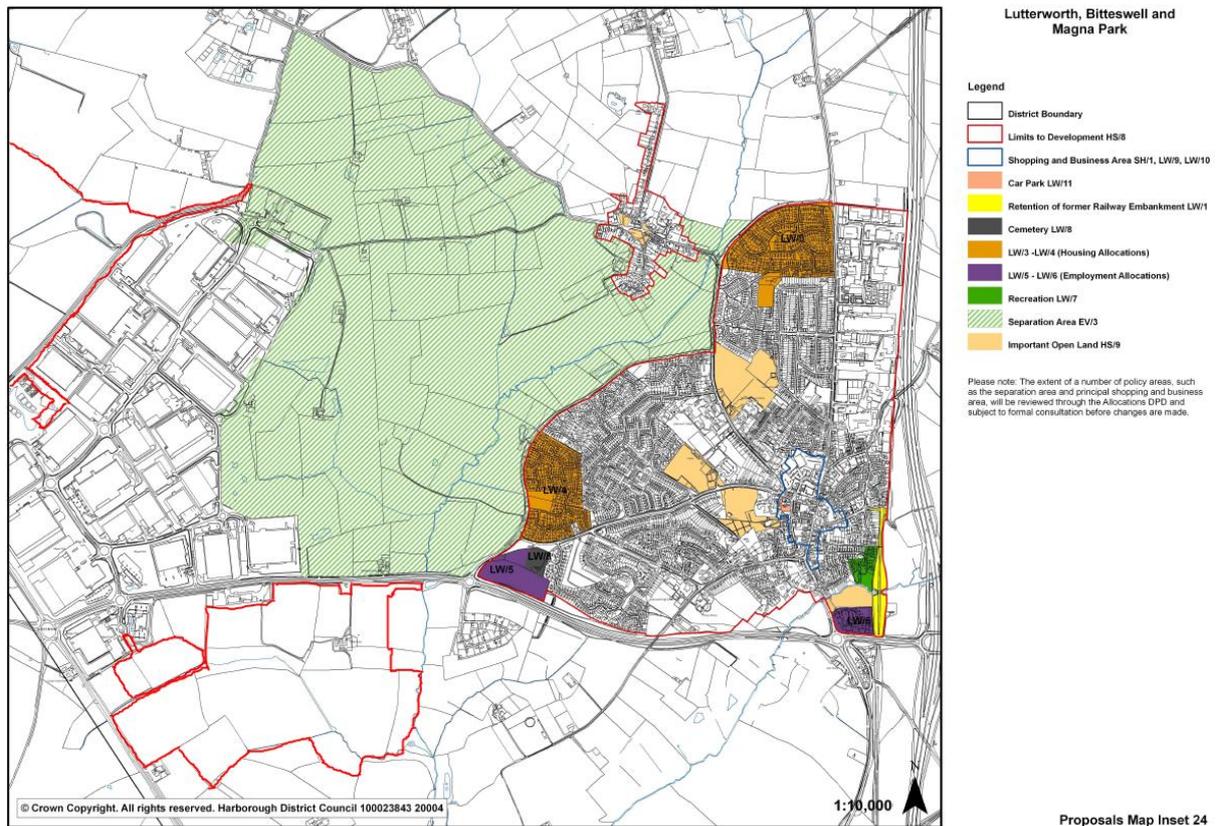


Figure 8: Local Plan Proposals Map indicating Limits to Development with application sites overlaid

5.1.2 CS7f supports employment development only where it contributes to the retention and viability of rural services or land-based businesses; aids farm diversification; or promotes the conversion and re-use of appropriately located and suitably constructed existing buildings. The justification for the CS7f is not dissimilar to that for CS7h. It is stated that there is no need for further employment land in the district because demand outstrips supply save for warehousing and that warehousing is strategic, not local and therefore not for Harborough to supply. It is also stated that any unlikely need for further employment land will be dealt with through the Allocations DPD as discussed previously. Furthermore, Policy CS17, the overarching policy on the countryside, precludes any development in the countryside that is not for the

purposes of and related to agriculture, renewable energy or public amenity (including sport).

- 5.1.3 The extension of Magna Park for strategic warehousing does not constitute one of the circumstances which would be allowed by either CS7f or CS17, and therefore the application proposals are also contrary to both policies. However, the NPPF makes provision for the prosperity of rural areas at paragraph 28 and states that plans should, amongst other things:
- support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings;
- 5.1.4 Policy CS7c states that existing employment sites and future allocations would be reviewed as part of the Allocations Development Plan Document. This work has now been replaced by the forthcoming New Local Plan as set out above.
- 5.1.5 CS Policy CS7h relates specifically to Magna Park and states that no further phase of development or large scale expansion of the site beyond the existing development footprint of Magna Park will be supported. CS7h does not define the development footprint, rather, this would have been considered as part of the Allocations DPD. The absence of that definition does not alter the meaning of CS7h, and, as such, any further phase or large scale expansion of Magna Park would be contrary to Policy CS7
- 5.1.6 The written justification in support of Policy CS7 explains why Magna Park - which is stated at 5.73 of the CS to be a successful and in demand location and a significant employment site and generator of jobs contributing to the local economy - should not be allowed to expand:
- Harborough fulfils predominantly local market needs and there is no overall strategic need for additional employment land to be identified. However, existing employment provision will be reassessed and depending on particular circumstances; additional site allocations will be considered via the Allocations DPD and applications for additional employment sites may be permitted.
 - The existing level of employment provision comprising; existing premises, sites with outstanding planning permission, and outstanding / or partially developed allocations will, subject to review, substantially meet future employment needs in the District to 2028.
 - Past development in the District has been at various densities, and dominated by take up at Magna Park. A move to provide different types and a more flexible portfolio of employment land and premises, to encourage higher quality jobs, and to encourage a more efficient use of land indicates that it is possible to achieve higher densities than before and therefore the need for land is less.
 - In the context of the evidence studies, against the criteria they set, and taking account of future developments in the road / rail network, travel to work patterns and the type and skill level of logistics jobs compared to local employment needs, there are more suitable locations and sites (both rail and non rail-linked) than Magna Park within the region and sub-region to meet forecast need for strategic distribution to 2026.
 - On the balance of the available evidence, the preferred policy approach to Magna Park seeks to; support the national / regional drive for a modal shift of freight from road to rail, protect the site's strategic role for distribution, and safeguard its future and that of its businesses, whilst resisting a further Phase 3 of development and containing the site to its existing development footprint.

The Core Strategy was adopted prior to the publication of the NPPF. When Policy CS7 is assessed against The Framework, it becomes clear the policy is not consistent with the positive emphasis of The Framework.

- 5.1.7 Rather than promoting and encouraging economic growth in the district that is demonstrably achievable, Policy CS7h restricts development within the Warehousing sector. Table 11 of the Core Strategy (See **Figure 9**) established that there was an under supply of land within the “Warehousing” sector within the District of 32.9Ha.

	Offices (m ²)	Industrial (ha)	Warehousing (ha)
Medium			
Demand	42,962	4.0	34.0
Supply	67,490	21.1	1.1
Gap	24,528	17.1	-32.9
Effective Supply	54,290	11.7	1.1
Effective Gap	11,328	7.7	-32.9

Source: Leicester and Leicestershire Employment Land Study (PACEC)

Figure 9: Table 11 from Core Strategy

- 5.1.8 Subsequent updating of the Leicester & Leicestershire Housing Market Area Employment Land Study in 2013, reconfirmed that demand for strategic warehousing land reflected demand for locations next to the highway network within an area of England called the Golden Triangle’ and is not demand specific to Harborough. Its recommendation that the LLEP and the LPAs strengthen the evidence base for employment land planning for supersize warehouses, underpinned the commissioning of the SDS. The object of which was to objectively identify future need specifically for large-scale warehousing, and set out a strategy for allocating land to meet that need. In 2016 a further refresh of the SDSS was produced which updated figures related to existing provision, and also confirmed that any figures are to be considered as minimum targets rather than a ceiling figure for provision. Additionally, in 2017, HDC commissioned the Magna Park Employment Growth Sensitivity Study which, as set out above, established that up to 700,000sq m of B8 floorspace could be provided within the locality without any detrimental impact upon the local employment and housing market.
- 5.1.9 That CS7 is now out of date is acknowledged in the scoping of the new Local Plan. In summary therefore, the NPPF expects Local Planning Authority’s to meet their assessed needs for housing and economic growth where to do so is consistent with the principles of sustainable development. The Core Strategy approach which seeks to avoid meeting an identified need in favour of providing for a different type of employment development whilst relying on unidentified locations elsewhere to provide for the need is not consistent with the generally positive approach of the NPPF in the absence of some clear justification having regard to the principles of sustainable development. None of the factors relied upon in the preparation of the Core Strategy as justifying a restrictive approach to development at Magna Park are supported by an evidence base which would stand scrutiny when assessed against the NPPF as a whole. Furthermore, things have moved on since the adoption of the Core Strategy in terms of the quantitative and qualitative requirements for strategic distribution provision.
- 5.1.10 Policy CS17, a largely blanket restriction on development in the countryside, is also inconsistent with the provisions of the NPPF which provides no such general restriction. Whilst some of its objectives, such as the protection of intrinsic character

and beauty of the countryside are consistent with the NPPF, it is a Policy which in the context of the current application should be given limited weight because:

- It does not positively or proactively promote sustainable economic growth in the countryside.
- It is underpinned by a spatial strategy which is not consistent with the NPPF's central purpose – to deliver the sustainable economic growth that the country needs.

5.1.11 The NPPF does not promote such a restrictive approach to employment development in the countryside as that contained within Policy CS7f. In that respect, policy CS7f is inconsistent with the NPPF. In particular, the Policy:

- does not positively and proactively promote economic development;
- does not support economic growth in a rural area;
- does not support the sustainable growth and expansion of all types of business and enterprise; and
- relies on an out-of-date evidence base to justify its position

5.1.12 On the basis of the above, it is considered that policies CS7 and CS17 are out of date and should be accorded limited weight in the determination of the current application.

5.1.13 Policy CS14d states that employment development will be supported which strengthens the role of Lutterworth as a Key Centre within the District and reinforces the Spatial Strategy set out in Policy CS1, and that any additional proposals for business development in Lutterworth which require access by heavy goods vehicle should be located near the M1, A426 and A4303. The application sites are located immediately adjacent to the A5 and A4303 with direct links to the A4303 and therefore on to the M1. The proposals are therefore in accordance with this policy.

5.1.14 Policy CS14e states that the principle of a separation area between Magna Park, Bitteswell and Lutterworth will be maintained to ensure the retention of the identity and distinctiveness of these nearby places. It goes on to state that proposals leading to the formation of accessible natural and semi natural green space, tree planting, improved local routes for walking, horse riding and cycling and the promotion of improved biodiversity will be supported in this area. Neither of the application sites are located within the Separation Area as defined on the Local Plan Proposals Map (see **Figure 8**). Furthermore, both applications seeks to improve the connectivity between any publicly accessible elements of the proposals and the Lutterworth Country Park which is located within the Separation Area. The proposal therefore is in accordance with this policy.

5.1.15 The adopted development plan policy in terms of the principle of the development is considered to be out of date because it does not reflect the more recent evidence of need/capacity as set out above. That evidence is a Material consideration which outweighs any in principle policy conflict. There remains a need for scheme specific consideration against the relevant development management Policies including the emerging local plan. On the basis of the above, Officers conclude that very limited weight should be accorded to the policies which are restrictive of the principle of the development in this area.

5.1.16 Draft Policy BE2 is a criteria based which sets a number of points that an application has to satisfy in order to be considered to be acceptable. Due to the nature of these criteria, the specifics of each application means that the different applications could meet these criteria in different ways, and as such, the specifics of whether or not the

individual applications comply with the draft Policy are assessed within the individual case specific reports.

2. The Capacity and Need for both Developments

5.2.1 The sector and industry is global in its nature and economic drivers and cross-boundary in its effects. The study identified minimum gross land requirements for strategic B8 development across the HMA, including provision for non rail-served sites of 152 hectares by 2031. Due to its location within the country with good access to the strategic highway network, Harborough District has been a focus of strategic distribution since Magna Park was developed in the early 1990s.

5.2.2 The need for further strategic distribution facilities was identified in the Leicester and Leicestershire Strategic Distribution Sector Study (L&L SDSS) 2014, which was updated in 2016. This is summarised at **Paras 4.102 – 4.122**. The study considered all existing and planned sites within Leicestershire and the East Midlands. These were as follows:

- East Midlands Distribution Centre, Castle Donnington, Leicestershire.
- East Midlands Gateway, Lockington, Leicestershire.
- East Midlands Intermodal Park, Etwell, Derbyshire.
- Daventry International Rail Freight Terminal (DIRFT) Phase 3, Lilbourne, Northamptonshire.
- South Northants, Milton Malsor, Northamptonshire.
- Corby Eurohub, Corby, Northamptonshire.
- Corby International Rail Freight Terminal, Corby, Northamptonshire.

The SDSS also established minimum targets for provision to meet the requirement for land to support the strategic distribution sector within the Leicester and Leicestershire Housing Market Area (HMA) to 2031, specifically non rail-served provision. Whilst these minimum targets are exceeded by these applications, the very fact that both applicants are pursuing their schemes supported by evidence as to capacity and are no longer objecting to each others applications, and that there are other applications within the study area establishes that there is a need for in excess of the minimum targets set by the SDSS. On the basis of the above, it is considered that there is an identified need for the level of B8 floorspace to be provided for by the two applications.

5.2.3 The M1 corridor in Harborough District is a key area of opportunity for Leicester and Leicestershire as identified in the L&L SDSS Update, 2016 and is of regional and national significance to the strategic distribution sector. The forecasts of land in the SDSS are minimum levels of provision and there is a strong case that Harborough should continue to make a substantial contribution to long term non-rail served strategic warehouse, logistics and distribution development in Leicester and Leicestershire. There is a need to meet the further requirements for non rail-served B8 strategic distribution by supporting additional development at Magna Park to help maintain and expand the established competitive advantage which Leicester and Leicestershire has in accommodating the sector.

5.2.4 The Magna Park Employment Growth Sensitivity Study 2017, as already described in **paras 4.123 – 4.131**. This looked at the jobs growth associated with three floorspace scenarios for strategic distribution (100,000 sq.m., 400,000 sq. m. and 700,000 sq.m.) and at three levels of 'self-containment' of the workforce (19% commuting within Harborough District as in the 2011 census, 25% and 35%) . It concluded that the highest growth scenario, accompanied by a 25% self-containment target, could be accommodated within the flexibility in housing numbers already being allowed for in the Local Plan and that there would only be a very small increase in housing requirement in two other local authorities (Daventry and Oadby and Wigston), both of

which are within the margin of error for the study. On the basis of this it is considered that there is adequate capacity to provide for up to 700,000sq m of B8 floorspace within the locality.

- 5.2.5 Alternatives should only be considered where they are feasible, realistic and genuine. This may depend on various factors, including planning policy, land ownership, financial viability, technical feasibility and design quality. Options which are unlikely to be acceptable or deliverable are not realistic alternatives and so do not need to be considered. Whilst environmental effects are relevant when choosing between alternatives, other factors are also relevant.
- 5.2.6 Following the completion of the Local Plans Options Call for Sites process, ProLogis advanced a possible further option (through responses to the Local Plan Options Interim Sustainability Appraisal consultation process). This was located on the M1 between Lutterworth and Leicester and would have required a new Motorway Junction in order to access it. Having discussed this proposal with Officers at Blaby District Council, it has become apparent that ProLogis are no longer promoting this site as a Logistics site, and as such it can not be considered to be a reasonable alternative. Notwithstanding this, the site is now being promoted by the landowners in conjunction with Blaby District Council as a possible “Garden Village” for allocation in their next Local Plan. The site is envisaged to provide up to 3500 dwellings and an employment and logistics hub of c300,000sq m. Blaby District Council’s current Local Plan timetable starts with “Issues and Options” in 2019, a submission version of the plan being finalised in 2021, the examination in 2022 and adoption of the Plan in late 2022. To date, no developers have been appointed to the project, and as such there is no realistic prospect of any planning application being forthcoming in the foreseeable future. As such, Officers are satisfied that, whilst it may come forward during HDC’s Local Plan period, there is no certainty of this, and as such, it cannot currently be regarded as a suitable or available site on which to meet the identified need. It is therefore considered that there are no suitable and available alternatives for the quantum of provision identified within the locality other than two current applications.
- 5.2.7 It is therefore considered that there is a compelling quantitative and qualitative need for additional road based warehousing provision within the District which cannot be met other than on greenfield sites in the countryside.

APPLICATION REF:

15/00865/OUT

Planning Committee Report

Applicants: db symmetry

Application Ref: 15/00865/OUT

Location: Land Adj Glebe Farm, Coventry Road, Lutterworth

Proposal: Outline application for the erection of up to 278,709sqm of Storage, Distribution buildings (B8) with ancillary B1(a) offices, creation of access onto A4303 and emergency services only access onto A5, formation of a Lorry Park, creation of SuDS facilities and other associated infrastructure and the demolition of Glebe Farmhouse (Means of access only to be considered).

Application Validated: 5th June 2015

Site Visit Dates: 23rd June, 3rd July, 12th October, 30th November 2015; 7th March, 10th August, 23rd November 2016; 14th March, 20th June, 16th November 2017

Case Officer: Mark Patterson

Recommendation

Planning Permission is **APPROVED**, for the reasons set out in the report, subject to:-

- (i) The proposed conditions set out in **Section 8**; and
- (ii) The Applicant's entering into a legal agreement under Section 106 of the Town and Country Planning Act 1990 (and S38/S278 of the Highways Act 1980) to provide for the obligations set out in **Appendix C** and justified in **Section 6c** of this report; and
- (iii) Confirmation from the National Planning Casework Unit that the Secretary of State will not be calling the application in for determination.

1. Site & Surroundings

- 1.1 The application Site (hereafter referred to as the 'Site') comprises an area of land which extends in its entirety to 88.67 hectares (ha) and is within the administrative area of Lutterworth (see **Figure 1 and 2**).
- 1.2 The existing Magna Park complex is a 202 hectare (500 acre) warehousing and logistic centre (distribution centre) located near Lutterworth, Leicestershire, England and was constructed on the site of a former airfield (RAF Bitteswell). It is considered to be a pioneer of large distribution centres in the UK. It is located in an area of land bounded by the M1, M6 and M69 motorways; known as the 'Golden Triangle' for its logistically favourable location. The proposed application site for Symmetry Park lies immediately south of Magna Park and would be well related to this well established location.
- 1.3 The proposed Symmetry Park site is located adjacent to the existing Magna Park development, to the south of the A4303 and east of the A5. The A4303 provides links to the M1 junction 20 and the A5 provides linkages northbound to the M69 junction 1 and southbound (via the A426) to junction 1 of the M6.
- 1.4 The site is currently used for arable farming and contains a farm complex which is to be demolished if consent is granted. Consent has previously been granted on the site for its use as a moto cross circuit (see section 2 of this report). The site is bounded to the north by the A4303 Coventry Road, to the west by fields and a consented lorry park and the A5, with further farmland to the south and east. Immediately to the north of the site along the southern side of the A4303

there are a number of small industrial units and one residential property (Glebe Farm Cottage). Immediately to the south west of the site, on the eastern side of the A5 is Liberties Hotel.

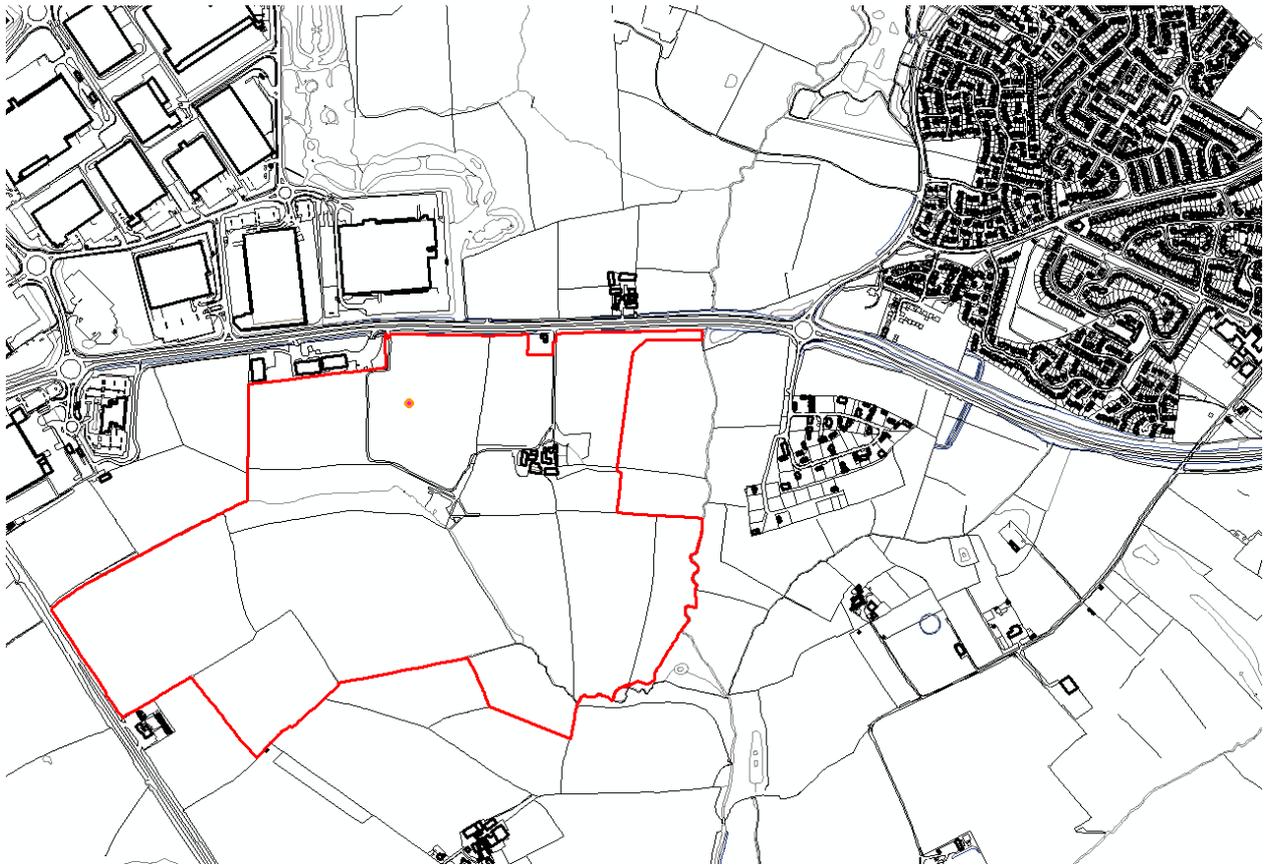


Figure 1: Site Location Plan

- 1.5 The application site generally slopes from north to south, towards a stream running through the centre of the site, continuing to slope down to the north eastern boundary of the site. Ground levels vary between approximately +128m and +107m AOD. Various streams and watercourses are located around the site, formed from the existing watercourse that flows through the site.
- 1.6 Existing road links to the development site are currently of a good standard with the A4303 and A5 both giving access to the wider motorway network. The applicants have assessed a number of potential access options to the proposed symmetry park site and discussed these with the relevant highway authorities. The final proposed access arrangement is a new roundabout access off the A4303 Coventry Road with dual carriageway access and egress from Symmetry Park. There is an emergency services only access proposed from the A5 on the west side of the site.
- 1.7 The applicants envisage that Symmetry Park will be similarly landscaped to the existing Magna Park and seen against this established 'landscape feature' of logistics development. Views into the site have been assessed within the Landscape and Visual Impact Assessment report that is submitted in support of the application. The applicants intend that the layout will retain, where possible, existing perimeter planting which will be enhanced with new belts of planting within the development in a bid to minimise the impact of the development on the wider landscape.
- 1.8 The Symmetry Park site includes no listed buildings, Ancient Monuments or Conservation Areas. There are no European sites within or nearby the boundary that would give rise to the need for an appropriate assessment under the Conservation of Habitats and Species Regulations 2010. There are no Sites of Special Scientific Interest within the site boundary.

- 1.9 There are a number of hedgerows and field boundaries within the site which will be removed as part of the development. The applicants consider that, through a sensitive and well-designed scheme, including significant additional woodland planting, incorporation of ecological features and appropriate management, net biodiversity gains can be achieved at the site.



Figure 2: Aerial Photo of site

2. Site History

2.1 The Site has the following relevant planning history:

Plan No.	Applicant	Description of Development	Decision / Date
91/01095/3P	Mr & Mrs D A Brown	Change of use from agricultural for golf course and erection of clubhouse	WITHDRAWN 29.03.94
94/01218/3C	David Alan Brown	Construction of hardcore standing for storage of bales and tipping of subsoil and topsoil for grading into existing land contours	APPROVED 12.09.94
96/01765/3C	D A Brown	Grading of low lying wet area of land into existing land contours	APPROVED 27.02.97
05/01440/FUL	Mr C J Marshall	Change of use of land from agricultural to a temporary recreational moto cross circuit and ancillary car parking facilities and construction of	REFUSED 02.06.06

an access

07/00275/FUL	Christopher Marshall	Change of use of land from agricultural to temporary recreational (Moto cross circuit and ancillary car parking facilities and access) (Resubmission of 05/01440/FUL)	REFUSED 10.12.07
09/00409/FUL	Lutterworth Shooting Ground	Change of use from agricultural to clay pigeon shooting ground	APPROVED 21.08.09

3. The Application Submission

a) Summary of Proposals

- 3.1 The proposal, following amendments, seeks outline planning with all matters reserved (namely, layout, scale, appearance and landscaping) except for access which is submitted for full approval.
- 3.2 The Parameters Plan (see **Figure 3**) sets out the maximum development parameters in terms of use, floor area, height and maximum floor plate and finished floor levels. This establishes a framework within which a range of masterplan options can be accommodated. In addition to the B8 development, an on site lorry park for 52 vehicles is indicated, which will cater for drivers requiring longer stops to satisfy the Working Time Directive thereby reducing vehicles parking on existing laybys within the road network. The lorry park will serve only Symmetry Park and will be managed by a site management company and will be secure and provide welfare facilities for drivers visiting Symmetry Park.

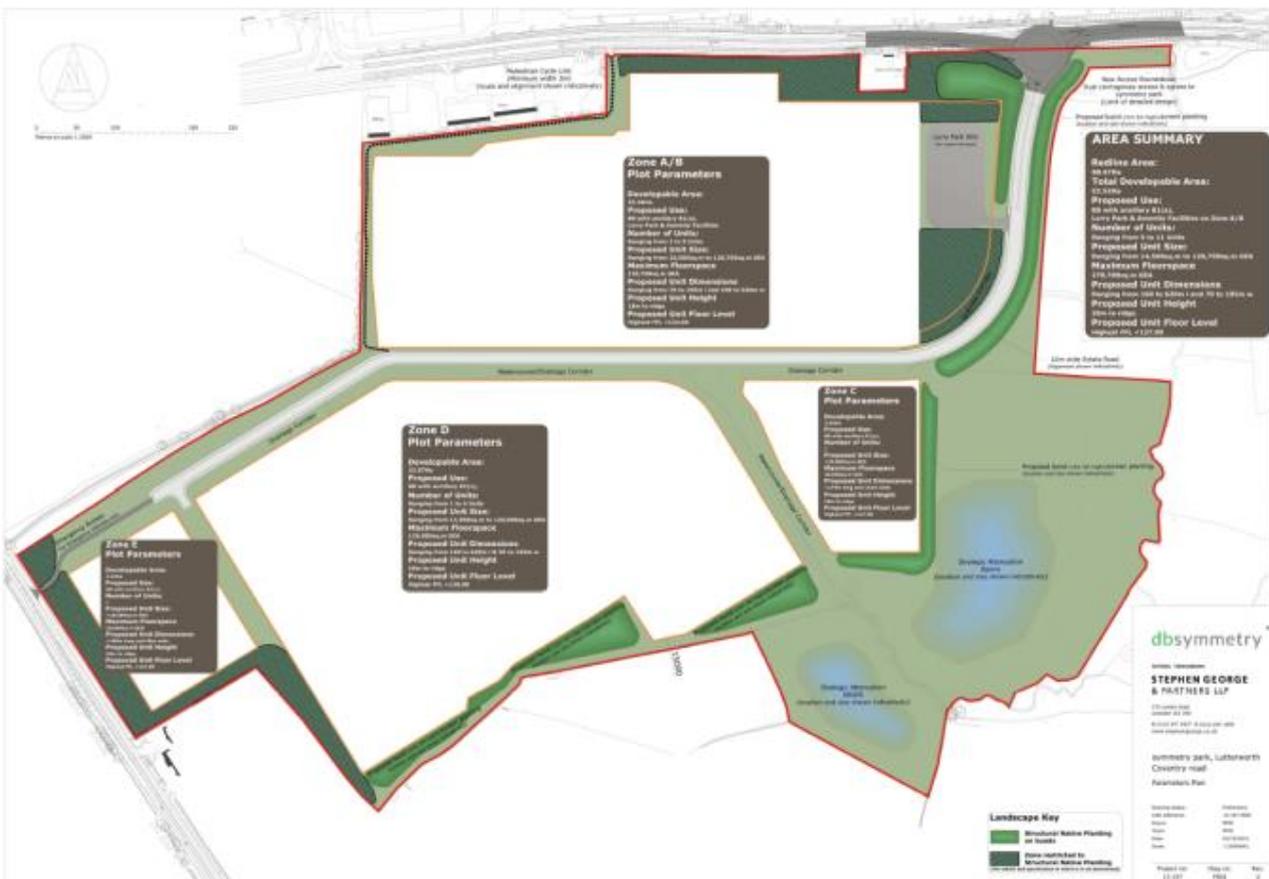


Figure 3: Parameters Plan

- 3.3 The details of the parameters set out in Figure 3 are set out in more detail below:
- ZONE A/B
 - Developable Area: 23.36 Ha / 57.72Ac
 - Proposed Use: B8 with ancillary B1(a)
 - Number of Units: Ranging from 1 to 5
 - Proposed Unit Size: Ranging from 15,000sq.m/161,458sq.ft to 120,709sq.m/1,299,300sq.ft
 - Proposed Unit Dimensions: Ranging from 70 to 195m length and 190 to 620m width
 - Proposed Unit Height: 18m to ridge
 - Proposed Unit Floor Level: Highest FFL <122.00m
 - ZONE C
 - Developable Area: 3.84 Ha / 9.48Ac
 - Proposed Use: B8 with ancillary B1(a)
 - Number of Units: 1
 - Proposed Unit Size: 20,000sq.m/215,278sq.ft GEA
 - Maximum Floor Space: 20,000sq.m/215,278sq.ft GEA
 - Proposed Unit Dimensions: 174m long and 115m wide
 - Proposed Unit Height: 18m to ridge
 - Proposed Unit Floor Level: Highest FFL <117.00m
 - ZONE D
 - Developable Area: 23.12 Ha / 57.13
 - Proposed Use: B8 with ancillary B1(a)
 - Number of Units: Ranging from 1 to 4 units
 - Proposed Unit Size: Ranging from 14,500sq.m/156,076sq.ft to 120,000sq.m/1,291,669sq.ft
 - Maximum Floor Space: 120,000sq.m/1,291,669sq.ft
 - Proposed Unit Dimensions: Ranging from 160 to 620m length and 95 to 195m width
 - Proposed Unit Height: 18m to ridge
 - Proposed Unit Floor Level: Highest FFL <126.00m
 - ZONE E
 - Developable Area: 3.25 Ha / 8.03Ac
 - Proposed Use: B8 with ancillary B1(a)
 - Number of Units: 1
 - Proposed Unit Size: 18,000sq.m/193,750sq.ft
 - Maximum Floor Space: 18,000sq.m/193,750sq.ft GEA
 - Proposed Unit Dimensions: 180m long and 98m wide
 - Proposed Unit Height: 18m to ridge
 - Proposed Unit Floor Level: Highest FFL <127.00m
- 3.4 In response to concerns raised by officers, comments received through representations and those of The Landscape Partnership, the applicants have amended the parameters of Zone A/B to reduce the maximum ridge height from the original 23m to 18m.
- 3.5 Vehicular access to the Site would be taken from a new roundabout on Coventry Road (A4303). There will also be an “emergency only” access onto the A5
- 3.6 Within the Design and Access Statement, the applicants have set how development could appear on the site using the ranges within the parameters as set out in the parameters plan. These are indicated on **Figures 4 and 5** with the main variation being in Zone A/B.



Figure 4: Indicative Layout A from Design and Access Statement



Figure 5: Indicative Layout B from Design and Access Statement

b) Documents submitted in June 2015

i) Plans

- 3.7 Plans have been submitted showing the extent of the site, an indicative layout with set parameters and details of the proposed access points. The submitted plans are as follows:
- 13-107-P001 Rev. F Location Plan
 - 13-107-P002 Rev U Parameters Plan
 - 28903_05 Rev B Proposed Access
 - 28903_08 Emergency Access

ii. The Design & Access Statement

- 3.8 The Design and Access Statement (hereafter referred to as DAS) provides information to explain and understand the proposals, demonstrates the decision making process used to help develop them and the reasoning behind key decisions that have shaped the proposed development.
- 3.9 Section 2 of this statement provides a background to the site and the proposal; section 3 explores the regional and location context of the proposal; section 4 give a Context Analysis; section 5 investigates Access issues; section 6 identifies the Constraints and Opportunities identified by the applicants; Section 7 explains the Parameters plan in more detail; section 8 highlights the Design Principles of the proposal; section 9 explains the Landscape Masterplan; section 10 discusses the Sustainability credentials of the proposal, and; section 11 provides a conclusion to the DAS.

iii. Environmental Statement including non-technical summary

- 3.10 The proposal is Environmental Impact Assessment development under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011. An Environmental Statement (hereafter referred to as 'ES') has been produced to examine and evaluate the likely environmental effects of the development as required by Schedule 2 (Urban Development Projects of over 5 hectares in size) of the Regulations. The ES contains the information necessary to enable a decision to be made for the purpose of assessing the significant environmental effects of the development. The ES includes the following topics:
- Socio-Economics
 - Traffic and Transport
 - Air Quality
 - Noise and Vibration
 - Archaeology and Heritage
 - Ground Conditions
 - Water including Flood Risk
 - Ecology
 - Landscape and Visual Effects including Lighting
 - Agriculture and Soils
- 3.11 For each issue identified the ES sets out the methodology used, including details of the baseline situation and impacts likely to result from the proposed development. All effects direct, indirect, secondary, cumulative, short, medium, long term, permanent, temporary, positive and negative have been analysed within the ES and measures considered such as to mitigate any identified impacts.
- 3.12 The non-technical summary document comprises a summary of the findings which the general public and non-technical experts can understand.

iv. Supporting Statements

- *Transport Assessment (prepared by Peter Brett Associates, June 2015)*
- 3.13 This Assessment reviews the highway and transport implications of the proposals and identifies measures required to mitigate against the impacts of the proposals.
- *Travel Plan (prepared by Peter Brett Associates, June 2015)*
- 3.14 This Plan highlights the Travel opportunities presented by the proposals.
- *Statement of Community Involvement (prepared by Framptons Planning, May 2015)*
- 3.15 This Statement outlines how the Applicant's have consulted Key Local Stakeholders and the Local Community in formulating the proposals currently before the Local Planning Authority (hereafter referred to as 'LPA').
- *Planning Statement (prepared by Framptons Planning, May 2015)*
- 3.16 This Statement sets out the planning policies and guidance of particular relevance to the development proposals. It identifies the extent to which the proposed development complies or conflicts with each of the policies and, where relevant, refers to other documents in the application submission that further explore the consistency of the proposal with the intent of policy. Appended to this report, there is also a "Strategic Needs Review for Manufacturing and Distribution Logistics" (Baker Rose Consulting April 2015); a summary of the results from a "Magna Park Lutterworth Businesses Sentiment Survey" carried out by Wells McFarlane in March 2014, and; "Do Distribution Warehouses Deliver Jobs", a technical note from Prologis UK from Sept 2011.

c) Amended / Additional Plans / Drawings and Supporting Documents

- *November 2015 – Additional Archaeological Information*
- 3.17 In response to comments received from LCC Archaeology, trial trenching works have been carried out on the site, and the results of this work has been reported and submitted to LCC Archaeology for consideration.
- *November 2015 – Updated Transport Assessment*
- 3.18 In response to comments from Highways England, the applicants have updated their Transport Assessment. This work has been submitted to HE for consideration. Furthermore, in response to comments received from LCC Highways, the applicants have carried out LLITM modelling of the traffic impacts of the proposal. This work has been submitted to LCC Highways for consideration.
- *November 2015 – Amended Parameters*
- 3.19 In response to comments received through representations and those of The Landscape Partnership and Planning Officer, the applicants have amended the parameters of Zone A/B to reduce the maximum ridge height from 23m to 18m.
- *November 2015 – Additional Photo Viewpoints*
- 3.20 In response to comments received from The Landscape Partnership, the applicants have produced additional photo viewpoints in support of their application. This work has been submitted to TLP for consideration.
- *June 2016 – Cumulative Impact Assessment*
- 3.21 In response to a request from HDC to assess cumulative impact with 15/001531/OUT.
- *July 2017 – Additional Cumulative Impact Assessment*
- 3.22 In response to a request from HDC to assess cumulative impact with approved developments at Leaders Farm and Coventry Road.

d) Pre-application Engagement

i) LPA Engagement

3.23 Prior to submitting the planning application, the Applicant's held extensive formal pre-application discussions with officers of the Council which culminated in the signing of a Planning Performance Agreement (hereafter referred to as a 'PPA'). The Applicant's also undertook a stakeholder and community workshop and exhibition.

ii) The PPA

3.24 The PPA was signed in June 2015 to provide the Council and the Applicant's with an agreed framework for the management of the development proposal at Symmetry Park. The PPA was a useful project management tool in focusing the consideration of the planning application.

iii) Community & Stakeholder Engagement

3.25 The Applicant's held events offering stakeholders and the local community the opportunity to get involved in developing the proposals for Symmetry Park.

o The Exhibition

3.26 The local community were invited to an exhibition of the proposals at Lutterworth Town Hall on Friday 23rd January 2015 and Saturday 24th January 2015. The event was publicised widely, with press coverage in the Lutterworth Mail (front page) a public notice in the Harborough Mail and the Swift Flash - a free distribution paper delivered to 3,800 properties in rural South Leicestershire and North Northamptonshire. Direct mailing was undertaken to properties in the immediate vicinity of the site. A further exhibition was held at Cotesbach Village Hall.

3.27 The events attracted approximately 150 attendees, who returned 81 comments forms from the Lutterworth event and a further 8 from the Cotesbach event. A summary of comments received from these events fed into the DAS and the proposals currently before the Council and can be found in the submitted Statement of Community Involvement.

3.28 Further meetings were also held with Lutterworth Town Council, Bitteswell, Ullesthorpe, Pailton and Monks Kirby Parish Councils.

4. Consultations and Representations

4.1 The Council has undertaken extensive consultation in respect of this planning application. Technical consultees and the local community were consulted at the initial consultation stage (June 2015) and then following the receipt of additional information / amended plans in November 2015. The application was also advertised in the local press (Harborough Mail) and through the posting of Site notices.

4.2 Firstly, a summary of the technical consultees responses received is set out below. Where appropriate the responses will be discussed in more detail within the main body of the report. If you wish to view the comments in full, please go to: www.harborough.gov.uk/planning

a) Statutory & Non-Statutory Consultees

1. National Bodies

4.1.1 *Historic England*

We draw your authority's attention to the importance of the detailed advice of the County Council Development Control Archaeologists in respect of sufficient information to make a safe and evidence based determination in line with NPPF paras 128/9. In particular their advice should be taken with regard to the clear integration of existing HER and field walking data with geophysical results and the specification of pre-determination trial trenching and field walking to address topographic targets likely to have higher archaeological potential (flat areas on tops and shelves & valley bottoms), areas where geophysical survey was absent or ineffective and areas

in the vicinity of the Roman Watling Street. Additional information should be such that a sufficient understanding of the archaeological potential of site and the context of historic finds in the vicinity of the site (such as the early medieval burial, Roman Coin Hoard, Bronze Age Barrow etc.) can be properly understood. Your authority should also ensure that the applicant's assertions as to lack of indivisibility between the listed buildings in Cotesbach and the site have been properly evidenced and tested to your authority's satisfaction such that Special Regard can be afforded by you in line with the 1990 Listed Buildings and Conservation Areas Act.

4.1.2 *Environment Agency*

We have no in-principle flood risk objections to the proposed development of the above site. However we would like to make an observation to inform the detailed design of the site layout for any subsequent Reserved Matters or Full application/s.

4.1.3 Whilst we acknowledge that the Flood Risk Assessment demonstrates that the proposed scheme to divert and then utilise the watercourse running through the site (Padge Hall Brook) for conveyance of existing fluvial and proposed surface water run-off will not result in an increase in flood risk, this is not the preferred option for this watercourse.

4.1.4 The preferred option would be for the watercourse either in its current form/location or in a diverted form/location, to be retained to convey only existing fluvial flows, and that a separate surface water drainage SuDs system is provided to manage surface water run-off from the site. This could be secured through an appropriately worded condition.

4.1.5 *Highways England*

Recommend that planning permission not be granted until outstanding issues are resolved

4.1.6 *Highways England (comments in relation to supplemental information)*

Highways England has previously reviewed this application in a response dated 11 January 2016 in which we recommended the Local Planning Authority to attach the following conditions to any grant of planning permission to this development:

- Improvement works at A5 / Coal Pit Lane roundabout as shown in PSA Drawing No. 28903/5501/003 Rev A (or as amended by a Road Safety Audit or Detailed Design) must be constructed and open to traffic prior to first occupation of the development.
- Improvement works at M1 J20 as shown in PSA Drawing No. 28903/5510/004 Rev A (or as amended by a Road Safety Audit or Detailed Design) must be constructed and open to traffic prior to first occupation of the development.
- Improvement works identified at A5 Gibbet roundabout as shown in PSA Drawing No. 28903/5510/005 Rev A (or as amended by a Road Safety Audit or Detailed Design) must be constructed prior to first occupation of the development.
- Highway works at the A5 (known as the A5 emergency access) as shown in PSA Drawings No. 28903/08 Rev A (or as amended by a Road Safety Audit or Detailed Design) must be constructed prior to first occupation of the development. The emergency access may only be brought into use under the control of the emergency services if alternative access points are blocked.

4.1.7 Highways England is now in receipt of re-consultation dated 17 July 2017, regarding additional information submitted in support of proposed development. The re-consultation relates to the submission of the "Environmental Statement Addendum: Response to Regulation 22 Request", which contains additional information in respect of the Environmental Statement (ES) accompanying the planning application.

4.1.8 We understand that the additional information has been provided as Harborough District Council (HDC) has requested the applicant to submit an updated cumulative impact assessment (CIA) to take account of two recently consented developments which include:

- Land at Coventry Road, Lutterworth - 15/01665/OUT - An outline planning consent for the development of 250 dwellings with associated access, pedestrian links, public open space, car parking, landscaping and drainage.
- Land South of Coventry Road, Lutterworth - 16/01288/OUT - An outline planning application consent for the development of 9,500m² of B1 employment uses, and 70 allotments including car parking, landscaping and surface water drainage infrastructure.

In this regard, the applicant has provided the Second Supplementary Transport Assessment dated July 2017 which includes the updated junction capacity assessments to include the above two developments for the following scenarios relevant to Highways England:

- 2026 LLITM Do Minimum Scenario (with committed developments including DHL and the two committed sites;
- 2026 LLITM Do Something (with committed development including DHL and the two committed sites, with Symmetry Park without Gazeley Hybrid Application).

4.1.9 We note the comments from the Local Highway Authority indicating that they do not consider that the improvement works previously identified at M1 J20 and A5/ Coal Pit Lane Roundabout provide significant benefit. The assessments in the Transport Assessment for these junctions are presented for with and without-improvements to provide evidence that the improvements provide little benefit.

4.1.10 Having reviewed the ARCADY junction capacity assessments provided by the applicant, Highways England observed some discrepancies in the geometric parameters used for M1 J20 and A5/ Coal Pit Lane Roundabout. Notwithstanding this, we have undertaken an ARCADY modelling exercise for these junctions using its calculated geometric parameters. The testing indicated that the development is expected to have minor impact on the operation of M1 Slips (M1 J20) and the A5 approaches (A5/ Coal Pit Lane Roundabout) with no material increase expected in the queue lengths on these approaches.

4.1.11 Notwithstanding the above Highways England recommends that the following conditions in relation to proposed highway improvement works to A5 Trunk Road should be attached to any planning permission that may be granted.

- Improvement works identified at A5 Gibbet roundabout as shown in PBA Drawing No. 28903/5510/005 Rev A (or as amended by a Road Safety Audit or Detailed Design) must be constructed prior to first occupation of the development.
- Highway works at the A5 (known as the A5 emergency access) as shown in PBA Drawings No. 28903/08 Rev A (or as amended by a Road Safety Audit or Detailed Design) must be constructed prior to first occupation of the development. The emergency access may only be brought into use under the control of the emergency services if alternative access points are blocked.

4.1.12 *Natural England*

Natural England does not consider that this application poses any likely or significant risk to those features of the natural environment for which we would otherwise provide a more detailed consultation response and so does not wish to make specific comment on the details of this consultation.

4.1.13 *Natural England (comments in relation to supplemental information)*

Natural England has previously commented on this proposal and made comments to the authority in our letter dated 01 July 2015. The advice provided in our previous response applies equally to this amendment although we made no objection to the original proposal.

4.1.14 Should the proposal be amended in a way which **significantly** affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us the

amended consultation, please assess whether the changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.

2. Regional / Local Bodies

4.2.1 *Severn Trent Water*

No objection subject to conditions

4.2.2 *East Midlands Chamber of Commerce*

I write to express support by East Midlands Chamber (Derbyshire, Nottinghamshire, Leicestershire) for the planning application by DB Symmetry, ref 15/00865/OUT

4.2.3 DB Symmetry has demonstrated that their development is able to meet a range of options that match the market for prospective occupiers by allowing from one or two very large units, up to 125,000 sq.m, or in combination with a greater number of smaller units from 14,500 sq.m., which should mean that development of this site need not be unduly prolonged. The provision of lorry parking is a further improvement by providing secure, off road space facilities and helps to reduce vehicle road movements arising from waiting, rest and delays.

4.2.4 This planning application responds well to existing growth and the scale needed for logistics services in Central England by proposing a high quality logistics park that addresses the standards of support needed by modern, high value and high productivity manufacturing in a competitive global market. This aligns with the emergence of the Midlands as the engine for UK growth, a concept endorsed by the Government, and development of locally-led regional infrastructure growth policy under Midlands Connect has been given additional funding the by Department for Transport.

4.2.5 For the above reasons, the Chamber would like to offer its full support for this planning application and looks forward to hearing Harborough District Council's decision. We know that there are a number of interesting related applications that will be important for this area's future.

3. Leicestershire County Council

4.3.1 *Leicestershire County Council Highways*

The County Highway Authority (CHA) is in receipt of a manually assessed Transport Assessment (TA), which has considered the potential impact of the proposed development based on information obtained from the 2011 Census Data and on site specific traffic surveys.

4.3.2 Given the scale, location and planning issues around the site, the CHA would advise that the impact of the proposed development should be investigated through use of the Leicester and Leicestershire Integrated Transport Model (LLITM). This is consistent with the CHA's guidance provided in the LLITM user guide as well as the advice provided by CHA officers to the applicant.

4.3.3 *Leicestershire County Council Highways (Comments in relation to Supplemental Information x2)*
Observations appended in full at **Appendix A**

4.3.4 *Leicestershire County Council Principal Planning Archaeologist*

It is disappointing to see that many of our pre-application comments have not been taken into consideration. We feel that your proposed trenching strategy is insufficient to provide the necessary clarification of the potential archaeological impacts of the scheme to enable an informed planning decision to be made. As previously discussed, we would expect to see a phased approach to the trenching strategy, however we do need further trenching at this stage to inform the entire area of the Outline application.

4.3.5 With regards to the 'contamination' that is marked on your plan, could you provide us with further information about depths and character of the fill material so that we can ascertain whether any underlying archaeological remains are likely to be impacted and how any archaeological

evaluation/mitigation strategy might be implemented? Having read through the submitted information I understood that these are areas of fill or regrading – could you point me to the information that the material deposited is harmful to human health?

- 4.3.6 We asked for the existing fieldwalking surveys to be assessed in terms of how detailed/intensive they were and whether these areas needed to be re-surveyed. We also asked for a consideration of which other fields within the application area could be subject to fieldwalking survey. This is because prehistoric and Anglo-Saxon archaeological remains are often not identifiable in geophysical survey, so fieldwalking is intended to compliment the geophysical survey data to give us a clearer overview of the archaeological potential. In the absence of fieldwalking survey, in our opinion there is a greater emphasis on the need for evaluation trenching.
- 4.3.7 Fixed areas within the development proposals should be targeted by trenching at this stage. In this case this appears to relate to the means of access.
- 4.3.8 The geophysical survey identified a feature towards the south that appears to be a water channel related to the former mill to the south. This feature should be targeted by trenching to ascertain its nature, significance and potential for preservation of significant waterlogged palaeoenvironmental remains.
- 4.3.9 Large areas of the site appeared ‘noisy’ in the geophysical survey, and thus any archaeological remains present will not be identifiable by that method. These areas are likely to coincide with areas of deposited material, so if the depth of fill is not substantial and the material not hazardous then they should also be targeted by trial trenching.
- 4.3.10 The area of gravel geology in the south of the site would be geologically and topographically attractive for early settlement. The alluvial geology across the site also holds a potential for preservation of significant palaeoenvironmental remains, but your proposed trenching only targets a small part of this deposit. There is also a gap in the geophysical survey across the southern area of alluvium. These areas should also be targeted by trial trenching.
- 4.3.11 An Anglo-Saxon burial was discovered on the south-western border of the application site and there is potential for further burials or associated remains to be present. Such remains are unlikely to be identifiable by geophysical survey and trenching is necessary to ascertain the presence, extent and significance of any further Anglo-Saxon remains in this area. We note that an Emergency Access is illustrated in this vicinity on the submitted Parameters Plan in addition to proposed structures.
- 4.3.12 Previous fieldwalking identified a significant amount of prehistoric worked flint in the site, indicating the presence of prehistoric archaeological remains. These remains are also unlikely to be identifiable by geophysical survey and trenching is necessary to ascertain the nature, extent and significance of any prehistoric remains in this area. We are pleased to see the placement of three trenches in the vicinity, however it is unclear how these relate to the findspots. Further trenches should be considered.
- 4.3.13 Previous fieldwalking also identified the presence of Roman pottery within the application site. Although Roman remains are often visible on geophysical survey, these finds lie close to areas of ‘noise’ in the geophysical survey that could be masking the presence of archaeological remains. Your trenching strategy should also take these findspots into consideration.
- 4.3.14 We are pleased to see that the significance of the historic farmstead has been considered and feel that the loss of the farmstead could be mitigated by a conditioned historic building survey.

- 4.3.15 We feel that, in the absence of an appropriate archaeological evaluation of the site, the archaeological implications of the proposed development cannot currently be ascertained and we would recommend that the application is refused.
- 4.3.16 *Leicestershire County Council Principal Planning Archaeologist (Comments in relation to Supplemental Information)*
Thank you for your consultation on this application. We recommend that you advise the applicant of the following archaeological requirements.
- 4.3.17 Appraisal of the Leicestershire and Rutland Historic Environment Record (HER) in conjunction with the applicant's submitted archaeological evaluation of the development area, has demonstrated that the site possesses an archaeological potential warranting the provision of a targeted programme of further archaeological investigation and mitigation. It is clear, however, that this work can be satisfactorily addressed the imposition of conditions attached upon any forthcoming planning approval.
- 4.3.18 Archaeological assessment of the development site comprised the completion of a desk-based study (ref.: EDP 2307_04c), geophysical survey (GSB ref.: G1512) and targeted phase of trial trenching, the latter detailed in Headland Archaeology's evaluation report (ref.: SYML/02), submitted in support of the current proposals. The work undertaken has been discussed in full and agreed in advance of implementation with ourselves, as your authority's archaeological advisory service.
- 4.3.19 Taken as a whole the investigation has provided an adequate understanding of the heritage interest of the development area, indicating the presence of buried archaeological remains of Roman date in the northern and north-eastern part of the site. These latter remains appear indicative of landscape subdivision (a field system) and possible occupation dating from the 2nd century AD (Trench 33). Additional targeted trenching and area excavation prior to development will be required to satisfactorily investigate and record any remains likely to be affected by the development proposals.
- 4.3.20 Assessment of the Padge Hall Brook, to the south of the possible Roman field system and occupation area, has demonstrated the presence of well-preserved environmental deposits along the course of the existing stream, the latter including preserved organic deposits containing plant, insect and animal remains. These have the potential to significantly enhance our understanding of the palaeoenvironment, possibly linked to the Roman utilisation of the site, and/or indicative of other Holocene period environments.
- 4.3.21 Glebe Farm, recorded as 'Lutterworth Fields' on the late 19th Ordnance Survey mapping, is also depicted on the early 19th Surveyor's Drawings, suggesting the complex originates at least as early as the late 18th or early 19th century. Elements of particular interest include the farmhouse, and surviving historic buildings forming the courtyard arrangement to the rear (south) of the house. It is recommended that the applicant make provision for the historic building investigation and survey of the group prior to works affecting their integrity and/or survival.
- 4.3.22 In accordance with National Planning Policy Framework (NPPF), paragraph 129, assessment of the submitted development details and particular archaeological interest of the site, has indicated that the proposals are likely to have a detrimental impact upon any heritage assets present. NPPF paragraph 141, states that developers are required to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact of development. In that context it is recommended that the current application is approved subject to conditions for an appropriate programme of archaeological mitigation, including as necessary intrusive and non-intrusive investigation and recording. The Historic & Natural Environment Team (HNET) will provide a formal Brief for the latter work at the applicant's request.

4.3.23 If planning permission is granted the applicant must obtain a suitable written scheme of Investigation (WSI) for both phases of archaeological investigation from an organisation acceptable to the planning authority. The WSI must be submitted to the planning authority and HNET, as archaeological advisors to your authority, for approval before the start of development. They should comply with the above mentioned Brief, with this Department's "Guidelines and Procedures for Archaeological Work in Leicestershire and Rutland" and with relevant Institute for Archaeologists "Standards" and "Code of Practice". It should include a suitable indication of arrangements for the implementation of the archaeological work, and the proposed timetable for the development.

4.3.24 We therefore recommend that any planning permission be granted subject to planning conditions (informed by paragraphs 53-55 of DoE Circular 11/95), to safeguard any important archaeological remains potentially present.

4.3.25 Leicestershire County Council Planning Ecologist

The ecology report submitted in support of the application (EDP, May 2015) is satisfactory. We welcome the detail contained within the report and are pleased to see that the recommendations have been incorporated into the proposed site layout.

4.3.26 The report indicates that the majority of the application site comprises either arable fields or species poor semi-improved grassland. A watercourse crosses the site and another watercourse bounds the eastern edge. Hedgerows are present throughout.

4.3.27 We welcome the proposed layout as indicated in figure 14.5 Illustrative Landscape & Ecology Masterplan. This incorporates the mitigation and enhancement recommendations detailed in section 13.6 of the Ecology Chapter of the EIA and section 5 of the Technical Appendix J1 (Ecology Baseline).

4.3.28 Should the planning authority be minded to grant permission for this application, we would recommend that the following be incorporated into conditions of the development:

- Final plans to be in accordance with the illustrative masterplan (figure 14.5).
- 20m buffers to be provided along the watercourse.
- The SUDS feature should be designed for biodiversity, with native planting.
- The recommendations in the Ecological Baseline report must be followed (including habitat creation and protection and protected species mitigation).
- An ecological management plan should be submitted for areas of the site where habitat has been created (SUDS areas, boundary features, stream corridor and buffers between 'zones').

Updated ecological surveys must be submitted after two years from the original (i.e. August 2016 onwards) with either the reserved matters application or prior to commencement.

4.3.29 Leicestershire County Council Planning Ecologist (comments in relation to Supplementary Information)

It is very difficult to identify the additional information submitted in support of the application, as it appears on your website between a significant number of objection and consultation comments. I am unable to find any additional or amended ecological information and the slight amendments to the parameters plan does not appear to impact on my earlier comments.

4.3.30 I therefore have no additional comments on this application. However, if additional ecological information has been submitted I would be grateful if they could be forwarded directly to me for comment.

4.3.31 *Leicestershire County Council Lead Local Flood Authority*

When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment and will not put the users of the development at risk. The proposed development will be acceptable if the recommended planning conditions are attached to any permission granted.

4.3.32 *Leicestershire County Council Lead Local Flood Authority (Comments in relation to supplementary information)*

The LLFA have no additional comments in relation to the additional information provided for the application 15/00865/OUT.

4.3.33 *Leicestershire County Council Local Access Forum*

The Forum takes a neutral position on the developments in this area but would offer what we trust you will feel is constructive advice. First and foremost all actual and anticipated applications in the area should be looked at together as far as possible in respect of sustainable travel and access. Consideration must be given to the further applications in this area and the others which are envisaged and a holistic view taken on the impacts throughout the area. Section 106 monies can be utilised to improve the inter-connectiveness of all routes outside the immediate sites. Inevitably there will be a substantial increase in traffic from service vehicles and HGVs, and employees getting to and from work with the developments in this area and we would like to see better infrastructure for horse riders, cyclists and walkers off-road and improved public transport, especially direct from such places as Rugby and Leicester, not just extending the route and hours of the existing service linking Lutterworth and Hinckley. It would be good for housing to be provided near to where new employment opportunities are planned taking some pressure of these links but they would still need enhancing and we would therefore wish to see better non-motorised access routes and adequate safe crossing points. We also feel it essential with developments of the sizes planned for this area, with the loss of open countryside, that consideration be given to green corridors, both to avoid isolation of wildlife populations but wherever possible to afford people a pleasant and safe route to local amenities, bus routes, the wider network of rights of way and the open countryside beyond. In application 15/00919/FUL there is mention of the retention of existing permissible bridleways, and the creation of new permanent footpath and bridleway connections. These new connections provide access to the wider network of existing public rights of way between the villages of Ullesthorpe and Willey to the north and west of the site. These should be dedicated as PRoWs as permissive routes could be withdrawn at will and the site of the present outline application should be considered as part of this wider picture. There is talk of making paths into cycleways but the legal status of such routes is unclear and as such we would advocate they be made into bridleways. Should you be mindful to agree this application access should be designed to make attractive and safe routes off road particularly during the winter months and bus provision should be looked at in conjunction with all nearby actual and suggested developments and those which local plans might accommodate. The cycling network is patchy in this area and cannot be resolved as part of the planned developments but they could contribute to at least part of Sustrans long term ambition for the A5 corridor. The LLAF is an independent statutory body, set up as a result of the Countryside and Rights of Way Act (CRoW) 2000, and exists to represent the interests of everyone concerned with access to the countryside and the public rights of way network including footpaths, bridleways and byways, cycleways and areas of open access. Section 94 of the CROW act makes it a statutory function of the forum to give advice to a range of bodies, including local authorities, on access issues in respect of land use planning matters. The Secretary of State advised that in particular forums were to focus on the impact and options for minimising possible adverse effects of planning policies and development proposals, in respect of future public access to land. Forums are tasked with identifying and expressing support for opportunities to improve public access, or associated infrastructure, which might be delivered through planning policies or new developments.

4. Harborough District Council

4.4.1 *Harborough District Council Contaminated Land and Air Quality Officer*

This development may cause an exceedance of the annual mean Air Quality Objective for Nitrogen dioxide at properties along the A5 in the short term however in the longer term improvements in vehicle emissions make it unlikely that air quality standards will be exceeded.

4.4.2 If this development is approved along with 15/00919/FUL the likelihood in short term exceedances of the air quality objectives is increased and will depend on the rate at which the site is developed. In the longer term it is still likely that the objectives will be met

4.4.3 If this application and 15/00919/FUL are both approved it is likely that the air quality objective will not be met at Woodbrig House Farm, A4303 as a result of the predicted traffic volumes and the proximity of the access junction of 15/00865/OUT. If both applications are approved it is advised that the location of the access junction to 15/00865/OUT is reassessed. (i.e. increase the distance between the junction and Woodbrig House Farm, A4303 to ensure air quality objectives are met at the receptor.)

4.4.4 *Harborough District Council Contaminated Land and Air Quality Officer (In response to Additional information)*

Having reviewed the recent Regulation 22 submission with regard to air quality and discussed the report with the consultants my comments are as follows

- The latest report has identified an adverse impact on Lutterworth town centre (receptors R8 26 Market Street and R9 8a High Street) and that the Lutterworth AQMA will still be exceeding the Air quality objective when the development becomes active. Previous Air quality assessments showed that the objective would be met when the development was completed. the reasons for this change are as follows
 - The modelling in the latest report has assumed that the entire area of the AQMA is an Urban Canyon which was not the case in previous reports
 - There is no significant change in the predicted traffic volume through the AQMA
- Using the standard assessment the adverse impact is predicted to be 0.3 to 0.4 $\mu\text{g m}^{-3}$. This is approximately a 1% change at a location at 110% of the air quality objective. According to Table 6.3 of Land-Use Planning & Development Control: Planning For Air Quality May 2015 by EPUK and IAQM this would be a **Slight Adverse** Impact
- Using the CURED method the adverse impact is predicted to be 0.5 $\mu\text{g m}^{-3}$. This is approximately a 1.5% change at a location at 110% of the air quality objective. According to Table 6.3 of Land-Use Planning & Development Control: Planning For Air Quality May 2015 by EPUK and IAQM this would be a **Moderate Adverse** Impact
- Both of these assessment methods are likely to be conservative because:
 - R8 does not meet the requirements of an urban canyon
 - R9 is border line on meeting the definition of an urban canyon.
 - Both assessments have modelled the 2015 results at R8 significantly higher than that monitored by the council (the council does not monitor R9) this over estimate is likely to be present in both the modelling for R9 and for the future year of 2026
 - The margin of error in predicting the routes of commuter traffic traveling to/from the development
- It should be noted that an impact of 0.5 $\mu\text{g m}^{-3}$ is too small to be reliably shown by either diffusion tube or automatic monitoring

4.4.5 Given the above and this development being subject to a section 106 HGV routing agreement (to include a method for monitoring and enforcement) similar to that placed on 15/00919/FUL to ensure that HGV traffic to/from the development does not impact the Lutterworth AQMA this department **does not** object to the development given the above impacts are likely to be highly conservative.

4.4.6 *Harborough District Council Environmental Health Officer (Contamination)*

Recommend conditions on any approval Due to the findings of the Peter Brett Associates LLP report Ground Conditions Desk Study (Ground Stability & Phase 1 Contaminated Land) symmetry park, Lutterworth Project Ref: 28903/3501 Date: June 2015

4.4.7 *Harborough District Council Environmental Health Officer (Noise)*

I have looked primarily at the issue of noise and lighting within the Environmental Impact Statement. My comments are divided into various sections and are as follows.

4.4.8 Increase in road traffic (existing)

The report identifies that there should not be a substantial increase in traffic which will result in significant noise levels. I have no reason to doubt this statement.

4.4.9 Noise from operational units

Peter Brett Associates have provided a number of noise levels from delivery vehicle noise and loading activities on other developments. These seem to be based on a worse case scenario and details impacts such as reversing beepers, wheeling four empty roll cages from inside to outside. Whether these noise impacts materialise on site will depend on the occupancy of the building. Assuming worse case, the report identifies 2 properties during the night time assessment period (23:00 – 07:00) which will be subjected to a noise impact that would have a significant adverse noise impact (assuming worse case). The recommendation for controlling this noise is a 4 m acoustic barrier to protect the existing amenity and should be incorporated into the design.

4.4.10 Noise from Lorry park

The report makes reference to the 4m acoustic barrier (see above) as suitable mitigation but states that it may not be enough. This statement should be clarified to determine whether the measure of the 4m fence is sufficient. It also makes assumptions of driver management (e.g., stationary engines should be turned off, use of radios not being permitted) although I feel this would be unenforceable and relies on goodwill. It is more than likely that the drivers would not be local to the area / familiar would the courtesy to the nearest residential property and the reasons for it. I would therefore be useful to know whether the site will be managed by security to ensure compliance (even just on a temporary basis whilst the site is established).

4.4.11 Furthermore, Peter Brett Associates have identified that the significant noise from the lorry park would be reversing alarms. I would therefore enquire as to whether it can be designed so that reversing can be eliminated?

4.4.12 Fixed Plant Noise Emissions

The report makes reference to fixed plant noise emissions although will depend on the occupancy of the building and their needs. All fixed plant noise should be conditioned and assessed accordingly once known.

4.4.13 Lighting

Lighting should be installed and maintained in accordance with the Institute of Lighting Professionals Guidance for the Reduction of Obtrusive Light. This is to prevent any glare directly into the neighbouring properties and prevent a statutory nuisance occurring. Please note, this level of nuisance is different to light pollution / or a right to view as I suspect that the view from the rear of some properties (such as Glebe Farm Cottage) may be affected in some way from lighting that will go on site.

4.4.14 Construction

Typically, we request the following condition is placed on any approval granted to minimise the impact of the construction and development of the building.

4.4.15 *Harborough District Council Business Support Manager*

The proposed erection 278,709sqm of B8 and ancillary B1 will provide over 3000 jobs to the local area and whilst not all will be fulfilled locally it will provide much needed employment opportunities to residents within the Harborough District and our neighbouring areas. There are also likely to be wider benefits to local traders and businesses through the supply chain which whilst not easily quantified this will likely bring significant indirect benefits to the local economy. A commitment to provide the opportunity for greater trading links with existing businesses in Lutterworth can be seen on page 43 point iv in the planning statement submitted as part of this application. This should be secured through any S106 agreement. As 1.2.2 refers in the socio-economic chapter of the environmental statement It is also likely that the jobs on offer will range from lower skilled occupations right through to senior management and higher skilled occupations (44% of workforce). On top of this and as identified within section 3.3.1 of the planning statement there is an interest in providing apprenticeships within this development. This should be secured through any S106 agreement. This means it is likely that a range of opportunities will be provided within such a development for people of all skills levels. This range of employment opportunities and the contribution of this proposal towards delivery of economic growth is something that should be given considerable weight in determining the application

5. Members of Parliament, Councillors and Parish Councils

4.5.1 *Alberto Costa MP (South Leicestershire)*

Further to the letter from Harborough District Council dated 23rd June 2015 and your email to my secretary dated 15th July 2015, I am now in a position to express comments in respect of the above planning applications in my capacity as Member of Parliament for South Leicestershire.

4.5.2 I will take both applications together as I consider the comments below relate to both applications. I have received a significant amount of correspondence from concerned constituents from Lutterworth and across villages located at the southern end of my Parliamentary constituency. I have also met with constituents and with Lutterworth Town Council representatives to discuss these applications. Further, I attended two public exhibitions earlier in the year at Lutterworth Town Hall and met with representatives of the respective developers of each of the two applications. I also attended a site visit at Magna Park and was given a tour of the existing facility as well as a tour of the adjacent area which relates to one of the applications. I am familiar with the landscape and villages around Magna Park.

4.5.3 As a Conservative Member of Parliament, I am broadly supportive of appropriate commercial developments that benefit individual constituencies as well as the country as a whole. As the Member of Parliament for South Leicestershire, the key issue for me is whether the proposed developments will have a positive impact for both my constituency as well as the country. There will undoubtedly be occasions when a Member of Parliament has to balance the interests of his / her constituency alongside the interests of the nation as a whole.

4.5.4 Whilst I do not have any public function, at this stage, in the decision making process for the planning applications in question, this is an instance when I am expected, at least, to voice an opinion given the number of constituents who have contacted me about this matter. I have very carefully balanced the interests of my constituency as well as the nation, in order to form a view. In taking a position, I have also very carefully listened to both sides; namely the proposed developers who are submitting these applications as well as the constituents who voiced an opinion to me and who are almost without exception against the proposals.

4.5.5 It is my considered view that the aforementioned applications do not appear to impact positively in my constituency but may well impact positively for the country as a whole. I very much appreciate that the Planning Committee at Harborough District Council will have to consider these applications extremely carefully, in accordance with planning law as well as local government policy. This, I am sure, will not be an easy task for the Planning Committee, but I am confident that the Planning Committee will undertake the task in a lawful and appropriate manner.

This letter is therefore intended to assist the Planning Committee with its important deliberations and respects that the decision, at this stage, is one for the local authority.

4.5.6 Traffic

Constituents have expressed their strong views that there are already negative issues with the significant amount of traffic currently using Magna Park. The traffic currently witnessed includes a large amount of HGV s entering and exiting Magna Park using a number of roads in addition to light goods vehicles and cars which furnish Magna Park with employees as well as ancillary services and goods. The proposed developments might significantly add to the burden of the existing road infrastructure causing potential further degradation of the roads' surfaces as well as an unwelcome increase in traffic. The arrival and departure from an extended Magna Park site might also increase air pollution. I understand that Harborough District Council is aware of the high levels of air pollution already present in Lutterworth. Further, a significant increase in traffic might also, arguably, generate an increase in existing noise pollution.

4.5.7 Light Pollution

The existing Magna Park already emits a significant amount of light pollution which is visible in the night sky from quite a large radius from Magna Park. I have been informed by constituents that earlier promises were made by one of the developers in respect of minimising light pollution to the existing facility at Magna Park. However, I have also been informed that this remains an outstanding issue. I understand that Harborough District Council is well versed in this matter and would request that this be taken into consideration.

4.5.8 Economic need

My constituency benefits from one of the lowest unemployment rates in the United Kingdom. The proposed developments suggest that there will be employment opportunities for a large amount of prospective employees but given the very low unemployment rate it is not reasonably foreseeable that employees will come from the immediate vicinity. I understand that it has been suggested that employees could come from as far afield as a 45 minute commute by car. If this is the case, whilst it might be a welcome boost to employment for the country, it would not appear to directly benefit my constituency. Consequently, there is a school of thought that would suggest that another more suitable location closer to prospective employees might better suit the needs of our country.

4.5.9 As I indicated above, I am fully cognisant of the challenge that the Planning Committee has in coming to an appropriate decision based on planning law and local authority needs. Nevertheless, I would strongly encourage the Planning Committee to take into account the substantial and well detailed objections that have been lodged with Harborough District Council.

4.5.10 I wish the Planning Committee members well in undertaking this difficult task and look forward to your assessment.

4.5.11 *Lutterworth Town Council (29th July 2015)*

At the Lutterworth Town Council meeting held on 14 July 2015 members RESOLVED to STRONGLY OBJECT to planning application 15/00865/OUT on the following grounds

4.5.12 Highways Safety: the detrimental impact on the road infrastructure in terms of increased volume and speed of traffic (Core Strategy Policy CS5, Section 5.47);

4.5.13 Economic: the lack of a strategic overview that the proposed development would have on Lutterworth and the surrounding area (Core Strategy Policy CS7, Section 5.73);

4.5.14 Air Pollution: the resultant deterioration in air quality within the immediate vicinity (Section 2.32 of the Core Strategy & CS14);

- 4.5.15 Noise Pollution: the impact of noise pollution owing to the increase in traffic movement, particularly HGV traffic (Core Strategy Policy CS11);
- 4.5.16 Economic: the lack of direct benefit to the local community in terms of employment (Section 2.23 of the Core Strategy). Applicable Harborough District Council Core Strategy Policies & Statements: Chapter 2: Spatial Portrait of Harborough: Employment Section 2.23 highlights that the characteristics of Magna Park (including its apparent mismatch with the better than average occupational and skills profile of Harborough residents, its function, size and location) account for its large labour catchment area, which stretches far south into Warwickshire / Northamptonshire along the M69/M1 respectively (Census 2001). Travel to Work patterns for Magna Park, confirm that the majority of people (50%) employed travel between 10-20kms to get to work, a further 16% travel between 20-30kms, greater than the average for the county and its 6 largest business parks. Chapter 2: Spatial Portrait of Harborough: The Environment Section 2.32 states that carbon emissions are of particular concern in the centre of Lutterworth where traffic fumes contribute to poor air quality. This situation is being actively monitored through the designation of an Air Quality Monitoring Area and the establishment of an Action Plan to seek improvements to the current levels. Chapter 2: Spatial Portrait of Harborough: Key Issues Section 2.36 EC7 Current traffic problems affecting vitality and viability of Lutterworth town centre; EC10 Continuing development pressure for the further expansion of Magna Park for strategic distribution use. Policy CS5: Providing Sustainable Transport Section 5.47 indicates that Leicestershire County Council's suggested Eastern Relief Route for Lutterworth town centre is not considered deliverable during the lifetime of the Strategy and that the level of development planned for the District and for individual settlements will therefore be controlled accordingly. Policy CS6: Improving Town Centres & Retailing Section 5.55 recognises that traffic problems are threatening the vitality and viability of Lutterworth town centre. Policy CS7 Enabling Employment & Business Development Section 5.68 advises that the amount of new land proposed for employment development to 2028 is likely to be moderate. h) Magna Park Strategic Distribution No further phase of development or large scale expansion of the site, beyond the existing development footprint (to be defined in the Allocations DPD) will be supported. Section 5.69 states that the HMA Employment Land Study 2008 concluded that in the context of a strategic approach to employment land, Harborough fulfils predominantly local market needs and there is no overall strategic need for additional employment land to be identified. Section 5.73 reports that in the context of evidence studies, against the criteria they set, and taking account of future developments in the road / rail network, travel to work patterns and the type and skill level of logistics jobs compared to local employment needs, there are more suitable locations and sites (both rail and non rail-linked) than Magna Park within the region and sub-region to meet forecast need for strategic distribution to 2026. Policy CS11 Promoting Design & Built Heritage b) New development should be directed away from undeveloped areas of land which are important to the form and character of a settlement or locality. Policy CS14: Lutterworth 6.20 Owing to the volume of traffic in particular HGVs in the town centre, Lutterworth town centre is the only Air Quality Management Area in the District. b) Transport interventions delivered in association with additional development in and around Lutterworth will focus on improving air quality and reducing the adverse effects of traffic flow in the town centre by: i) Resisting development which would result in additional Heavy Goods Vehicles passing through Lutterworth town centre; ii) Support for routeing schemes for Magna Park and other warehousing occupiers to prevent HGV traffic passing through Lutterworth; vi) Local traffic calming measures in the town centre, and appropriate junction improvements elsewhere in the town to improve traffic flow.
- 4.5.17 *Cotesbach Parish Council (Initial comments received 30/06/15)*
This letter outlines our initial concerns with the proposed development and we would request the opportunity to maintain contact with you, building further on our comments as we continue to examine this significant application and engage further with stakeholders.

4.5.18 **1) With the proposed development increasing local warehousing in excess of two thirds, the expected additional impact on highways infrastructure around Cotesbach will significantly affect our residents' lifestyles.**

We are greatly concerned that the applicant has not carried out its traffic assessment using the conventional Leicester and Leicestershire Integrated Transport Model (LLITM). The applicant has suggested that the A426 passing Cotesbach will have no increase in traffic volumes once the development is complete. We struggle to understand how this can be the case. At the very least we request a re-evaluation of the traffic analysis using the approved LLITM.

4.5.19 We also continue to be concerned about safety and speed on the A426, and A5 in our area. Many residents cross the A426 to walk along Shawell lane and visit the popular Garden Barn business. They are currently doing so at high risk with the traffic and HGV volumes.

4.5.20 **2) We are concerned that the proposed development's environmental assessment does not fully consider knock-on environmental effects surrounding our community.**

The non-technical summary and flood risk assessment part 1 submitted by the applicant does not give any consideration to the effects of the River Swift downstream of the development. It makes assumptions that the SUDS systems will manage the increases in water levels across the site, from surface water flowing into the Padge Hall Brook and associated tributaries. We would urge the Environment Agency to fully evaluate this.

4.5.21 To our knowledge, there has also been no recognition of potential impact on the sewage treatment plant near to Cotesbach in the Swift Valley. From our investigations, Severn Trent and Anglian Water deny knowledge of any asset ownership affected by the proposed development. We would like HDC to ensure this sewage treatment plant is identified and considered in the proposed application.

4.5.22 As a village with significant density of listed buildings and heritage as a community, we are greatly concerned about the impact of this development. Visually, it will be a prominent feature entering and exiting the village. The knock-on road and site noise will also affect our community. More specifically, the time taken to establish appropriate screening will simply be too long. The applicant recognizes in parts of the submission that *"logistics is a long-term game"* (e.g. EIA part 1, part a, 5.3.35) yet in the EIA non-technical summary (section 3.9, table 3, Operation assessment) they suggest that the impact on Main Street, Cotesbach has a Medium magnitude yet is *"Moderate adverse, temporary and locally significant"*, hence contradicting their position that logistics is long-term. With a 15 year expected duration until screening has reached maturity, this is most certainly not temporary. If this development goes ahead mature screening **must** be put in place to make this a temporary effect. We notice also that the recommended bunding heights in areas of the site are only to 3m (EIV volume 1, Part B 9.10.9). This is simply not high enough considering the topography of the site at the near ridge of the Swift Valley, permitting views of the warehousing from all areas. We want to know, if this application is permitted, how this bunding level can be increased and the suggested screening can go beyond the bare minimum in order to mitigate the visual impact. We are engaging with Natural England and Historic England on these screening concerns.

4.5.23 On this matter, we want HDC to recognise that Cotesbach Parish Council and other parish councils in the area were promised certain levels of screening by Magna Park over 20 years ago, but this was never achieved and parish councils were in effect "paid-off" under Section 106 payments. We would strongly disagree with a similar approach from the Symmetry Park application and ask HDC to not allow a similar process if permission is granted.

4.5.24 **3) Other considerations**

We would like clarity on how the additional applications from IDI Gazeley (15/00919/FUL) and the impending Magna Park North are being considered as part of the Symmetry Park proposal. The application in question suggests that 15/00919/FUL has not been part of the baseline

considerations, nor would Magna Park North be (response to EIA scoping opinion p4, bullet point 2 reference). This contradicts with HDC's scoping opinion (see HDC's scoping opinion response p17 and 15/00865/OUT Appendix B). We are concerned that correct baselines have not been considered and want to understand better HDC's approach on how they are considering these multiple significant applications.

- 4.5.25 The applicant suggests that the Glebe Farm clay pigeon shooting business will be relocated (EIA non-technical summary 3.10.12). We are adamant this will not be positioned closer to Cotesbach and wish HDC to support us in this and acting upon it by applying such a condition if permission is granted.
- 4.5.26 We are also exploring how a separation or exclusion zone can be applied to the area between Cotesbach and the proposed development if it goes ahead, and how such a condition can be applied in law. It is of grave concern that our surrounding countryside will be developed further when there are other feasible land masses in other areas of Leicestershire.
- 4.5.27 We also wish to highlight the strong objection in the village to the proposed development. At a recent public meeting on 18th May in Cotesbach organised by the constituted parish council sub-group, Cotesbach Action Group, 100% of those voting were against the proposed development.
- 4.5.28 We would ask that you take our objections to this proposal and ensure they are considered seriously as part of this significant expansion to what is already Europe's largest logistics area. Symmetry Park would bring no holistic benefit to the communities impacted most by it, and simply attempts to significantly meet shortfalls in suggested Leicestershire County logistics requirements in an area that is already at capacity for such activity.
- 4.5.29 *Cotesbach Parish Council*
We write in connection with the above Planning Application and having examined the application to our best extent in the time permitted, Cotesbach Parish Council wishes to strongly object to this development.
- 4.5.30 This letter outlines our initial concerns with the proposed development and we would request the opportunity to maintain contact with you, building further on our comments as we continue to examine this significant application and engage further with stakeholders.
- 4.5.31 1) With the proposed development increasing local warehousing in excess of two thirds, the expected additional impact on highways infrastructure around Cotesbach will significantly affect our residents' lifestyles.
- 4.5.32 We are greatly concerned that the applicant has not carried out its traffic assessment using the conventional Leicester and Leicestershire Integrated Transport Model (LLITM). The applicant has suggested that the A426 passing Cotesbach will have no increase in traffic volumes once the development is complete. We struggle to understand how this can be the case, and how this apparent manual methodology can be permitted. At the very least we request a re-evaluation of the traffic analysis using the approved LLITM.
- 4.5.33 Nevertheless, we interpret from the calculations that traffic flow is suggested to increase up to 19% travelling west across the "Whittle roundabout" on the A4303¹ to the proposed development (see Environmental statement Chapter 7, section 7.5.6, table 7.15). With such traffic increases, and priority from the right at the roundabout, vehicle flow from the A426 heading northbound onto the Whittle roundabout will be further delayed and queuing even more than now. In addition, such increases are suggested in the application as being "not significant" as they are <30%, with

¹ We struggle to interpret all traffic data and the flows to which the data refers to. Traffic flow increases travelling west on the A4303 at the Whittle roundabout could also be 8%.

the applicant referencing Guidelines for the Environmental Assessment of Road Traffic by the Institute of Environmental Assessment (3.19):

“Other environmental impact (e.g. pollution, ecology etc) are less sensitive to traffic flow changes, and it is recommended that, as a starting point, a 30% change in traffic flow represents a reasonable threshold for including a highway link within the assessment.”

The same guidelines also contain 2 further statements that we believe must be taken into greater consideration in the proposed development, as the applicant appears to have failed to recognise these:

“...Where there are major changes in the composition of traffic flow, say a much greater flow of HGV’s, a lower threshold may be appropriate.” (section 3.19)

“It should be noted that the Department of Environment suggest, in Policy Guidance Note 13 (DOE, 1988), that increases in traffic of 5% are likely to be considered as significant by the Department of Transport. The context of such a statement relates to the operational and capacity criteria of highway and not its environmental impacts.” (section 3.18)

Similarly, increases are predicted at the Gibbet roundabout travelling E-W / W-E along the A5, so vehicles travelling south on the A426 to the Gibbet roundabout will also experience further delays as they wait for traffic from the right. The suggested road alterations on this roundabout in particular are not seen as adequate, and are reliant on the DIRFT 3 proposed Gibbet roundabout signalling upgrades taking place – for which there has been no public detail on when (or if) this will be carried out.

- 4.5.34 We also continue to be concerned about safety and speed on the A426, and A5 in our area. Many residents cross the A426 to walk along Shawell lane and visit the popular Garden Barn business. They are currently doing so at high risk with the traffic and HGV volumes.
- 4.5.35 2) We are concerned that the proposed development’s environmental assessment does not fully consider knock-on environmental effects surrounding our community.
- 4.5.36 The non-technical summary and flood risk assessment part 1 submitted by the applicant does not give any consideration to the effects of the River Swift downstream of the development. It makes assumptions that the SUDS systems will manage the increases in water levels across the site, from surface water flowing into the Padge Hall Brook and associated tributaries. What’s more, we are concerned that the modelled water level increases reach a maximum of 30cm under 360mins of rainfall (Flood Risk Assessment, p19 table 7.1, node 17) which is a significant quantity. Combining this increase in water flow from the proposed development upstream with the committed (and future) developments in Warwickshire (for example Junction 1 retail park, warehousing expansion at J1, and the Avon Mill roundabout upgrades) could result in dangerously high water levels downstream, potentially resulting in flooding seen 30-50 years ago without these large developments in place. Incidentally, these committed and proposed developments downstream were largely not considered in the baseline conditions for the application in question (EIA non-technical summary, 2.1.2). We would urge the Environment Agency to fully evaluate this.
- 4.5.37 To our knowledge, there has also been no recognition of potential impact on the sewage treatment plant near to Cotesbach in the Swift Valley. From our investigations, Severn Trent and Anglian Water deny knowledge of any asset ownership affected by the proposed development. We would like HDC to ensure this sewage treatment plant is identified and considered in the proposed application.
- 4.5.38 As a village with significant density of listed buildings and heritage as a community, we are greatly concerned about the impact of this development. Visually, it will be a prominent feature entering and exiting the village. The knock-on road and site noise will also affect our community. More specifically, the time taken to establish appropriate screening will simply be too long. The applicant recognizes in parts of the submission that *“logistics is a long-term game”* (e.g. EIA part

1, part a, 5.3.35) yet in the EIA non-technical summary (section 3.9, table 3, Operation assessment) they suggest that the impact on Main Street, Cotesbach has a Medium magnitude yet is “Moderate adverse, **temporary** and locally significant”, hence contradicting their position that logistics is long-term. With a 15 year expected duration until screening has reached maturity, this is most certainly not temporary. If this development goes ahead mature screening **must** be put in place to make this a temporary effect. We notice also that the recommended bunding heights in areas of the site are only to 3m (EIV volume 1, Part B 9.10.9). This is simply not high enough considering the topography of the site at the near ridge of the Swift Valley, permitting views of the warehousing from all areas. We want to know, if this application is permitted, how this bunding level can be increased and the suggested screening can go beyond the bare minimum in order to mitigate the visual impact. We are engaging with Natural England and Historic England on these screening concerns.

4.5.39 On this matter, we want HDC to recognise that Cotesbach Parish Council and other parish councils in the area were promised certain levels of screening by Magna Park over 20 years ago, but this was never achieved and parish councils were in effect “paid-off” under Section 106 payments. We would strongly disagree with a similar approach from the Symmetry Park application and ask HDC to not allow a similar process if permission is granted.

4.5.40 3) Other considerations

We would like clarity on how the additional applications from IDI Gazeley (15/00919/FUL, previously 14/01721/SCP) and the impending Magna Park North are being considered as part of the Symmetry Park proposal. The application in question suggests that 15/00919/FUL has not been part of the baseline considerations, nor would Magna Park North be (response to EIA scoping opinion p4, bullet point 2 reference). This contradicts with HDC’s scoping opinion (see HDC’s scoping opinion response p17 and 15/00865/OUT Appendix B). We are concerned that correct baselines have not been considered and want to understand better HDC’s approach on how they are considering these multiple significant applications.

4.5.41 The applicant suggests that the Glebe Farm clay pigeon shooting business will be relocated (EIA non-technical summary 3.10.12). We are adamant this will not be positioned closer to Cotesbach and wish HDC to support us in this and acting upon it by applying such a condition if permission is granted.

4.5.42 We are also exploring how a separation or exclusion zone can be applied to the area between Cotesbach and the proposed development if it goes ahead, and how such a condition can be applied in law. It is of grave concern that our surrounding countryside will be developed further when there are other feasible land masses in other areas of Leicestershire to ensure it maintains its competitive edge as a County.

4.5.43 We also wish to highlight the strong objection in the village to the proposed development. At a recent public meeting on 18th May in Cotesbach organised by the constituted parish council sub-group, Cotesbach Action Group, where approximately 60 people attended, there was overwhelming opposition to Symmetry Park. 100% of those voting were against the proposed development when asked to raise their hands. A further questionnaire distributed by the action group during the meeting gathered 43 votes, including 6 proxy, where only 1 individual abstained to Symmetry Park (see enclosed).

4.5.44 We would ask that you take our objections to this proposal and ensure they are considered seriously as part of this significant expansion to what is already Europe’s largest logistics area. Symmetry Park would bring no holistic benefit to the communities impacted most by it, and simply attempts to significantly meet shortfalls in suggested Leicestershire County logistics requirements (as per Leicester & Leicestershire Strategic Distribution Sector Study, November 2014) in an area that is already at capacity for such activity.

4.5.45 *Bitteswell Parish Council*

Bitteswell with Bittesby Parish Council wishes to register its objection to this Application. The grounds for our objection are given below.

4.5.46 In recognition of the establishment of Magna Park in the late 1980's the Harborough District Local Plan included several policies specifically related to the development. For example: a policy that limited the total floorspace to 717,030m² (Policy EM/12); another that prohibited buildings having a floorspace of less than 9300m² (Policy EM/13). In the event, each of these policies has been breached. In the case of the floorspace limitation by a large factor, resulting in the existing floorspace value at Magna Park grossly exceeding the limit set by the then Statutory Development Plan. That the floorspace limit was permitted to be repeatedly exceeded over many years may call into question the effectiveness of the development control exercised by the District Planning Authority.

4.5.47 To lend perspective to the issue of need, it is relevant to note that at present there is some 2.25 million m² of floorspace in Leicestershire, a large fraction of which is at Magna Park. As the adopted Core Strategy makes plain, the development at Magna Park serves a regional or strategic, rather than a local, need. It makes equally clear that:

'there are more suitable locations and sites (both rail and non-rail linked) than Magna Park within the region and sub-region to meet forecast need for strategic distribution to 2026'. (This date was subsequently revised to 2028.)

The most recent estimates of the requirement for strategic distribution are presented in the Leicester and Leicestershire Distribution Sector Study issued in November 2014. This Study contains much detail, but fails to identify any substantive need for additional floorspace. To the extent there is reference to need, this appears to be little more than speculative forecasts of demand that seem to have their foundation in a defence of the present position, including a preoccupation with concerns for the loss of the claimed 'competitive advantage' of the so-called 'Golden Triangle'. Measures that may moderate this loss are suggested. One such measure is the proposal to establish a 'Strategic Distribution Sites Selection Task Group'. It is further proposed that the remit of the Task Group will include:

'to foster a collaborative approach to planning for the strategic logistics sector across Leicestershire and beyond.'

On the basis of the asserted desire to: ***'maintain and enhance Leicestershire's competitive position'***, the Study claims that there is a requirement for 153 ha of land at non rail-served sites in the period to 2036. In this context it is relevant to note that the Consultant acting for Prologis UK Ltd, part developers of the extension of the Daventry international Freight Terminal (DIRFT III) claims that the value of 153ha conflicts with the findings of the Leicester and Leicestershire HMA Employment Land Study of 2013, which concludes that much less land is required.

4.5.48 *The NPPF at paragraph 30* encourages transport solutions which support reductions in greenhouse gas emissions. To this end, the Government advocates the transport of freight by rail to reduce the trip mileage of freight movements using the road network, the longer term objective being to facilitate the progressive transfer of freight from road to rail. With regard to greenhouse gas emissions generated by motor vehicles, it is apt to note that Lutterworth experiences high levels of air pollution and has been declared an Air Quality Management Area.

4.5.49 At this time the Statutory Development Plan for the Harborough District comprises The Harborough District Local Development Framework Core Strategy, adopted in November 2011 and the 'Saved Policies' identified therein. In due course, the Core Strategy and the 'Saved Policies' will form part of the new Local Plan.

4.5.50 This Policy (CS7h) specifically addresses the issue of the expansion of Magna Park. It states:
'No further phase of development or large scale expansion of the site, beyond the existing development footprint (to be defined in the Allocations DPD) will be supported.'
Although the Allocations DPD has not been produced it is considered that the definition of the

phrase: **'existing development footprint'** is self-evident and beyond reasonable dispute. In our letter to the District Council of 17 November 2014 we set out the reasoning for this view.

- 4.5.51 Policy CS8 is directed to securing a high quality accessible and multi-functional green infrastructure network across both rural and urban areas of the Harborough District.
- 4.5.52 The basic purpose of this Policy (CS17) is to secure the protection and enhancement of the countryside by the strict control of development and ensuring such developments meet local needs and retain local services.
- 4.5.53 The proposed development is contrary to this Policy as it represents development in the countryside which falls outside the purposes permitted by the Policy.
- 4.5.54 The companies presently operating at Magna Park represent the largest concentration of employment within the Harborough District. However, although there are some 9300 people employed at the Site less than 20% reside in the Harborough District. It is not clear that any additional employment opportunities arising from the proposed development would alter significantly this ratio. Moreover, although additional employment opportunities are to be generally welcomed, the jobs at the complex tend to be limited in the range of skills. There already exists a significant mismatch between the local need for skilled employment and the type and calibre of employment opportunities likely to arise from the enterprises located at Magna Park, now and in the future. To further increase the size of the workforce pool possessing a restricted range of skills will only cause this mismatch to become more pronounced.
- 4.5.55 As indicated in the previous paragraph, the great majority of the Magna Park workforce commutes to the Site from outside the District. For several years a significant fraction of this traffic has passed through Bitteswell. This experience is similar to that of other settlements local to Magna Park. Traffic surveys conducted by this Council clearly identify parity between the density of such commuting traffic and the shift patterns of the Magna Park workforce. In other words, there is little doubt as to the source of the traffic.
- 4.5.56 The visual impact created by the height of buildings at Magna Park, especially where there is attendant lighting, is a cause of concern for those who reside in the surrounding settlements.
- 4.5.57 For many years the nocturnal glow from Magna Park has been an indelible feature of this development in south Leicestershire. Over the years there have been many representations made regarding the problem of light pollution at the Site. We understand these include objections from the British Astronomical Association in support of their *Campaign for Dark Skies*. Despite undertakings by IDI Gazeley UK Limited and its predecessors to tackle the problem, the issue of light pollution arising from Magna Park stubbornly persists.
- 4.5.58 Should it be the case that, notwithstanding representations, the Application is approved it is recommended that the District Planning Authority requires the Applicant to give a written undertaking that appropriate tests will be performed to verify whether or not this is the case and, if the level of light pollution is not materially less, corrective action will be taken.
- 4.5.59 In the Parish of Bitteswell with Bittesby it is the case that the development proposed has precipitated reactions that are generally hostile. This result has prompted more written representations being submitted to the District Planning Authority than have been tendered for any preceding planning application affecting the Parish. It is understood that this is an outcome similar to that experienced in other nearby settlements.
- 4.5.60 In essence, it would appear that residents who live near to Magna Park are simply weary of what has been almost uninterrupted development at the Site over many years. On the face of it, the District Planning Authority looks to be either unable or unwilling to exercise control of

developments proposed by the powerful and influential commercial organization that operates the Site. It is, perhaps, not surprising that this experience has caused many in the affected communities to become disillusioned and frustrated.

4.5.61 In view of the matters expressed in this letter, this Council urges refusal of the subject Application.

4.5.62 *Ullesthorpe Parish Council*

Ullesthorpe Parish Council wishes to register its objection to this Application. The grounds for our objection are given below.

4.5.63 In recognition of the establishment of Magna Park in the late 1980's the Harborough District Local Plan included several policies specifically related to the development. For example: a policy that limited the total floor space to 717,030m² (Policy EM/12); another that prohibited buildings having a floor space of less than 9300m² (Policy EM/13). In the event, each of these policies has been breached. In the case of the floor space limitation by a large factor, resulting in the existing floor space value at Magna Park grossly exceeding the limit set by the then Statutory Development Plan. That the floor space limit was permitted to be repeatedly exceeded over many years may call into question the effectiveness of the development control exercised by the District Planning Authority.

4.5.64 To lend perspective to the issue of need, it is relevant to note that at present there is some 2.25 million m² of floor space in Leicestershire, a large fraction of which is at Magna Park. As the adopted Core Strategy makes plain, the development at Magna Park serves a regional or strategic, rather than a local, need. It makes equally clear that:

'There are more suitable locations and sites (both rail and non-rail linked) than Magna Park within the region and sub-region to meet forecast need for strategic distribution to 2026'.(This date was subsequently revised to 2028.)

The most recent estimates of the requirement for strategic distribution are presented in the Leicester and Leicestershire Distribution Sector Study issued in November 2014. This Study contains much detail, but fails to identify any substantive need for additional floor space. To the extent there is reference to need, this appears to be little more than speculative forecasts of demand that seem to have their foundation in a defence of the present position, including a preoccupation with concerns for the loss of the claimed 'competitive advantage' of the so-called 'Golden Triangle'. Measures that may moderate this loss are suggested. One such measure is the proposal to establish a 'Strategic Distribution Sites Selection Task Group'. It is further proposed that the remit of the Task Group will include:

'to foster a collaborative approach to planning for the strategic logistics sector across Leicestershire and beyond.'

On the basis of the asserted desire to: 'maintain and enhance Leicestershire's competitive position', the Study claims that there is a requirement for 153 ha of land at non rail-served sites in the period to 2036. In this context it is relevant to note that the Consultant acting for Prologis UK Ltd, part developers of the extension of the Daventry international Freight Terminal (DIRFT III) claims that the value of 153ha conflicts with the findings of the Leicester and Leicestershire HMA Employment Land Study of 2013, which concludes that much less land is required. However, in consideration of any forecasts contained in the most recent Study, it should be borne in mind that at least one of the consultants involved has worked closely with IDI Gazeley and its forerunners over several years. It follows that the potential for a conflict of interests must exist and that any forecasts from this source of future requirements for strategic storage and distribution capacity cannot be regarded as wholly impartial or 'objectively assessed'.

4.5.65 The NPPF at paragraph 30 encourages transport solutions which support reductions in greenhouse gas emissions. To this end, the Government advocates the transport of freight by rail to reduce the trip mileage of freight movements using the road network, the longer term objective being to facilitate the progressive transfer of freight from road to rail. With regard to greenhouse

gas emissions generated by motor vehicles, it is apt to note that Lutterworth experiences high levels of air pollution and has been declared an Air Quality Management Area.

4.5.66 At this time the Statutory Development Plan for the Harborough District comprises the Harborough District Local Development Framework Core Strategy, adopted in November 2011 and the 'Saved Policies' identified therein. In due course, the Core Strategy and the 'Saved Policies' will form part of the new Local Plan.

4.5.67 This Policy (CS7h) specifically addresses the issue of the expansion of Magna Park. It states:
'No further phase of development or large scale expansion of the site, beyond the existing development footprint (to be defined in the Allocations DPD) will be supported.'

Although the Allocations DPD has not been produced it is considered that the definition of the phrase 'existing development footprint' is self-evident and beyond reasonable dispute. In our letter to the District Council of 17 November 2014 we set out the reasoning for this view. It is clear that the Application is contrary to this Policy of the Development Plan and this is acknowledged by the Applicant at paragraph 5.102 of the submitted Planning Statement. However, due to the inconvenient obstacle this Policy presents to the proposed development, the Applicant's Planning Statement endeavours to disparage Policy CS7(h) by claiming that it is at odds with the NPPF. In making this claim the Applicant appears to overlook the overriding fact that planning law requires applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The NPPF is, of course, a material consideration.

4.5.68 This Policy (CS8) is directed to securing a high quality accessible and multi-functional green infrastructure network across both rural and urban areas of the Harborough District. In seeking to address this Policy, the Applicant at paragraph 6.44 of the Planning Statement claims:

'In turn, and in line with development plan policy CS 8, therefore, the application proposals contribute to the district's accessible high quality and multi-functional green infrastructure network-contributing accordingly to healthy lifestyles and a rich, diverse natural environment.'

Unfortunately, it is not made clear how this desirable, if fanciful, outcome is to derive from the insinuation in the countryside of an immense building of some 100,000 m², with a height of 23m, along with its attendant facilities.

4.5.69 The basic purpose of this Policy (CS17) is to secure the protection and enhancement of the countryside by the strict control of development and ensuring such developments meet local needs and retain local services. The proposed development is contrary to this Policy as it represents development in the countryside which falls outside the purposes permitted by the Policy. Once again, the departure of the Application from the Development Plan is recognized by the Applicant, in this case at paragraph 6.27 of the submitted Planning Statement.

4.5.70 The companies presently operating at Magna Park represent the largest concentration of employment within the Harborough District. However, although there are some 9,300 people employed at the Site less than 20% reside in the Harborough District. It is not clear that any additional employment opportunities arising from the proposed development would alter significantly this ratio. Moreover, although additional employment opportunities are to be generally welcomed, the jobs at the complex tend to be limited in the range of skills. There already exists a significant mismatch between the local need for skilled employment and the type and calibre of employment opportunities likely to arise from the enterprises located at Magna Park, now and in the future. To further increase the size of the workforce pool possessing a restricted range of skills will only cause this mismatch to become more pronounced.

4.5.71 As indicated in the previous paragraph, the great majority of the Magna Park workforce commutes to the Site from outside the District. For several years a significant fraction of this traffic has passed through Ullesthorpe. This experience is similar to that of other settlements local

to Magna Park. Traffic surveys conducted by this Council clearly identify parity between the density of such commuting traffic and the shift patterns of the Magna Park workforce. In other words, there is little doubt as to the source of the traffic.

4.5.72 For many years the nocturnal glow from Magna Park has been an indelible feature of this development in south Leicestershire. Over the years there have been many representations made regarding the problem of light pollution at the Site. We understand these include objections from the British Astronomical Association in support of their Campaign for Dark Skies. Despite undertakings by IDI Gazeley UK Limited and its predecessors to tackle the problem, the issue of light pollution arising from Magna Park stubbornly persists. At paragraph 6.38 of the Planning Statement the Applicant outlines the intentions for the design of the artificial lighting installation for the proposed development and claims that this will:

‘... reduce very significantly, compared to the existing park, the visual effects on the night sky.’

At paragraph 6.39 of the Planning Statement the Applicant expresses a commitment to:

‘...make provision for a reduction in the light pollution caused by the existing park.’

Both of these statements are welcomed. However, they will only be meaningful in effect if the magnitude of the light pollution arising from the Magna Park Site, following completion of the proposed development, is materially less than it is at this time. Should it be the case that, notwithstanding representations, the Application is approved it is recommended that the District Planning Authority requires the Applicant to give a written undertaking that appropriate tests will be performed to verify whether or not this is the case and, if the level of light pollution is not materially less, corrective action will be taken.

4.5.73 The public exhibitions and other initiatives arranged by the Applicant mainly to inform the communities resident in the settlements surrounding Magna Park and likely to be affected by the proposed development, are described in the section of the Planning Statement, commencing at paragraph 4.9. The views of the people attending the exhibitions were canvassed. Of these, some 20% provided written comments; a summary of these comments is given in the Planning Statement. In the Parish of Ullesthorpe it is the case that the development proposed has precipitated reactions that are generally hostile. This result has prompted more written representations being submitted to the District Planning Authority than have been tendered for any preceding planning application affecting the Parish. It is understood that this is an outcome similar to that experienced in other nearby settlements.

4.5.74 In essence, it would appear that residents who live near to Magna Park are simply weary of what has been almost uninterrupted development at the Site over many years. On the face of it, the District Planning Authority looks to be either unable or unwilling to exercise control of developments proposed by the powerful and influential commercial organization that operates the Site. It is, perhaps, not surprising that this experience has caused many in the affected communities to become disillusioned and frustrated.

4.5.75 Since the last expansion at the site the additional surface water run-off into the water course to the north of Magna Park, (between the A5 and the Ullesthorpe / Claybrooke Parva boundary), there have been increased incidences of flooding to the public highway and the allotment land. As identified in the Applicants proposals and documentation this water course is the main drainage for Magna Park surface water. As a consequence, some of the local residents are now classified as living in a flood zone. Local residents have noticed a dramatic increase in regular flooding.

4.5.76 One of the defining characteristics of the area proposed for development is the agricultural land, many people have chosen to live in this area for this reason. If the application is successful the very nature of our surroundings will be irrevocably altered and agricultural land lost forever. The existing Magna Park site is out of keeping with the historic nature of our environment and causes significant intrusion into what should be a rural landscape.

4.5.77 In view of the matters expressed in this letter, this Council urges refusal of the subject Application.

4.5.78 *Claybrooke Parva Parish Council*

The Claybrooke Parish Council are against this application. There are more suitable locations both with and without rail access to meet the demand forecast up to 2026. The application goes against the NPPF policies on gas emissions. We consider that this application is contrary to HDC Core Strategy "No further phase of development or large expansion of the site, beyond the existing development footprint will be supported. We consider there will be an increase of traffic generated through Lutterworth and the villages surrounding Magna Park. A positive loss of agricultural land The disturbance of the Bittesby Medieval village. Although not a planning consideration the uninterrupted view across open countryside will be destroyed by unsightly warehouse buildings.

4.5.79 *Churchover Parish Council*

Churchover Parish Council (CPC) wishes to register its objections to the above application on two grounds – traffic/highways, and heritage – as follows.

4.4.80 Traffic/highways – Churchover lies on the Warwickshire side of the A5, the parish being astride the A5/A426 and extending north to the Gibbet roundabout at that junction. For many years, congestion on the A426 has been increasing, especially between the M1 and A5 junctions. That has derived perhaps mostly from warehouse developments in Warwickshire, but also increasing traffic from Magna Park and DIRFT. In the last couple of years, the A426 has reached the state of near-stationary northbound traffic in the afternoon peak between those junctions, usually during the period 1630 – 1730 and often earlier, specially on Fridays. Also in that period, morning southbound queuing at the Gibbet by traffic from Lutterworth is increasingly frequent, often backing up almost to Cotesbach. The A426, at least at peak hours, is already operating at over its capacity. DIRFT III is now permitted and a part of that scheme is to reconstruct the Gibbet roundabout to 3 lanes, within the existing highway boundary. When that same tactic was applied to M6 junction 1 a few years ago, it failed to increase capacity as planned because the land widths and geometry were inadequate for three lanes of HGV traffic. The same will apply here. The A426 is, in addition, a rat run for traffic avoiding problems at the Catthorpe M1/M6/A14 junction. However, we ought to stress that congestion on the A426 is not associated only with incidents or road works at Catthorpe, nor at the Gibbet, but occurs routinely under conditions of normal flow. The road and junctions are simply too small for the flows existing and permitted, and no further increase in traffic can be acceptable. This is borne out by the TA for the development. It advises that the M1/A426 junction will be at near capacity at peak times (88%, p112) and fails to offer any mitigation. Even with the proposed improvements at the Gibbet that roundabout will still be still above capacity (p128). Several Churchover residents live on the roundabout and the noise, air quality, traffic and congestion impacts upon them will be unacceptable. We note that the TA at section 3.6 talks about Road Traffic Collisions, but investigates only Personal Injury Accident data. This is a fundamental flaw in its analysis. While injuries, of whatever severity, are obviously important, accidents causing no injury are also important, especially as whether an accident causes slight injury, serious injury, a fatality, or no injury at all, is often a matter of sheer ill luck. What matters is the fact of an accident, not just its human consequences. To use one example, on 14 February 2010 a major accident occurred at the A426/Coton Road junction in snow and ice conditions, involving two HGVs and a car. Attendance was required by all three emergency services plus the air ambulance and the A426 was closed (and Churchover denied access) for around 6 hours. Despite giving every appearance of involving multiple injuries, indeed quite likely fatalities, no-one was hurt. But, both the local community and the road network for miles around were seriously disrupted for many hours, despite no injuries having occurred. To assess the congestion and safety characteristics of existing traffic flows on the A426, let alone any increases, on the basis of PIAs alone is therefore flawed. The disruption even in the absence of any injury is a material planning consideration of great weight.

4.5.81 Heritage Assets – Churchover is a Conservation Area and included several listed buildings, including the Grade II* listed Holy Trinity Church. Its spire is 25m high and a landmark for miles around, including from the site of this proposed development. Paragraph 010 Reference ID: 18a-010-20140306 of the Planning Practice Guidance (PPG) dated 6 March 2014 states the following: “In most cases the assessment of the significance of the heritage asset by the local planning authority is likely to need expert advice in addition to the information provided by the historic environment record, similar sources of information and inspection of the asset itself. Advice may be sought from appropriately qualified staff and experienced in-house experts or professional consultants, complemented as appropriate by consultation with National Amenity Societies and other statutory consultees.” Any planning judgement must be in accordance with law, policy and guidance pertaining at the time that judgement is made. In particular, in respect of harm to heritage assets, the officer is not free to accord weight as he chooses. That is very clear from the Barnwell Manor Court of Appeal judgement and the many appeal cases that have been decided since, mostly in the context of windfarms but applying equally to all development including this one. We consider that the proposed development will adversely affect Heritage Assets and thus conflict with The Planning (Listed Buildings and Conservation Area) Act 1990 (LB&CA Act 1990) contains the following statutory duties in relation to designated heritage assets:

- Section 66(1) – In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest it possesses.
- Section 72(1) – In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

4.5.82 *Pailton Parish Council*

Objections due to the increase in volume of HGVs and shift workers using our village as a shortcut. This volume of traffic is already causing damage to the infrastructure and HGVs too large for the narrow roads through the village. They have to mount the footpaths to negotiate the tight bends in the road and are a safety hazard for our children. Despite assurances from present management this is an ongoing problem which will worsen due to the proposed expansion

4.5.83 *Monks Kirby Parish Council*

Monks Kirby Parish Council recommend refusal of this application because of the lack of infrastructure strategy regarding the A5 corridor in this area. If this application were approved without sufficient traffic mitigation the negative effect of the traffic increase would be unacceptable. Past experience has shown that planning conditions applied post approval do not have any effect. Additionally the main road in Monks Kirby Parish which suffers when there are problems on the A5 is the Coalpit Lane **C206** on which there was no traffic count in May 2015 when all local roads were surveyed. Monks Kirby Parish Council urges Harborough District Council to lobby Highways England to formulate a strategy to improve the situation, a move which Monks Kirby would be happy to support.

4.5.84 *Wibtoft Parish Council*

Further to a meeting held on Monday 6th July 2015 in the parish there was a unanimous vote against this application. It was concluded there should be a formal objection on behalf of the village residents and businesses operating from or around Wibtoft.

4.5.85 Points of objection raised were:

- The infrastructure would not be able to cope with such a distribution centre being developed adjacent to Magna Park. The A5 is already blighted by road accidents and

increased volume of traffic would only add to the problem. Frequently, main roads are forced to shut leading to local lanes used as rat runs.

- The rural nature of the area would be further eroded.
- Such development would be a blot on the landscape in the close proximity of Lutterworth.
- Farm land and countryside would be lost forever under concrete.

We urge the Council to refuse this development in the interests of local inhabitants, wildlife and the safety and well-being of road users.

6. Other Interested Bodies

4.6.1 *Coventry Airport*

At 18 km from Coventry Airport, the outline plans do not appear to present any Obstacle Limitation or Wildlife Birdstrike risks to Coventry Airport operations.

4.6.2 *A5 Partnership*

The A5 Transport Partnership comprises 18 local authorities and is supported by four LEPs, Highways England and Midlands Connect and covers a geography stretching from Towcester in the south to Cannock in the north of the A5 corridor. The Partnership was formed five years ago with the aim of securing major and coordinated improvements to the A5, which is fast becoming a major growth corridor in the Midlands. A Strategy has been developed which identifies a range of key improvements required along the corridor.

4.6.3 The key issues that member partners requested that I raise can be summarised as follows:-

- Need for a comprehensive upgrade of the A5 to the M1 to provide greater connectivity for HGV traffic between Magna Park and the major motorway network.
- More effective route management of HGVs to ensure appropriate-route choice by drivers, thus avoiding local communities near to Magna Park being adversely impacted.
- Inappropriate use of formal and informal vehicle laybys, side roads and non-designated HGV routes near Magna Park, which are increasingly becoming littered with human and other waste when drivers park up waiting for delivery slots and for overnight parking. .
- Lack of strategically located and managed truck stops to accommodate the increasing demand for such facilities along the corridor.
- More effective engagement and liaison with local communities through the establishment of a Magna Park Liaison Group.
- The need for sustainable travel initiatives including safe travel to work routes for cyclists, and bespoke bus services for local people in surrounding towns and villages to access jobs at Magna Park.
- Better policing of laybys in the vicinity of Magna Park and along the A5 corridor generally to address the inappropriate use.

4.6.4 *Fairacres Residents Cttee*

We the Fairacre committee and residents of Fairacre would like to object to the use and development of land adjacent to our properties. we are a residential community and to have major warehousing complex which would be in operation 24 hours a day, and an increase in hgv and light plg goods cars and vans in use also on a 24 hour a day use would cause major problems for all concerned. It would be a danger to children trying to attend school on what will be come a major trunk road for these units. There is also a proposed lorry park that will be in use 7 days a week in and around the area. There has already been large super style warehousing units being built and none of those back on directly to residential homes. We feel it would be an infringement on our human rights as a self contained residential community, who had to fight very hard to get our land passed for us to live our way of life, and to co-exist with our new neighbours in Lutterworth, and have a good relationship with all concerned. I being a member of the Fairacre community urge all council, and planning departments to please take onboard all our concerns on this matter both with residents and highways. We have had a meeting with the developers and planning consultants involved. And we put be for them proposals which would be acceptable to

the residents of Fairacres, which they took on board. such has a pedestrianised crossing system in place on the island, which we enter and exit from, and for the children to attend school, and for residents to have a safe access to town purely for the large increase in traffic from the M1 from north and south, we also asked for the lorry park and the extra island with entrance and exit to be moved on to the A5 which they have put has a consideration in there plans shown in the town hall has this will take the traffic from the M6/A5 away from a road which is already becoming a major net work road for magna park. We the residents of Fairacre in no way want to stop progress in the Lutterworth area but would ask for some consideration to be given to us as a community who resides in Lutterworth. Having now had another meeting on 19/5/2015 and being told that there is no way that our proposals, put to them can be part of there planning application. We there for feel we must ask for help and support from our parish council and all other councils involved in this project. We feel health and safety rules would be broken, as has the safety of our children and the residents and also for the people who would be employed at this proposed development who would need to cross over the road ways to gain access to work. The traffic is at dangerous high and all intensification should be resisted. There have been a lot of accidents due to a high volume of traffic epically when shifts change. We are seeking effective traffic control to over come the impact this development will create. The development is planned to attract up to 10,000 new jobs - unemployment in Lutterworth stands at circa 2%-this would mean, should these plans go ahead-some 8,000+ employees would be drawn from a much wider area and would be making 2trips a day, 16 x5 day a week 80 trips a week, causing more traffic problems than our road system can handle and causing bottle neck congestion on a large scale aeroplane island, as well has the Coventry road / bypass island. I therefore implore the planning committee and all other parties to take on board our concern for the health and safety of the residents of Fairacres and the people that could be employed on this development.

4.6.5 *Nurture Me Day Nursery*

We are a 97-place children's nursery based in south Lutterworth, across the A4303 from the town. Parents with small children (both walking and in buggies) already find crossing the A4303 very difficult at all times, if not virtually impossible at peak times. Any increase in traffic volume brought about as a result of this development would only serve to make this even harder, and a lot more dangerous to pedestrians. We would like to see a traffic-light controlled pedestrian crossing become part of any permission granted for this development to proceed.

4.6.6 *Liberty's Hotel*

On perusal of the outline plans submitted with the above application; it is obvious that the development will have a substantial impact on the hotel. Could you tell me what obligations the authorities intend to impose on the developers to minimize the visual impact to us; presumably by the implementation of a suitably considered planting scheme especially where unit 1 is near the joint boundary.

4.6.7 Similarly what obligations are to be imposed regarding the attenuation of potential vibration and attendant noise pollution from plant, machinery and vehicles, especially during the hours guests might be assumed to be in the overnight hotel rooms.

4.6.8 One further point for consideration is that during the deliberations of the developers on an environmental impact assessment, they could provide a positive contribution and indeed a neighbourly gesture by extending the run of a foul sewer from unit 1 up to the joint boundary of the hotel land and grant us leave to connect to that foul sewer. Currently our foul liquid waste is processed on site by a bio-degrader and the treated effluent discharged into the ditch alongside the A5 trunk road. Although the bio-degrader is regularly inspected and passed by the Environment Agency it is generally considered by them that it is better to have effluent treated properly offsite by the proper authorities in this case Severn Trent. The forgoing is not a huge undertaking as our existing final invert level is a modest 450mm and our current daily water usage just 2.74m³.

4.6.9 *Pro-Logis*

The application proposals are particularly concerning given that the above application is one of two such submissions that seek permission for the substantial expansion of Magna Park. Combined, these applications propose approximately 379,553 sq.m of road-served warehousing. Please note that additional representations have also been submitted objecting to this second application (ref no. 15/00919/FUL).

- 4.6.10 The detail of Prologis' objection is provided below but in summary, given the inherent conflict with national rail freight policy objectives, and the overwhelming policy presumption against the expansion of Magna Park, Prologis respectfully request that Harborough District Council refuse Planning Application 15/00865/0UT.
- 4.6.11 The proposed development, comprising up to 3 million sq.ft of B8 warehousing and distribution with ancillary 81 (a) offices on a non-rail connected site appears to directly conflict with the overall strategic aims of the National Planning Policy Framework ('NPPF') which seeks to reduce carbon emissions through promoting sustainable transport modes, and the National Networks National Policy Statement ('NPS') which prioritises distribution and warehousing sites served by rail.
- 4.6.12 Officers will be aware that at the heart of the NPPF is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan making and decision taking (para. 14). Transport policies have an important role to play in not only facilitating sustainable development but also in contributing to wider sustainability and health objectives. Paragraph 30 stipulates that 'solutions which support reductions in greenhouse gas emissions and congestion' and promote 'the use of sustainable modes of transport' should be encouraged. This national policy gives a priority to rail-related distribution developments, which can deliver these objectives. Thus, in a situation where non-rail related distribution schemes are promoted close to those with rail links, priority should be given to the rail-related schemes.
- 4.6.13 This priority is repeated in the NPS which sets out the need and government policies for nationally significant rail and road infrastructure projects in England. This confirms that key to achieving sustainable distribution networks is the transfer of freight from road to rail. The guidance establishes a compelling environmental and economic need for the modal shift from road to rail to transport goods and prioritises the delivery of distribution and warehousing sites served by rail rather than road:-
- 4.6.14 'The Government's vision for transport is for a low carbon sustainable transport system that is an engine for economic growth, but is also safer and improves the quality of life in our communities. The Government therefore believes it is important to facilitate the development of the intermodal rail freight industry. The transfer of freight from road to rail has an important part to play in a low carbon economy and in helping to address climate change" (Para. 2.43).
- 4.6.15 "Even with significant future improvements and enhancements to the Strategic Road Network, the forecast growth in freight demand would lead to increasing congestion both on the road network and at our ports, together with a continued increase in transport carbon emissions. Modal shift to rail therefore needs to be encouraged" (Table 4).
- 4.6.16 To achieve this, the Government promotes the use of SRFIs as they 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" (Para. 2.44).
- 4.6.17 Clearly, neither the application site nor the land subject of the application ref no. 15/00919/FUL offer any sort of rail connectivity.

- 4.6.18 As evidenced above, the delivery of SRFIs is considered key by Government to enable the transfer of freight from road to rail, and with this, supporting sustainable distribution and rail freight growth. Again, not all distribution facilities can sensibly be rail-served but where a particular proposal has the potential to act as an alternative to such a rail facility, concerns are heightened. Proposals that are the subject of Planning Application 15/00865/OUT have the real potential to prejudice the delivery of an alternative nationally significant and sustainable rail-served scheme. Prologis, the owners and operators of DIRFT, have made a significant investment in complying with national, regional and local planning policies to create rail freight capacity at the DIRFT site. As above, the Council will be aware that the DIRFT site was the subject of a recent decision by Government to grant approval for a Development Consent Order (DCa). The DCa allows for the expansion of the DIRFT site, with an addition of 7.8 million sq.ft of rail-served distribution floorspace. Prologis is now proceeding with the implementation of this project. Work has started on site which will deliver a new 15.5 ha rail port in the near future.
- 4.6.19 Should the Magna Park extension be allowed, potential occupiers who may well currently be considering rail-based options for their distribution networks, will be provided with a road-based alternative. Whilst those occupiers who have invested in rail are beginning to see the benefits of such a modal switch, it remains an on-going educational process, to the extent that providing an alternative road-based option has the potential to undermine this process. Clearly, such an alternative could well deter the on-going investment at the DIRFT, to the detriment not only to its operation as the Country's leading SRFI, but also the implementation of the DCa-approved expansion scheme issued by the Secretary of State. Equally, the sustainable transport benefits of this project, delivered through an increase in rail-based distribution traffic that were pivotal to the success of the application, will be placed at risk.
- 4.6.20 There is a further implication of allowing non-rail related distribution development close to DIRFT III or any Rail Freight Interchange NSIP due to the relatively lower cost of bringing forward non-rail based development (without the added financial burden of securing rail linkages and the associated infrastructure). This is that the non-rail developments secure a competitive advantage on rent and accommodation costs and unfairly compete with the rail-linked schemes. This is likely to then have the effect that occupiers gravitate to the non-rail-linked schemes and hence the government's objective of securing a movement of freight by rail is prejudiced.
- 4.6.21 Much weight within the applicant's case is given to the consultant's report entitled "Leicester and Leicestershire Strategic Distribution Sector Study" (2014) and statements within this document of a requirement for a total of 153 ha of land for non rail-served sites to be brought forward within Leicestershire up to 2036. It is relevant to note that this conclusion appears to conflict with the findings of the Leicester and Leicestershire HMA Employment Land Study (2013) that for Harborough concludes that significantly less land is needed and furthermore, this demand should be satisfied at a sub-regional level, with the potential of the DIRFT site specifically highlighted. It is also relevant that when combined with the other current planning application seeking a further extension of Magna Park, these proposed developments alone would take almost all of this County-wide requirement (143 ha) for the entire 21 year period. The sheer scale of the application proposal, on its own and when combined with the other application currently before the Council at Magna Park represent development of a similar scale to the DIRFT III expansion, which was in itself an NSIP. These developments, individually and cumulatively, represent distribution development of more than local significance. A concern of Prologis is that this development (again in isolation or cumulatively) takes so much of the potentially available 'need' for the such development over the longer term, in one location, where no other benefits are delivered.
- 4.6.22 The applicant appears to ignore the over-riding conclusions of the Leicestershire HMA Employment Land Study that unsurprisingly, given prevailing policy guidance, seeks to focus future development on rail-served sites. Specifically, para. 2.27 of the Study states:

"Consequently, the key to addressing the above identified challenges to the golden triangle (and by implication Leicestershire), and hence maintaining Leicestershire's established competitive advantage, is the development of new commercially attractive strategic sites in the East Midlands which will be directly rail-served (Strategic Rai/ Freight interchanges or SRFIs, as promoted by central Government - see Section 7 of Part A). "

4.6.23 Paragraph 2.28 acknowledges that not all future development can be accommodated at rail-served sites, but a significant proportion should be. Paragraph 2.29 concludes that:

"Overall, therefore, the key to addressing the challenges outlined, and hence maintain the established competitive advantage, is the continued development of new commercially attractive strategic sites in the East Midlands, a significant proportion of which will need to be directly rail-served (in addition to the usual requirements for high quality connections to the strategic highway network)."

4.6.24 This important emphasis from the Study is not detailed in the applicant's submission but perhaps more importantly, the Study's role in the plan preparation process is misunderstood. Throughout the study, reference is made to an on-going requirement for a collaborative approach to planning and an associated acknowledgement that the Study should not be seen as a "one-off" - it should, in contrast, be reviewed on an on-going basis. Section 3.6 specifically identifies a Duty to Co-operate, and it recognises a requirement to liaise with neighbouring authorities in Northamptonshire, Nottinghamshire, Derbyshire and the West Midlands region. We are not aware of any such collaboration having occurred to inform the conclusions reached, and as one of the Study's key conclusions, it is recommended that a 'strategic distribution sites selection task group' be established, designed to identify opportunities and determine the most suitable sites to bring forward in local plans.

4.6.25 Reliance on the document, therefore, to justify such a large road-based distribution development is therefore premature, as until such cooperation has been progressed and appropriate discussions held, the document's conclusions are no more than an consultants' interpretation of an isolated single authority requirement.

4.6.26 Within this context it is anticipated that relevant adjacent authorities will make their own representations on the application. However, it is relevant to note policy within the West Northamptonshire Joint Core Strategy Local Plan (Dec 2014), as an example, provides very clear guidance for new large scale distribution developments, with the document stating any such proposals would normally be expected to be provided at DIRFT. This consistent policy preference across the sub region should direct discussions held under the Duty to Cooperate and it is anticipated that as Leicestershire planning authorities move towards further plan preparation, the clear priority for rail served distribution will be universally adopted.

4.6.27 Consistent with the above account of need, it is not surprising that the Harborough Core Strategy policy document specifically rules out the potential for any further expansion at the Magna Park site. Core Policy CS7(h) states:

"Protect Magna Park's unique role as a strategic distribution centre (88 uses / Min unit size 10,000m²) of national significance and an exemplar. of environmental performance. No further phase of development or large scale expansion of the site, beyond the existing development footprint (to be defined in the Allocations DPD) will be supported."

4.6.28 Furthermore, the Harborough District Council Core Strategy DPD Inspector's Report (November 2011) indicates that the future expansion of Magna Park is not required noting its links to DIRFT some 15km away, stating that Magna Park itself has no rail connection. In terms of the Regional Strategy, Magna Park is not in a Priority Area for Regeneration. Significant expansion of the site would not contribute to the regeneration of urban areas, nor would it be consistent with the policy of urban concentration. Evidence on a local level does not suggest a need for additional land for warehousing in the District. There is evidence to support additional non-rail

connected sites for strategic distribution uses in the East Midlands, towards the end of the Regional Strategy period. However, there is no substantive evidence that further expansion at Magna Park would represent the most appropriate option in the region as a whole, particularly given the inconsistency with Regional Strategy policy objectives.

- 4.6.29 Equally, the East Midlands Regional Plan fails to identify Magna Park's location as a preference for strategic distribution. Again, this document establishes a clear priority for sites which can be served by rail freight and can operate as intermodal terminals.
- 4.6.30 To have such a clear policy objection to a particular proposal is unusual, but given the continued primacy of the Plan in development control decisions, it is difficult to envisage a credible case that would present circumstances where such a definite policy objection should be ignored. This is particularly the case given the above account of the proposal's ability to prejudice Government objectives on sustainable transport, and the lack of any substantive need for additional HGV-served distribution floorspace across the Region. It is clear that in the context of the NPPF (para. 14) that the principle of the development is not in accordance with the recently adopted Development Plan policies, it is contrary to national policy guidance and if the development were to be permitted its impact would be so adverse that it would significantly and demonstrably outweigh any benefits outlined by the applicant.
- 4.6.31 In addition to the detailed concerns outlined above, Prologis would highlight a number of further concerns, arising from a review of the Planning Application submission material.
- 4.6.32 The applicants make the following comment:
'Symmetry Park has the ability for occupiers to use shuttle services to and from the intermodal rail terminal at DIRFT, in order to access the widest choice of shared rail services, even when this is not for large rail volumes' (SNR, para. 1.20).
- 4.6.33 Prologis has not had any discussions with the promoter of the Magna Park extension relating to the use of the DIRFT Rail Port. Notwithstanding this, Harborough DC should be aware that the DIRFT III development has been modelled and brought forward through planning on the basis of high on-site occupier usage, where a real freight advantage can be delivered. Therefore it would be sub-optimal to accept off-site usage of the DIRFT III intermodal facility in advance of securing maximum on-site opportunities.
- 4.6.34 Prologis would also question the commentary sought to justify the extension of Magna Park, which highlights the outdated nature of existing buildings. The application states:
"Many buildings on Magna Park are nearly 25 years old and are 'first generation' logistics warehouses which do not meet the requirements of modern warehouse operators who need high bay, energy efficient, well laid out warehouses, with increasing scale demands to meet both their environmental and operational targets" (Design and Access Statement, Section 1.4).
- 4.6.35 It is noted that in Harborough DC's Core Strategy, Magna Park is referred to as "nationally significant and an exemplar of environmental performance". If, however, it is considered that the existing buildings are dated, a preferred solution to allowing an expansion of the site would be to encourage appropriate redevelopment of existing facilities. Policy support for brownfield over greenfield development goes to the core of prevailing policy documents at all levels. Given the statements in the applicant's own submission, we would again question the need for an expansion of the site.
- 4.6.36 In conclusion, not only do the proposals conflict with national policy objectives of prioritising distribution and warehousing sites served by rail but they also have the potential to undermine the delivery of the SRFI at DIRFT, which was recently granted Consent by the Secretary of State as a Nationally Significant Infrastructure-Project (NSIP). There is no evidenced need for the

development and the proposals are also contrary to the adopted development plan which specifically seeks to resist an expansion of Magna Park.

4.6.37 *Semelab Limited*

I am writing as Managing Director of Semelab Limited, a Lutterworth-based engineering business which employs 154 people, to object to the Symmetry Park development. Our site is on the northern boundary of the proposed Symmetry Park Lutterworth and we are very concerned that the development will adversely impact the safety of our employees, disrupt the operation of our business and impact the supply chains of some of the largest aerospace and defence manufacturers in the world.

4.6.38 By way of background, Semelab is a world renowned manufacturer of high reliability semiconductor devices for commercial aircraft, satellites and military equipment. Semelab exports a significant proportion of its sales to companies in the United States and Europe. Our business is built on engineering talent, highly skilled operators and a reputation for achieving the highest standards of quality. Our factory is located on Coventry Road, to the south of the existing Magna Park.

4.6.39 Our business is highly integrated into the global supply chains of the most important aerospace and defence businesses. We supply components to the leading commercial aircraft manufacturers (e.g., Airbus, Boeing and Rolls-Royce), global defence contractors who support the defence capabilities of the United Kingdom and the United States (e.g., BAE Systems and Raytheon) and manufacturers of satellites and space launch vehicles (e.g., EADS Astrium and Tesat Spacecom). If this development were to cause significant disruption to the Semelab business, it would become a high profile issue for these global aerospace and defence businesses.

4.6.40 No other company in the UK can manufacture semiconductor devices that meet the same challenging specifications as those made at Semelab. Any damage to our business would hand business to our competitors who are located in the United States and mainland Europe. In principle, Semelab has no objection to the proposed development. We acknowledge that the logistics industry plays an important role in our local economy and we understand that investment in additional capacity is likely. Nevertheless, Semelab has three main concerns which need to be addressed:

4.6.41 We are extremely concerned about the impact of the construction phase on our business. Many of our products are manufactured by hand, with highly skilled operators using microscopes to precisely position components which measure thousandths of an inch. We know from experience that these processes are extremely sensitive to vibration and we are very concerned that pile driving and earthworks close to our facility could result in high levels of scrap and significant disruption to our operation. In our view, DB Symmetry must install vibration monitoring equipment in advance of the construction phase to establish a background reading and continue to monitor the vibration caused by activities on their construction site. In addition, it will be necessary for DB Symmetry to limit pile driving to pre-agreed times or to compensate Semelab for lost production in the event of disruption to our operation.

4.6.42 As with most major construction projects, we anticipate a significant amount of dust and debris to be generated from the construction site, particularly in the drier summer months. Our production is undertaken in certified clean rooms and maintaining the high standard of cleanliness inside these facilities becomes very challenging when the external environment has high levels of airborne particles.

4.6.43 We will be forced to develop additional control measures to prevent dust particles outside the factory reaching our assembly areas. These measures will be costly and will reduce the efficiency of our factory. We want DB Symmetry to compensate Semelab for these costs, take steps to

minimise dust (e.g., spray exposed dry soil with water) and to monitor airborne particles outside our factory. If the performance of our manufacturing processes is compromised by dust contamination, there is a significant risk that we will lose the qualifications and certifications on which our business depends.

4.6.44 It is our view that the development will increase traffic volume on Coventry Road, making the entrances to our site considerably more dangerous than they are today. The existing junctions are sharp turns and when traffic on the main road is busy our employees are sometimes forced to decelerate rapidly when entering the site and accelerate rapidly when leaving it. The obvious solution is to construct 'feeder lanes' between our site gates and Coventry Road. We believe that Leicestershire County Council should take the lead on these improvements which should be funded by DB Symmetry and undertaken as a requirement of any planning permission.

4.6.45 I would very much appreciate the opportunity to meet to discuss our concerns and to understand from you how Semelab's voice will be heard during the planning process. If you have time, you are very welcome to visit our facility and we would be delighted to show you around.

4.6.46 Arguably, Semelab is one of the most innovative companies in the local area and it is my firm intention to grow the business over the next few years. I strongly believe that we all have a role in supporting this important business, safeguarding its highly skilled workforce and protecting the supply chains of the most important global aerospace and defence businesses, many of which are located in the UK.

4.6.47 *Semelab Limited (further representations)*

Further to the representation submitted by Semelab dated 25 July 2015, I provide additional comment on the Symmetry Park planning application. The main concerns are poor air quality and vibration caused by the development, particularly during the construction phase, which impact on Semelab's ability to continue to operate from the site.

4.6.48 The Semelab facility near Lutterworth is a world class research, development and manufacturing facility. The components produced are used in high-end industries, including commercial aircraft, satellites and space launch vehicles. Precision assembly of electronic components is undertaken by hand under powerful microscopes and the manufacturing process is highly sensitive to vibration and contamination. The Semelab business is highly integrated into the global supply chains of the most important aerospace, space and defence businesses and its products are employed in safety and mission critical applications. The company is the most important provider of valuable engineering, research and development employment in the local area and has a highly skilled workforce. Semelab also supports local schools in the area through a number of programmes and should be seen as a valuable asset in Harborough District.

4.6.49 Semelab's customers operate to the highest standards of reliability and demand a very low failure rate. The business requires a manufacturing environment that needs to be carefully controlled, creating a business which is sensitive to external disturbances. Paragraph 005, Reference 32-005-20140306, of the PPG states that "...When deciding whether air quality is relevant to a planning application, considerations could include whether the development would, amongst other considerations...give rise to potentially unacceptable impact (such as dust) during construction for nearby sensitive locations" (emphasis added). The PPG therefore does not limit the assessment of impacts to residential properties, illustrating that employment sites such as Semelab need to be appropriately assessed.

4.6.50 Paragraph 007 (Reference 32-007-20140306) of the PPG states that "Assessments should be proportionate to the nature and scale of development proposed and the level of concern about air quality, and because of this are likely to be location specific." Similarly, Paragraph 008 (Reference 32-008-20140306) of the PPG clarifies that "Mitigation options where necessary will

be location specific, will depend on the proposed development and should be proportionate to the likely impact" (emphasis added).

- 4.6.51 DB Symmetry's Environmental Statement has carried out an assessment of the potential effects during demolition and construction, but despite acknowledging the sensitive nature of the Semelab facility (para 8.3.12) the assessment concludes that the study area is of "low sensitivity" (para 8.5.3). Table 16.1 notes the absence of any employment unit in the sensitive receptors category for Air Quality and Noise / Vibration. This lack of consideration given to the sensitivity of existing employment units suggests an oversight in the impact assessment. This appears to result from the use of the 2014 IAQM guidance that sets out general principles that can be applied to judge the sensitivities of receptors to dust emissions and that can then be taken into account by the air quality practitioner using professional judgement (emphasis added). However, the IAQM guidance notes that "in all cases the specific circumstances should be taken into account and may mean that an occasion the examples given will be subject to exceptions". In this case, it appears that DB Symmetry has failed to apply professional judgement taking into account the exceptions that it has already identified, and has classified the area incorrectly. The implications of this are that mitigation measures appropriate to a "low risk site" are then proposed by DB Symmetry (para 8.5.3), which completely ignores the high sensitivity of the Semelab operations (which DB Symmetry claim to recognise, but does not properly account for). In addition, the Environmental Statement notes that "dust mitigation measures will therefore need to be rigorously enforced in the northern part of the development site, and this can be appropriately controlled by condition attached to any outline planning permission". This implies that mitigation measures for a low risk site are to be enforced (which are inappropriate given the high risk nature of the Semelab operations) and that the onus of ensuring that appropriate and effective mitigation is applied falls upon the local planning authority.
- 4.6.52 Without sufficient consideration of the impact of the development upon this sensitive employment user, it is impossible for the Council to assess the impact of this development. There is a duty to protect existing businesses and employment areas, and thus the current level of information fails to comply with Policies CS7 and CS11 of the Harborough Core Strategy. Additional information should be requested, in order to ensure that Semelab, one of the most important commercial operations within the area, is appropriately protected from the proposed development. Reflecting this failure to adequately assess the impact of the development upon Semelab, WYG have been appointed by Semelab to undertake monitoring and assessment work relating to air quality and vibration. Summary of this report is provided below, with the full report appended.
- 4.6.53 The current DB Symmetry information considers only disturbance to residential receptors by traffic vibration. This is woefully short of the potential sources of disturbance during both the construction and operational phases of the development. WYG undertook monitoring of both internal and external vibration levels at the Semelab sites at locations in continuity with the foundations and structure of the existing building. A vibration tolerance simulation was undertaken to determine the level of variation different parts of the business could sustain. This test indicates that parts of the Semelab operations would be significantly affected by vibration of over 1.00 mm/sec, resulting work in the laboratory needing to be ceased immediately. As part of the future plans for Semelab, more sensitive equipment is envisaged to be used in the future, and as such a baseline level of 0.20 mm/sec should be considered a suitable long term tolerance level to ensure the company can co-exist with Symmetry Park.
- 4.6.54 It is imperative that vibration monitoring is undertaken through the construction phase of Symmetry Park in line with BS ISO 4866:2010 'Guidelines for the measurement of vibrations and evaluation of their effects on structures'. Works at Symmetry Park should stop and alternative methods employed if vibration exceeds 1mm/s.
- 4.6.55 It is acknowledged that construction disturbance will have the greatest impact, particularly through pile driving of foundations and nearby workings. Some issues during the operational

period of Symmetry Park may also occur, dependent upon the layout arrangement approved at Reserved Matters stage. However, the scale of the proposed development means that the construction phase has the potential to occur for a number of years, which if undertaken in a manner that would fail to protect the suitable working environment needed for Semelab, it would have significant implications. Impact during the construction phase therefore needs to be afforded significant consideration, as this could force the business to relocate at significant cost and inconvenience.

- 4.6.56 WYG have suggested installation of a vibration resilient layer or ditch consisting of rubber or similar material and / or loose filled with sand and compressed material may offer acceptable mitigation. Installation of rubber surfaces externally around the closest unit opposed to concrete is also likely to reduce the transference of vibration once the proposed buildings are occupied.
- 4.6.57 Semelab operations require a dust and static free environment. Significant cost is spent to maintain the clean room to ensure continuous high quality output is achievable, with filtration equipment for the air. Additional dust sources will place significant strain on this equipment and increase the time required for staff to be 'de-dusted' to enable them to access the clean room. Baseline monitoring of PM10 and PM2.5 particulates have been undertaken by WYG. This concludes that the potential impact of dust emissions associated with the proposed Symmetry Park development is of significant risk. Site specific mitigation measures associated with the determined level of risk can be found in the IAQM Guidance on the Assessment of Dust from Demolition and Construction. A long list of mitigation measures are noted in order to minimise the risk, which could all be accommodated without notable impact upon the ability to construct the buildings.
- 4.6.58 However, during construction it must be acknowledged that it is impossible to prevent all the dust particulates from becoming air borne. The Semelab building is very close to the proposed development site, and is located upwind. This will distribute the majority of air blown particles towards the Semelab site, as most redeposit themselves close to the source. Movement on the Semelab site, particularly from staff arriving at the building will drag this dust into the facility. An important part of the mitigation plan is the installation of air showers to reduce the transfer of dust into the facility. In addition, further measures to ensure the effective operation of the clean room environmental control system should be taken.
- 4.6.59 In addition, the mitigation measures include a 'traffic light' monitoring scheme, under which a 'red' limit would result in the cessation of construction work at Symmetry Park as levels in excess of 20.00mg/m²/day are likely to cause disruption to work within the Semelab operation.
- 4.6.60 The information submitted by DB Symmetry does not appropriately assess the impact of the development upon Semelab operations, as the sensitivity of this employment user to air quality and vibration changes has not been categorised appropriately. Assessment by WYG on behalf of Semelab has provided baseline data for current operations and considered the impact of the proposed development. This indicates that issues will occur in respect of both air quality and vibration which will have a detrimental impact upon the daily operation of Semelab during the construction phase, and potentially once Symmetry Park is operational. Potential mitigation measures are suggested by WYG, a position that needs to be given careful consideration.
- 4.6.61 The provision of new warehousing should not be at the expense of existing businesses which offer highly skilled employment and are economically important to the local area. Harborough District Council should not be accepting proposals where the protection of suitable environments for existing surrounding occupants cannot be protected. The information currently submitted in support of the DB Symmetry application falls short of that required to ensure no harm occurs to Semelab. Without additional assessment from DB Symmetry, the proposal must be considered contrary to Policies CS7 and CS11 of the Harborough Core Strategy and the advice contained in the PPG.

4.6.62 *Maincor Limited*

I have, through other means, already made my objections to the Magna Park expansion clear, but with the planning meeting almost upon us, through my Company, I want to emphasise a couple of points. The first being the sheer arrogance of some of the Magna Park companies and the way they impact Lutterworth.

4.6.63 When delivery loads arrive into Magna Park, they are often given timed slots for unloading and this very often involves the back of the 'artic' being held on site, while the tractor cabs are sent away overnight. This sometimes also applies to complete 40' loads. Magna Park provides no facilities to house the cabs, or the complete loads, and the drivers are left to 'dot' themselves around the town in any space they can find. This means that, by the evening, the little industrial close we occupy, as well as lay-bys etc. around the town, are clogged with Magna Park traffic. Some of this traffic moves off very early in the morning, disturbing Lutterworth residents.

4.6.64 Lutterworth is an accident of the motorway system. If the Government had not decided to run the M1 up the side of the town, spur off the M6 and, latterly, the A14 just below the town, Magna Park would not have happened. What should be unacceptable to the Planning Committee, is that the cost of infrastructure is borne locally, when its requirement results from national policy. So, unless a real plan to improve the air quality - already unacceptably low - and provide the infrastructure to support the growth in population is put in place, we should definitely not allow the further expansion of Magna Park.

4.6.65 Finally, there is the issue of employment. I am very proud of the fact that in the last 20 years, in my various efforts, I have created nearly 200 jobs - skilled, varied and interesting jobs in Lutterworth. Magna Park has sucked in all of the spare employment capacity in Lutterworth, meaning that not only do we struggle to find local staff, but more expansion will only draw in more and more employees from outside of the area, adding to the problems of the major traffic congestion we already have - not only at peak times, but during the night. As a by-product, Magna Park has also robbed hundreds of Lutterworth people of fulfilment, in that they have accepted mainly picking and packing jobs, instead of being challenged and trained to reveal their true potential.

4.6.67 It is my belief that expanding Magna Park will create real and demonstrable harm to the health, development, well-being and prosperity of the community, to say nothing of the pleasant countryside around Lutterworth, and it should be stopped.

4.6.68 *Magna Park Is Big Enough (in relation to East Midlands Chamber of Commerce comments)*

On behalf of the Magna Park Is Big Enough campaign, I wish to raise a number of points in response to Mr Hobson's letter from East Midlands Chamber.

4.6.69 Readers of the letter should be made aware that the commercial arrangement of the proposed lorry park is not suggested in the application and Mr Hobson's statement indicating that this will "help to reduce vehicle road movements arising from waiting, rest and delays" is not one that can be guaranteed. An independent meeting between Cotesbach Parish Council and the applicants in July 2015 attended by myself stated that it was at the park's occupiers' discretion to subscribe to the lorry park usage, and not all HGV drivers would be eligible to use the park (e.g. self-employed may need to pay outright). This, along with the overall increase in HGV vehicle movements does not support Mr Hobson's statement.

4.6.70 The occupiers of the proposed development have not been decided upon, certainly within the public domain. The assumption Mr Hobson makes that they will be allocated to high value productivity manufacturing cannot be made. Indeed, there may be adverse consequences and concerns for existing business that are high value, specifically that of Semelab on Coventry Road adjacent to the proposed development. Semelab, a successful technology engineering firm, is

exposed to risks of their high precision business processes during and after construction of the proposed application as a result of vibration in particular.

- 4.6.71 The broad statement referring to the alignment with the emergence of the Midlands as the engine for UK growth should also be disputed given the recognised risk of saturating the Midlands region with logistics. This risk is even demonstrated recently by Rugby Borough Council actively suggesting in their New Local Plan consultation that further development assigned to logistics should be minimised, highlighting that Warwickshire Boroughs have already reached their logistics allocation capacity.
- 4.6.72 In addition, the “Midlands Connect” local infrastructure growth policy has not yet submitted budget in alignment with 15/00865/OUT or any other developments in the vicinity to improve local infrastructure, specifically the A5. Indeed, upon understanding Midlands Connect further, the emphasis lies heavily on HS2 rail yet 15/00865/OUT has no association with HS2 or the NPPF strategic preference for railhead freight development.
- 4.6.73 In summary, the points made by Mr Hobson do not relate to HDC core strategy or NPPF policies, are therefore not material considerations and cannot be given weight in the planning recommendation or decision.

7. Other Local Authorities

4.7.1 *Warwickshire County Council (Highways)*

The Highway Authority has considered the information and Transport Assessment which has been submitted in support of the development proposals. However based on our assessment the Highway Authority maintains its **objection** to the planning application. The justification for this decision is provided below.

- 4.7.2 The Highway Authority has undertaken a robust and thorough assessment of the planning application. The following commentary provides a summary of this analysis. The development proposals have been assessed in line with the following national policy and guidance documents;
- National Planning Policy Framework published by Department for Communities and Local Government in March 2012;
 - National Planning Practice Guidance: Travel plans, transport assessments and statements in decision making published by Department for Communities and Local Government in March 2014; and,
 - Guidance on Transport Assessment published jointly by Department for Transport and Department for Communities and Local Government in March 2007.
- 4.7.3 It is understood from discussions with Leicestershire County Council, that the strategic transport modelling is currently being reviewed. The Highway Authority does not have any comment at this stage and awaits the conclusions of Leicestershire County Council as the lead authority on highway matters.
- 4.7.4 The Highway Authority has significant concerns regarding the proposed developments reliance on car based trips. The Highway Authority does not consider the proposed public transport strategy for the development site to be suitable to enable modal choice and for employees at the development to undertake sustainable travel primarily by bus services, reducing the number of car based trips the site would generate. The Highway Authority requires a sustainable bus strategy to be developed for the development site with the support of both Leicestershire and Warwickshire County Councils. The Highway Authority would request a comprehensive strategy which includes the provision to bus services to Rugby. At present the development proposals are therefore not in accordance with the National Planning Policy Framework, most notably the following paragraphs;

- Paragraph 32: 'All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:

o the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;

o safe and suitable access to the site can be achieved for all people; and

o improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.'

- Paragraph 34: 'Plans and decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised...

-Paragraph 35: 'Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore, developments should be located and designed where practical to

o accommodate the efficient delivery of goods and supplies;

o give priority to pedestrian and cycle movements, and have access to high quality public transport facilities;

o create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoiding street clutter and where appropriate establishing home zones;

o incorporate facilities for charging plug-in and other ultra-low emission vehicles; and

o consider the needs of people with disabilities by all modes of transport.'

-Paragraph 38: '...Where practical, particularly within large-scale developments, key facilities such as primary schools and local shops should be located within walking distance of most properties.'

Until these matters are resolved the Highway Authority will maintain an objection against the planning application.

4.7.5 Warwickshire County Council (Highways)(comments in relation to additional information)

Warwickshire County Council, hereby known as the Warwickshire Highway Authority, has undertaken a full assessment of the planning application, and is now in receipt of additional information.

4.7.6 Warwickshire Highway Authority has considered the information and Transport Assessment which has been submitted in support of the development proposals. However based on our assessment the Highway Authority revises its response to one of no objection subject to conditions and planning obligations.

4.7.7 The justification for this decision is provided below.

ANALYSIS:

Warwickshire Highway Authority has undertaken a robust and thorough assessment of the planning application. The following commentary provides a summary of this analysis. The development proposals have been assessed in line with the following national policy and guidance documents;

- National Planning Policy Framework published by Department for Communities and Local Government in March 2012;

- National Planning Practice Guidance: Travel plans, transport assessments and statements in decision making published by Department for Communities and Local Government in March 2014; and,

- Guidance on Transport Assessment published jointly by Department for Transport and Department for Communities and Local Government in March 2007.

Warwickshire Highway Authority is now in receipt of additional information which it will assess with regard to our previous response.

- 4.7.8 Transport Assessment and Mitigation: Warwickshire Highway Authority has considered the modelling and response provided by Leicestershire Highway Authority in terms of its conclusions. Warwickshire Highway Authority concurs with the outcomes of the modelling.
- 4.7.9 Based on this assessment Warwickshire Highway Authority will request a condition to ensure that the junction enhancement scheme for the A5 / A426 'Gibbet Hill' Roundabout Junction is provided prior to first occupation.
- 4.7.10 Warwickshire Highway Authority concludes that the implementation of these schemes is necessary to provide greater capacity on the A5 corridor and reduce delays at this junction which currently incentivise motorists to take alternative routes through villages within northern Rugby. It will also aid the movement of HGV movements through these villages in addition.
- 4.7.11 Public Transport: The Highway Authority has worked alongside the Local Planning Authority and Leicestershire County Council. Based on discussions with the applicants and through the provision of financial obligations, a public transport strategy and implementation of a robust travel plan, Warwickshire Highway Authority removes its objection to this element.
- 4.7.12 Heavy Goods Vehicle Routing: Warwickshire Highway Authority noted that there were significant concerns regarding existing Heavy Goods Vehicles (HGVs) utilising inappropriate routes through the villages of Monks Kirby, Pailton, Street Ashton and Stretton under Fosse, to access the B4455 Fosse Way to avoid congestion and delay on the A5.
- 4.7.13 Warwickshire Highway Authority has worked in partnership with Market Harborough District Council, Leicestershire Highway Authority and the applicants to identify a constructive way forward to mitigate HGVs utilising these routes, and utilising the A5 Corridor.
- 4.7.14 Warwickshire Highway Authority has concluded that a three prong approach is required. The measures required are identified below.
- The first is the provision of a Construction Management Plan which will include HGV routing strategy which will ensure that all construction traffic will utilise the A5 Corridor, in partnership a clear communication strategy will be included which will provide clear contacts for residents to report HGVs not adhering the approved Construction Management Plan and HGV Routing.
 - Secondly a HGV Routing Strategy will be secured through condition to ensure that the site users clear provide routes for HGVs to utilise and accessing the Strategic Road Network. Warwickshire Highway Authority will not accept any plan which enables HGVs too utilise routes to the B4455 Fosse Way through the villages of Monks Kirby, Pailton, Street Ashton and Stretton under Fosse.
 - Finally, Warwickshire Highway Authority request a planning obligation to enable the implement measures to prevent HGV traffic utilising routes through the villages of Monks Kirby, Pailton, Street Ashton and Stretton under Fosse. The monies will also be used to provide clear signage demonstrating the routes HGVS will take and provide signage and implementation of traffic regulation orders for unsuitable routes.
- 4.7.15 SUMMARY AND CONCLUSION:
Warwickshire Highway Authority has undertaken a robust assessment of the planning application and additional information provided. Warwickshire Highway Authority has also considered the responses of Leicestershire County Council, Highways England, Rugby Borough Council and other third parties.

- 4.7.16 Having considered the highway matters, Warwickshire Highway Authority concludes that through suitable mitigation and strategies, that the development proposals will not have a detrimental impact upon the safe and efficient operation of the highway network.
- 4.7.17 Therefore based on this analysis Warwickshire Highway Authority revises its response to one of no objection subject to the conditions and planning obligations.
- 4.7.18 *Northamptonshire County Council (Highways)*
No objection to the proposal. Highways England should be consulted in relation to the A5
- 4.7.19 *Northampton Borough Council*
No objections
- 4.7.20 *Melton Borough Council*
The transport assessment and any transport mitigation proposed as part of the development should take account of and address the impacts of any increased vehicle movements in Melton Borough.
- 4.7.21 *Hinckley and Bosworth Borough Council*
No objections
- 4.7.22 *Kettering Borough Council*
This Council has no comments to make, but this application has been referred to our Joint Planning Unit
- 4.7.23 *East Northants District Council*
No Comments
- 4.7.24 *Wellingborough District Council*
The Planning Committee which met on 5 August 2015 resolved that no objections are raised against the planning application and that Harborough District Council is advised to consult directly with the North Northamptonshire Joint Planning Unit.
- 4.7.25 *Northampton Borough Council*
No objection
- 4.7.26 *Warwick District Council*
No Comments

b) Local Community

1. Objections
- 4.3 1310 letters were distributed to individual properties within the Lutterworth, Bitteswell and Cotesbach areas. 784 objections received have been received. The majority of these are from the locally affected areas, however, letters have been received from a far wider area, including overseas. There are also a very significant number of properties from which more than one letter has been received. Officers note that several of the representations are very detailed and whilst regard has been had to these in assessing this application, it is impractical to copy these verbatim and therefore a summary of the key points is provided below.

Traffic issues raised through representations:

- 1) I am very concerned about the increase in traffic
- 2) The proposals will result in congestion around the proposed access and a significant increase in traffic through residential areas of Lutterworth.

- 3) The significant increase in traffic volumes will result in additional congestion both around the A5/A4303 roundabout, and the roundabout to access Magna Park.
- 4) There is currently a significant volume of commuting traffic using Bill Crane Way, Bitteswell Road, Brookfield Way as an access road towards Magna Park.
- 5) If the proposed development is to proceed, it should be conditional upon bypassing Brookfield Way and the other roads referred to given that there is residential property along the length of the route.
- 6) There is significant pedestrian travel across Brookfield Way and the other roads referred to (including children) in order to access Lutterworth Country Park, Bitteswell and public rights of way, and the increased volume of traffic will present an increased risk of collision, increased pollution and increased disturbance to occupiers living alongside Brookfield Way and the other roads referred to.
- 7) "3500 new jobs" that is 7000 extra car movements per day plus lorries.
- 8) At peak times it is already almost impossible to turn right out of the village towards the A5. This will make the situation more dangerous.
- 9) Before new lorry parks are agreed the existing ones should be used. Lutterworth does not need another lorry park.
- 10) I am extremely concerned about the increased volume of traffic that would undoubtedly occur if this application for 278,709 sqm were granted, especially in the light of the additional application 15/00919/FUL which seeks to increase the Storage and Distribution area to the other side of Magna Park by a further 100,844 sqm.
- 11) I am worried that the new businesses will lead to a substantial increase in the volume of traffic around where I live, which will magnify the risks associated with an over-inflated flow of traffic. For me personally, I feel that this can be solved if you were to consider installing traffic calming measures or a pedestrian crossing. This would allow all of the residents here unimpeded and safe access into our village.
- 12) we live on Coventry rd and are completely against this development the traffic now is unbearable we have to take our lives in our hands now trying to get out on to roundabout we are not recognise as road with over 50 families trying to take children to school and trying to cross road on foot is impossible not safe
- 13) The current traffic situation on Coopers Lane (Dunton Bassett) is already bad. In the morning at "drive time" I have counted about 40 vehicles in a minute. The congestion is very bad, with traffic trailing back the whole length of Coopers Lane as far as Broughton Lane. This makes it impossible for residents to get out of their drives in the morning, and creates a major accident risk as cars try to turn round in the road to avoid the queue.

Public transport issues raised through representations

- 14) Public transport links for working people are poor and would force those working at the site to arrive by car.

Residential Amenity issues raised through representations

- 15) Loss of daylight and sunlight (Glebe Farm Cottage)
- 16) The proposed development by reason of its size will have a unacceptable and adverse impact on us due to the overbearing and mass bulk and proximity of the development on three sides of us zone a,b next to us and elevations of up to 23m high WILL have a negative impact on the amenity of our property.
- 17) The proposed indicative layouts and fixed access arrangements are considered to raise a number of serious concerns in respect of protecting the amenity of both residential and employment uses juxtaposed to the application site. Issues of noise, vibration, light and an overbearing relationship provide insurmountable obstacles to maintaining a suitable environment for existing buildings and their users, and thus the proposal must be considered contrary to Core Strategy Policy CS 11 (c) and the NPPF.

Noise issues raised through representations

18) Increase in noise

19) We already suffer too much noise pollution from heavy traffic travelling from magna park to the M1 this will compound this

20) The safeguards what dbs say they will put in place are just smoke and mirrors and will not work (I have over 35 years in haulage & warehousing and have been down this road many times) we can hear noise from Argos which is at least 1/4 of a mile away from us not yards as this will be!

21) We would add that there is the issue of noise pollution. Here we would refer to the point made by Db Symmetry under "Technical Considerations". It is said that logistic parks are not suited to locations close to existing residential areas, and here we are talking about the nearest warehouse being 2km away from Cotesbach as the crow flies. We acknowledge that this raises the interpretation of "close", and we would argue that this proximity bring the village within the scope of the point which is made. Indeed, why otherwise would it be made?

22) The proposed warehouse uses will envelope Glebe Farm Cottage and the Semelab buildings providing noise emitting sources on all sides. The effect will be worst for Glebe Farm Cottage as it is a more sensitive noise receptor (residential), but also due to the indicative configuration of facilities adjacent to this dwelling. The additional noise generation will come from the following sources which will undermine its amenity:

- The proposed access road is located close to the eastern side boundary of the site. This will generate the regular sound of vehicle engines on a further side of the building.
- The proximity of the access junction will mean that vehicles are still accelerating past the dwelling on the A4303. This acceleration and gear changing will increase the noise from vehicles and stutter the noise generated, making it more perceptible to occupants.
- The provision of a lorry park to the south-east of the site will create punctuated noise bursts through the starting and stopping of HGVs and opening and closing of doors. This will then be followed by the high revving of the engines in low gears to leave the lorry park.
- The provision of a service yard close to the southern (rear) boundary will provide a wide range of intermittent noises. This would include the grating from coupling/uncoupling of cabs and trailers, beepers from manoeuvring vehicles and rattling of freight cages.
- Music systems from various sources of vehicles as well as the units themselves.

23) Critically, the mitigation proposed offers no security as to the creation of an appropriate residential environment. Paragraph 9.10.5 accepts that the provision of a 4.0 metre high acoustic barrier will not by itself reduce noise levels to an acceptable standard, with a 2.0 dB exceedance still occurring (again likely to be an underestimate for the reasons noted above). The additional measures all appear impractical and difficult to manage. Whilst these measures are not considered to provide certainty to operational noise levels, the impact of the acoustic barrier in itself also needs to be considered within the impact of the development on the amenity of Glebe Farm Cottage.

Air Quality issues raised through representations

24) Increase in pollution

25) I would also question air pollution this must already be too high for residents living in close proximity of the Magna Park M1 A5 triangle!

26) I understand the air quality in Lutterworth is below the acceptable measure and further HGV ingress will mean the people of Lutterworth will suffer even more damage to their health in this respect.

27) This small market town will end up like China where we will all have to wear masks and we will live in a permanent fog

Visual Impact issues raised through representations

28) Increase in light

29) Also there is too much light pollution from Magna Park so planning to build so close to Lutterworth is unnecessary

30) Where this is planned for is starting to really encroach onto the town

- 31) I do not wish my north-easterly views to be accosted by the sight of more huge warehouses, nor by the night time intrusion of light pollution into the night sky
- 32) At present, the village still has a predominately rural ambience and this would necessarily shift to a predominately industrial/commercial ambience.
- 33) There is the consequential arising of the potential for further southerly drift.
- 34) The loss of the green belt that was always used as the buffer strip
- 35) Development I would refer to the wireline diagram 6.1.3 - X35 footpath just west of Azalea Close - which is included in the submission. This wireline diagram shows the 'top line' of the proposed buildings as would be seen from this location which demonstrates that the view will be dominated by the 23m high buildings that are proposed.
- 36) I strongly object to this proposal on the grounds of desecration of the surrounding countryside. "Heart of rural England" is the logo - not heart of a transport hub.
- 37) Arbitrary boundaries to the site have been drawn, whereby clearly the 'indicative' layouts of the buildings have been designed with the access and balancing ponds added as an after-thought. These subdivide fields and offer illogical boundaries, that do not align to any obvious natural features. Given that the red line application site boundary will define the land which can be developed at reserved matters stage, this issue could not be resolved at a later date. It would therefore result in a scheme that clearly fails to respect established landscape patterns.
- 38) Light pollution from Magna Park was particularly noticeable when trying to view the Perseids Meteor Shower

Flooding issues raised through representations

- 39) By increasing the amount of built run off area the river Swift and other water courses will suffer and, as stated in the latter section, the local public sewer system does not have capacity to deal with the extra waste from an increase to Magna Park's size
- 40) Flooding and surface water drainage issues have been raised the applicant's agents, but with little beyond implausible deniability in response. We have access to the Environment Agency Flood Maps, but they of course only consider fluvial flooding data whereas the greatest cause of flooding and consequential contamination in the UK is now pluvial flooding as confirmed by DEFRA, ABI, RICS etc. There is little practical confidence building regarding the effective management of flooding and contamination risks either during the construction phase or in the longer term once the hard landscaping is in place.

Issues of principle raised through representations

- 41) The proposed development of the logistics park on the existing Glebe Farm land is simply one step too far.
- 42) The proposed development of the logistics park on the existing Glebe Farm can only be described as pushing the Lutterworth residents out of a Town and into a City.
- 43) Economic impact on the local infrastructure housing etc, due to most of the jobs will be low paid and filled by cheap overseas labour (as already seen at Magna Park)
- 44) Brilliant! Take the largest distribution location in Europe, and increase its size by a third, ruining more Leicestershire countryside to the detriment of the environment and local inhabitants.
- 45) Harborough District Council, in their Core Strategy have already stated in multiple sections that such a proposal would be against their core principles
- 46) If given permission, the development would inevitably destroy the current extent of the protection which exists between Magna Park and Cotesbach, doing so via its reduction.
- 47) Overbearing impact of development - there is a slow and insidious march of development in and around Lutterworth, yes we need the houses and the commercial interests and jobs that Magna Park bring, but do they have to be 'joined up'
- 48) Why can't this development be built further away from our housing area - for example nearer to Magna Park?
- 49) Lutterworth has one of the lowest unemployment records in Leicestershire. Jobs are available at Magna Park
- 50) My third concern is with the building that seems to have been unleashed around Lutterworth. I understand the pressures to build houses, given the housing crisis that affects the whole country:

it therefore follows that this part of Leicestershire has its part to play in providing land in order that the county council can attempt to meet the need for new houses. The problem with this new application for storage facilities is that it is part of a large steel collar on the Coventry side of the town. What impression will this make on all who arrive at Lutterworth? It seems to me that we will all arrive through a 'tunnel of steel' towards a town that has many fine qualities, one of which was being set in a fine rural setting.

51) This proposal to build more warehouses would increase the size of Magna Park by another 67%. This development would, in fact, vastly exceed HDC need for logistics space

52) Given the inevitable delay to the Symmetry Park application on highway grounds (see below), it is not unrealistic for both Magna Park 'Phase 3' and Symmetry Park to be considered at the same time. This should be undertaken only following consideration of the responses to the Core Strategy and Allocations DPD consultation, as this will provide a clearer steer as to the scale of development expansion in this area. This approach is no different to how the Market Harborough SUE was considered as part of the Core Strategy 2011 evidence base.

53) There is no close rail link and the creation of another distribution park so close to Magna Park but with no direct rail link is simply not sustainable. The area around DIRFT is more suitable.

54) Primark are leaving Magna Park, consequently one of the largest (if not the largest) building will become available, thus undermining the need for any expansion of the site.

55) East Midlands Gateway Rail Freight Interchange has just been approved, surely we no longer need new development at Magna Park

General issues raised through representations

56) It would also be a huge loss to everyone that uses the area for their daily walks. The ability to keep fit right on your doorstep is very important to the health of individuals and the well being of the community.

57) We have a town where amenities and facilities are already stretched too far with housing developments out-pacing the development of facilities such as schools, doctors and dentists. To add the increased 2 million sqft of warehousing to this will further diminish the quality of living for those in Lutterworth.

58) I am sure I speak for most of the residents of Lutterworth – enough is enough, please let us enjoy our space we have left and the surrounding area which most of us moved to Lutterworth for! It's a big OBJECTION from me.....

59) No railhead proposed

60) The provision of a new cemetery will be undermined with even more heavy vehicles passing so close to the new site, which is supposed to be a place of calm, quiet and reflection.

61) The cost savings to the logistics world of being on the doorstep of the M6 and M1 motorways in the "Golden Triangle" are understood. What the planning committee should understand is that those companies involved are well able to withstand the cost of moving to another location where local employment would benefit from such an undertaking and where the impact on the environment and to the local population will not be so great.

62) In summary, HDC would have to totally ignore its own Core Strategy policies to allow the proposed extension and so I ask committee members to reflect on this and also to consider those who live in the area over the interests of national corporations and a mostly imported workforce.

63) We would add that we can see merit in the abstract in certain of the perceived advantages (including, for example, benefits to the wider local economy; the consideration of accommodation of potential traffic increase; the provision of a lorry park and drivers' facilities building; and new structural woodland planning.) However, the very nature and strength of the grounds of our objection are so great as to make it unnecessary to advert to them.

64) What Lutterworth needs is more recreational areas and parkland in balance with Magna Park. This development will attract more workers from as far as Coventry, Leicester and Northampton. Any further development of Magna Park should be met with the equivalent area of recreational ground created for the use of Lutterworth's residents, financed by the logistical companies involved.

65) This tiny village (Cotesbach) of c. 80 residents and 184 dwellings will be completely dominated by this development in a number of ways.

- 66) Lutterworth is being dwarfed by these developments
- 67) This application must be read in conjunction with Application 15/00919/out.
- 68) It must also be remembered that this application only the beginning as plans have been published to extend Magna Park considerably on the North side of Mere Lane
- 69) The facilities for the parking of the lorries over night or waiting to go to unload at their allotted time is far from adequate. The toilet facilities for the drivers is none existent, leading to the lay-bys being used as toilets, leaving the area wreaking of urine and other materials.
- 70) The planning application has misrepresentations in it. The company claim the local residents were in favour of the application when they did the local consultation. That was certainly not the case when I was there and I heard other locals views. The comments that I have read online agree with me that the locals are NOT in favour. Currently there are no locals commenting who do not object to the plans. If the company are prepared to misrepresent this then what else are they misrepresenting on issues that may affect the local community but where I don't have enough knowledge to contradict them.
- 71) Unless the Council wish to turn Lutterworth into Europe"s largest Car and Lorry Park to the detriment of the environment and the local residents - we would urge the Council to reject this Application .
- 72) Lutterworth already has more than its fair share of noise, pollution and other disagreeable issues. Pointless windfarms sprouting up in our faces, Magna Park as it stands now, so-called 'Traveller' sites getting bigger by the week (if only they WOULD travel) and new housing built on the green fields around us. Another extension to Magna park increases the risk of immigrant workers settling in Lutterworth , a town that thankfully has remained English reasonably well (apart from the 'Travellers') until now.
- 73) My grandparents house is either going to get knocked down if my grandads gives in and sells up or he is going to be surrounded by warehouses! Bullied out of his home.
- 74) I don't believe that an elderly man should be bullied in to selling his lovely home or made to sell. Just to put up some more warehouses
- 75) Yet again Harborough council are not concerned about Lutterworth. They are happy to GRAB the rates without doing anything for Lutterworth.
- 76) Lutterworth is supposed to be a beautiful market town and not a Lorry park or warehouse. It is being ruined by all of these plans to destroy the countryside with warehouses and more new houses
- 77) HDC it is your job to do the right thing for the residents of your area, allowing this application to go through will prove you are doing what's right for your pockets, and not what is right for the local residents who live nearby and pay you your Council Tax.
- 78) According to Harborough's proposed Local Plan, HDC seems minded to give permission for both the IDI Gazeley and the Symmetry applications.
- 79) The Midlands Connect Strategy plan, endorsed by the government, to upgrade the A5 between the A38 at Lichfield and the M1 will not be completed until 2030. Until the A5 upgrade is completed, applications for major logistics warehouses should not be approved.

4.4 22 letters of support have been received. The majority of these are from the wider Leicestershire, Warwickshire, Northamptonshire areas however, some letters have been received from the locally affected area. Officers note that several of the representations are very detailed and whilst regard has been had to these in assessing this application, it is impractical to copy these verbatim and therefore a summary of the key points is provided below.

- 1) The creation of jobs in South Leicestershire increased economic prosperity and the increased importance as a logistics hub for England and the United Kingdom can only be a good thing for Lutterworth, South Leicestershire and the East Midlands as a whole.
- 2) Objections that amount to nothing more than NIMBYism must not be allowed to hold the region back.
- 3) Having read through the supplemental information provided by DBS in connection with this application it is clear that the development which will most effectively meet the the criteria of sustainable development is that for Symmetry Park.

- 4) This is a compact scheme using land efficiently in a location which is a logical extension adjoining the existing distribution park.
- 5) It does not impact nor intrude on heritage assets, valued landscapes nor create disproportionate effects on residential properties.
- 6) The development is all served from one roundabout and internal spine roads without creating a parallel road system to the existing highway network and destroying countryside which is a valued landscape and is both productive in agricultural and wildlife terms. Nor does it propose the inclusion of uses which are there for cosmetic purposes and not viable in macro terms.
- 7) The total land take falls well within the county's predicated needs for distribution parks and is a much more efficient use of the site where the potential cumulative impact of the scheme is well attenuated.
- 8) It is "in-filling" land that is already built on, Glebe Farm are in agreement and it is smaller and will have less of an environmental impact than the other.
- 9) Whilst ideally neither should be approved I would support this option out of the two.
- 10) Whilst I object to any further development at Magna Park and as there are currently spare units on the site question the need for these? Whilst I have great concern for the negative environmental impact both on traffic and light issues they have I support this application over the IDI Gazely 15/01531/OUT application.
- 11) This is much smaller and more compact and is located in an existing development. It is better visually contained and does not have the visual impact to Willey (and other local villages) by stretching along the A5.
- 12) It has no public rights of way running through the land
- 13) It will not affect Bittesby Deserted Village or the monument
- 14) They are working with the local Sir Frank Whittle School and not against it.
- 15) There seem to be more highway improvements in this application and perhaps encourage more traffic to use the M1 rather than the A5?
- 16) An observation - heaven help all the local residents in the area should both applications be granted. We would all be living on a distribution centre.

4.5 15 letter of comment (neither supporting or objecting to the proposal) received

c) Applicants Response to Representations

4.6 *Response to Pro Logis comments*

I write in response to the comments made in the NLP letter on behalf of Prologis of 17 July 2015, to which we respond as follows.

4.7 The underlying purpose of the Prologis letter is in protecting the commercial interests of DIRFT. Their assertion is that a road based logistics site is the cheaper location and in consequence Symmetry Park will attract demand which would have located at DIRFT if no alternative site was available. The Prologis letter alleges that Symmetry Park will undermine the delivery of DIRFT.

4.8 Neither the National Policy for National Networks, December 2014 (NPNN) nor the National Planning Policy Framework, March 2012 (NPPF) specify such a preference for prioritising rail freight over road distribution. While the NPNN encourages rail freight, I do not read national planning policy as imposing unwanted financial burdens upon companies in the logistics sector that have no requirement for rail freight - thereby frustrating economic growth or making logistics more inefficient through the imposition of unwanted costs. It seems to me such outcomes are the antithesis of the Framework which states at paragraph 19:

"Planning should operate to encourage and not act as an impediment to sustainable growth."

Rail freight is not a 'one size fits all' solution to the needs of the logistics sector, as acknowledged in the NLP letter itself - "not all distribution facilities can sensibly be rail- served".

4.9 Of note, the 'Leicester and Leicestershire Strategic Distribution Sector Study' (November 2014), recognises at paragraph 3.12 that:

"Given that it is unrealistic in both planning and logistics terms to expect all new large scale distribution activity to locate at a directly rail-served strategic logistics site, appropriate road only sites can therefore be considered ones which meet all the other criteria outlined above bar [he modal choice requirement."

- 4.10 Those businesses that can make significant use of rail will best be located at a SFR1; those that cannot, should not. Again this is reflected in the NLP letter - "... the DIRFT III development has been modelled and brought forward through planning on the basis of high on-site occupier usage, where a real freight advantage can be delivered. Therefore it would be sub-optimal to accept off-site usage if the DIRFT III intermodal facility in advance of securing maximum on-site opportunities".
- 4.11 I do not address the matters of wider planning policy set out in the NLP letter, which are clearly addressed in the Planning Statement accompanying Symmetry Park, and issues which are clearly understood by Harborough District Council in any event.

5. Planning Policy Considerations

- 5.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 provides that planning applications must be determined in accordance with the provisions of the development plan (this is the statutory presumption) (hereafter referred to as the 'DP'), unless material considerations indicate otherwise.
- 5.2 An explanation of the development plan policies, material considerations, evidence base and other documents referred to can be found at **Section 4 of the Overview Report** at the beginning of the Agenda under 'Policies and Considerations common to both proposals'.

6. Officer Assessment

a) Principle of Development

- 6.1 Having assessed the quantitative and qualitative needs (see **Section 5 of the Overview Report**), the SDS sets out a suggested sequential approach for identifying the additional land the growth of the logistics sector needs in the county, and places the extension of existing sites at the top of the sequential hierarchy. The first, and sequentially most important of these tests, is that new sites should be brought forward via the extension of existing strategic distribution sites, both rail-served and road-only connected. Site extensions should only be permitted where there is adequate road capacity serving the site and at adjacent motorway/dual carriageway junctions or capacity can be enhanced as part of any extension. The second tier within the sequential test is satellite sites. Whilst this predominantly relates to rail based sites, the principles can also be applied to road based provision. Clarification was sought of MDS Transmodal with regards to what they considered to constitute the 'extension of an existing strategic distribution site'. Their definition is set out in **Paras 4.116 – 4.120 of the Overview Report**. In summary, an extension to an existing site would be defined as follows:
- Where at least one of the proposed new plots directly faces or forms a boundary with the existing strategic distribution site;
 - The new plot(s) can be accessed via the existing strategic distribution site's connections to the public road network and internal estate roads; and
 - Where feasible and practical, some or all of the utilities currently connected to and serving the existing strategic distribution site can be extended to serve the new plot(s).

On the basis of the definition from MDS transmodal, the current application is not considered to be an extension of the existing Magna Park as none of the above criteria are met. It is however considered that the application site can be considered to be a satellite site to Magna Park. As set out in **Para 4.112 of the Overview Report**, the SDS identifies the area around the M1, M6 and A5 as a Key Area of Opportunity for Strategic road-based B8 development. Furthermore, the

SDS goes on to state that extensions to existing sites and development of satellite sites around existing sites are the preferred locations for further strategic B8 development. This locational ethos has also been reflected within the draft New Local Plan Policy BE2.

- 6.2 Furthermore, as will be discussed in more detail later in the report, it is not considered that the proposal will have a significant and demonstrable impact upon the immediate road network or the junction capacity at J21 of the M1 or J1 of the M6. It is not considered that the application site is, in terms of the SDS, a sequentially preferable location. But the SDS is an evidential report and not policy. Whilst it is considered to provide a reasonable platform for assessing locational requirements for distribution sites within the study area, because it is not policy of a supplementary planning document, only limited weight can be given to its view on sequential approach.
- 6.3 The SDS sets out 6 criteria for the identification of new sites around which the identification of new road based sites should be based. The application meets 5 of the 6 criteria recommended by the SDS for the selection of new road based sites. It has
- Good highway connectivity
 - It is sufficiently large and flexible in configuration to accommodate the size of distribution centre warehouse units now required by the market
 - It is accessible to labour,
 - It is located away from incompatible land-uses – as set out later in the report, the proposed building is located adjacent to the existing Magna Park and is approximately 100m from the nearest non-financially involved dwelling
- 6.4 The SDS identifies “Key Areas of Opportunity” (KAO) for the provision of warehousing land across the County and establishes a hierarchy of those key areas of opportunity. Only those sub-regions meeting each of the four criteria to the highest level (i.e. offering both road and rail connected opportunities, central golden triangle location and close to available labour) have been considered for inclusion in the top category (termed the ‘best key areas of opportunity’). Three ‘best key areas of opportunity’ were subsequently identified. A further three sub-regional areas meet the criteria, albeit to a lower level. These have been termed ‘good key areas of opportunity’. The application site falls within “KAO D” the lower level category of a ‘good key area of opportunity’. The reason that “KAO D” is good rather than best is that it does not offer a rail connected opportunity. However, whilst the SDS recommends that the ‘best’ KAO’s should be brought forwards before the ‘good’ KAO’s, the pressing need to provide road based only NDC’s is such that officers consider that significant weight should be given to the benefits of releasing sites now which meet the three criteria that are relevant to road based NDC’s i.e. it offers road connected opportunities, a central Golden Triangle location and is close to available labour.
- 6.5 The proposed development would have the additional advantage of providing a substantial amount of extra land to the south of the existing site. This would potentially enable the expansion of existing occupiers and facilitate the ‘recycling’ of existing plots to help retain and support the growth of existing companies.
- 6.6 The emerging Local Plan acknowledges that Storage and Distribution and Logistics is an important sector for the District. As such, a specific Policy dealing with the development of this sector has been proposed. Draft Policy BE2 has been developed on the basis that the area in the vicinity of M1 J20 and the A5 is the key area of opportunity for this type of development within the District. As set out of **Para’s 5.2.5 – 5.2.6 of the Overview Report**, it is **acknowledged that there are no** suitable and available alternatives for the quantum of provision identified within the locality other than two current applications. On the basis of this, draft Policy BE2 establishes that up to 700,000sqm of B8 floorspace on an adjoining site would be acceptable in principle.
- 6.7 There is a compelling quantitative and qualitative need for additional road based warehousing provision within the District which cannot be met other than on greenfield sites in the countryside.

6.8 The proposal will result in the loss of 3 residential properties. Whilst this would result in 3 additional properties having to be provided across the plan period (up until 2031), in the context of the proposals, the loss of these 3 properties does not carry significant weight.

b) Planning Considerations

6.9 The detail of the proposed development will be considered under the following headings:

1. Landscape and Visual Impact	Page 56
2. Highways	Page 71
3. Socio-Economics	Page 79
4. Air Quality	Page 83
5. Ecology and Biodiversity	Page 86
6. Residential Amenity	Page 94
7. Noise and vibration	Page 104
8. Drainage and Hydrology	Page 107
9. Heritage and Archaeology	Page 110
10. Design	Page 112
11. Footpaths	Page 114
12. Agriculture and Soils	Page 115
13. Contamination	Page 116
14. Other matters	Page 117

1. Landscape and Visual Impact

6.1.1 The ES contains a chapter (Chapter 14) on Landscape and Visual Impact. The ES confirms that the Site does not lie within any nationally designated landscapes (e.g. Green Belt (see **Figure 6**), Area of Outstanding Natural Beauty or National Park).

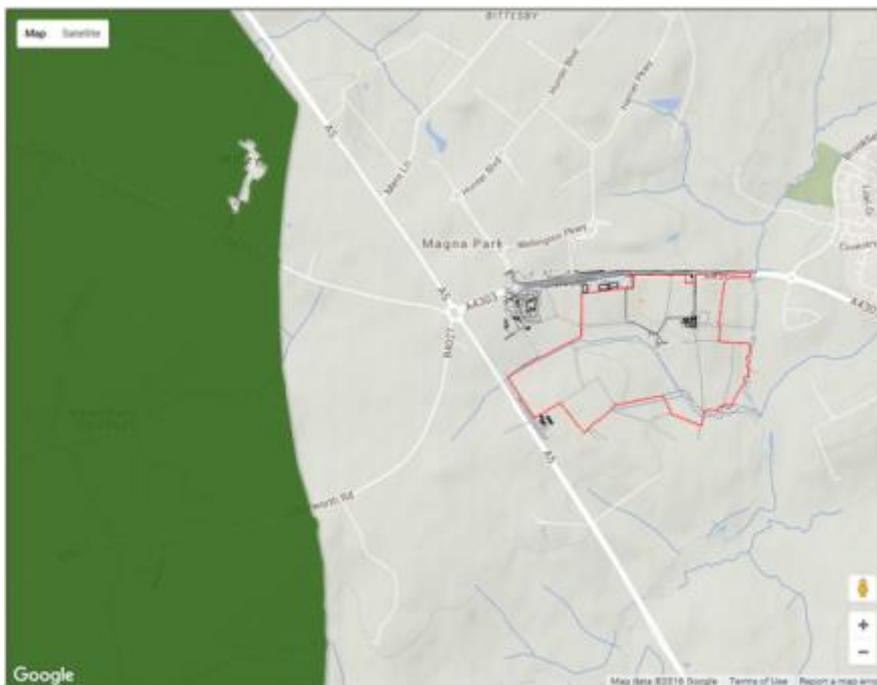


Figure 6: Green Belt plan

o *Landscape Character*

6.1.2 The ES highlights the majority of the Site as falling within the “Lutterworth Lowlands” landscape character area (see **figures 7 and 8**) and the “Magna Park Open Farmland LCA sub area as identified by the Council’s Landscape Character Assessment (2007).

6.1.3 The Lutterworth Lowlands is an area of predominantly open, gently rolling pasture. Regular, medium sized fields are divided by mature hedgerows that appear to be declining in extent in places. There is little woodland of any significant size within the character area and where it does feature, it appears to be concentrated around the parkland estates towards the north of the area. The area is characterised by open views across the flatter expanses of the area. Lutterworth, in the south of the area, is the area's main town with the expanding villages of Fleckney and Kibworth towards the north east of the area.

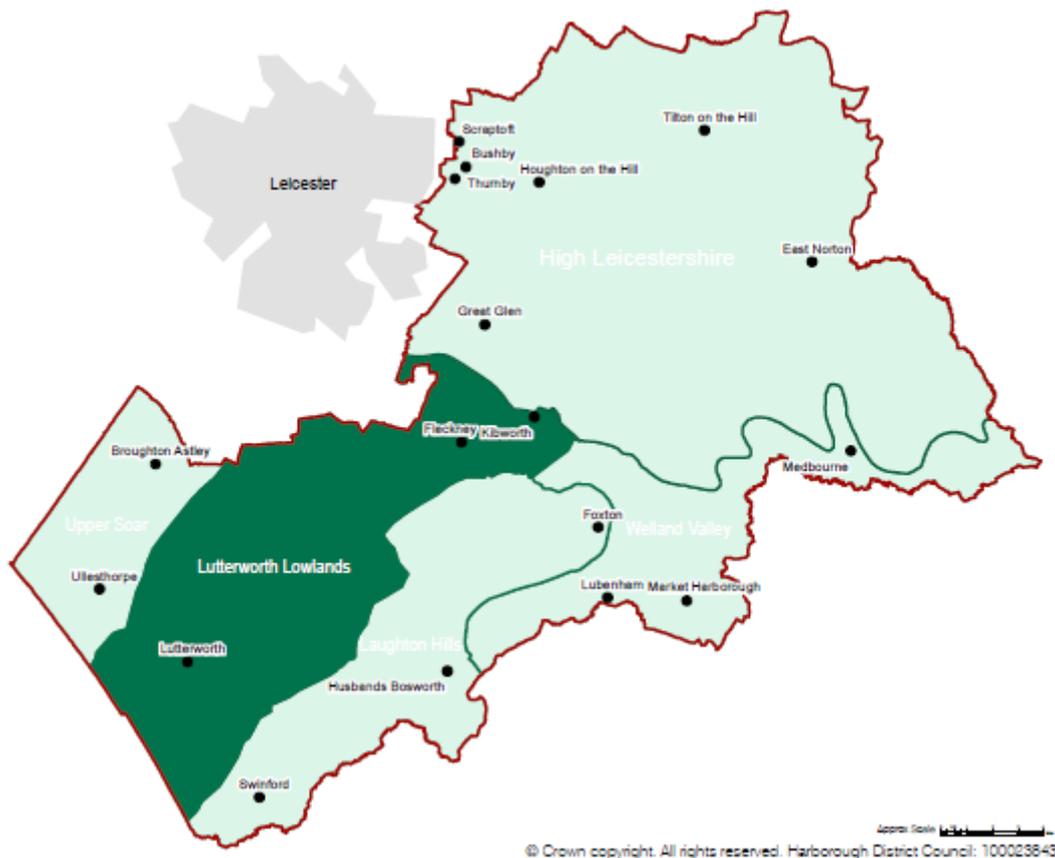


Figure 7: Landscape Character Assessment Map (District Wide)

6.1.4 The M1 motorway runs north to south parallel with the A426 and divides the character area towards the west, passing Lutterworth. The motorway acts as a significant barrier across the landscape in visual, noise and connectivity terms. A series of bridges along the M1 and A426 connect the otherwise separated segments and provide continued links along the A4303/A4304 towards Market Harborough and other local routes. A network of minor roads runs through the Lutterworth Lowlands connecting the larger settlements with the spread of villages and farms scattered across the area. Traffic noise generated by the larger roads is locally intrusive.

6.1.5 Other significant developments within the area include Magna Park Distribution Park; a locally visually prominent warehousing and distribution centre to the west of Lutterworth, along the A5. The current layout is relatively successfully screened by woodland planting around the boundary. To the north east around Dunton Bassett sand and gravel extraction occurs in the generally open and flat landscape. There is also a large quarry near Shawell.

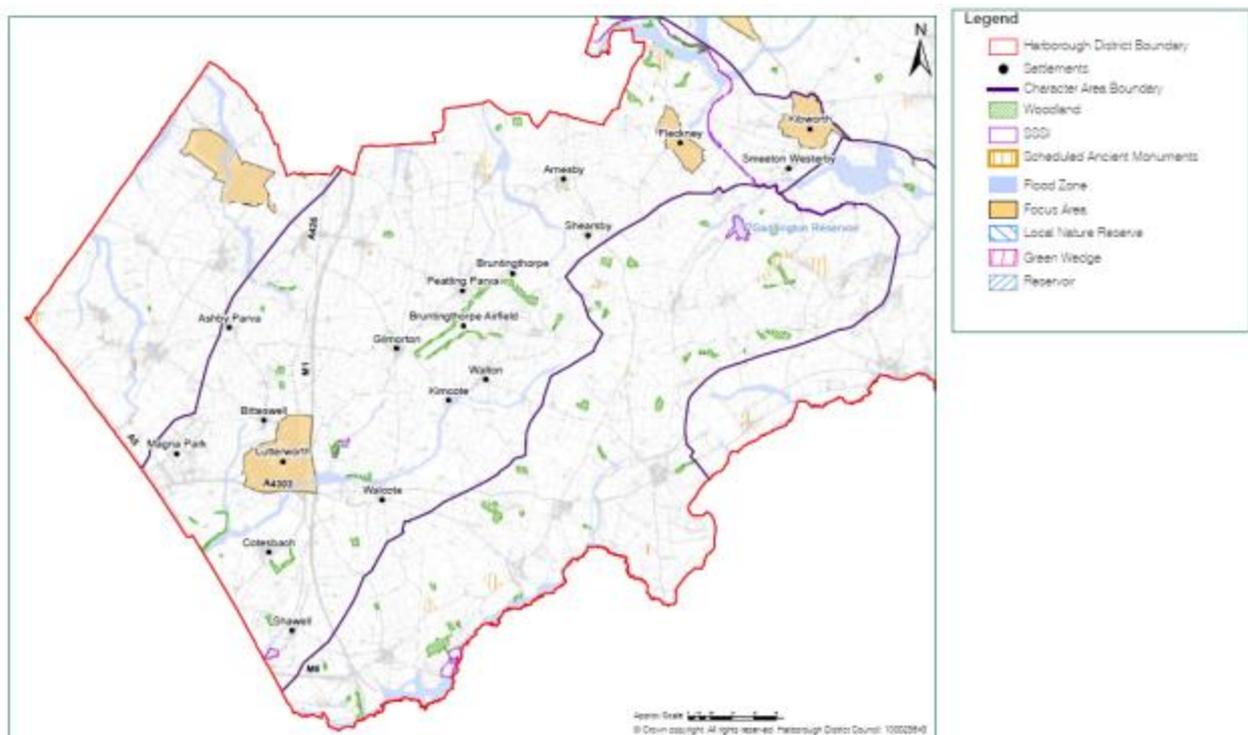


Figure 8: Landscape Character Assessment Map (Lutterworth Lowlands)

6.1.6 The key characteristics of the Lutterworth Lowlands LLCA are:

- Open and relatively flat, to gently rolling area
- Lack of large woodland areas
- Farming is predominantly grazing
- Scattering of small villages with larger settlements of Kibworth and Fleckney to the north and Lutterworth to the south
- Contains Bruntingthorpe Airfield
- The M1 and the A426 run through the area
- Contains Magna Park Distribution Park to the west of Lutterworth

6.1.7 Lutterworth is also subject to a more detailed “focus area” section within the LCA. Within this it is stated that the western settlement edge of Lutterworth is formed by Brookfield Way with the land falling away to the west before rising up towards Magna Park. The western edge of Lutterworth is exposed to open views from the wider countryside and the imposing Magna Park. A stream runs north east to south west across the area creating a flood plain along Lutterworth’s western borders. There is open farmland to the west of Lutterworth with regular hedgerows enclosing some of the area. The village of Bitteswell is located to the north west of Lutterworth and is under threat of coalescence with the north western edge of Lutterworth.

6.1.8 The 2011 Lutterworth and Broughton Astley Landscape Character Assessment and Landscape Capacity Study looked at the area in more detail. As part of this assessment, it was considered that the area within which the application site falls should be classed as the Lutterworth Lowlands – Magna Park Open Farmland character area (**see figure 9**). Within this it is stated that key characteristics of the area include:

- Significant visual influence of the large warehouse structures at Magna Park on the surrounding landscape
- Large scale, predominantly arable farmland
- Gently sloping broad valleys
- Limited historic pattern evident in the landscape
- Poor hedgerows and very limited hedgerow trees

- Prominent urban edge to Lutterworth on rising ground
 - A5 road corridor,
- and that the distinctive features of the area are:
- Magna Park
 - Lutterworth Country Park
 - Bitteswell Brook
 - Fairacres Travelling Showmen's Site

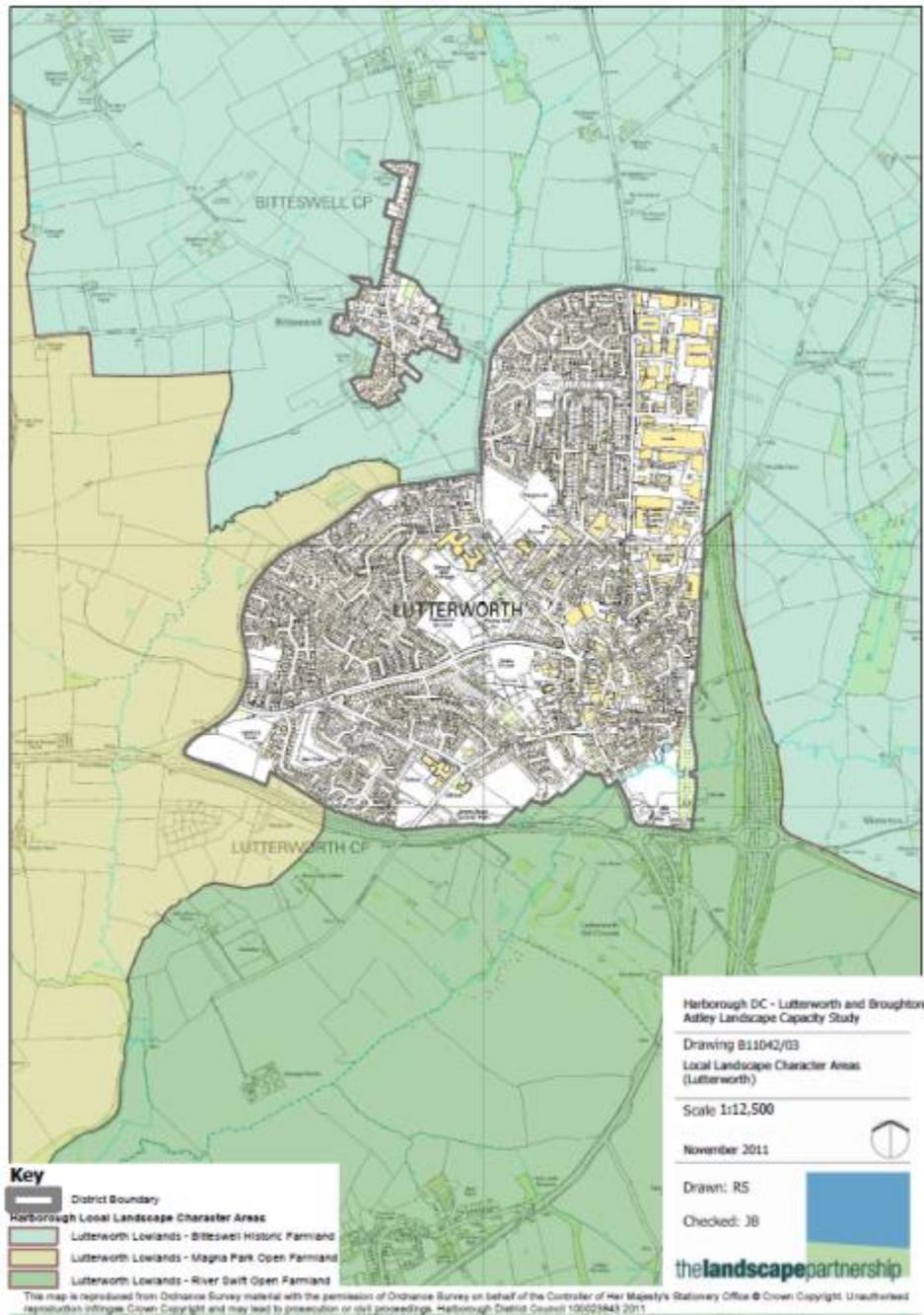


Figure 9 – Lutterworth and Broughton Astley Landscape Character Areas

- *Landscape Capacity*
- 6.1.9 With respect to the capacity of the landscape to accommodate development, the 2007 LCA states that the area as a whole has a Medium to High capacity for development. The Lutterworth Lowlands character area represents a changing landscape with many recent developments around the fringes of existing settlements. Expansion due to new development areas may mean

that the area is under threat of losing some of its rural characteristics. The area has some limited capacity to accommodate localised development in particular around the larger settlements but the more rural parts of the area towards the north would not be appropriate, nor would the farmland south of Bruntingthorpe Airfield.

6.1.10 The Lutterworth Lowlands character area has the capacity to accommodate further residential development. Lutterworth, Fleckney and Kibworth in particular have the capacity and infrastructure in place to allow for further development, within and adjacent to their current urban envelopes. The smaller villages of the area have much lower capacity and would need to be considered on a case by case basis.

- o *Landscape and Visual Impact*

6.1.11 A Landscape and Visual Impact Assessment (LVIA) formed part of the ES. The LVIA includes a methodology section, a description of the baseline (see **Figure 10**), definitions for sensitivity, magnitude and then makes judgements of significance for impacts on both landscape and visual receptors arising from the proposals. It also includes measures to assess the nature of the effects i.e. whether they are positive or adverse.

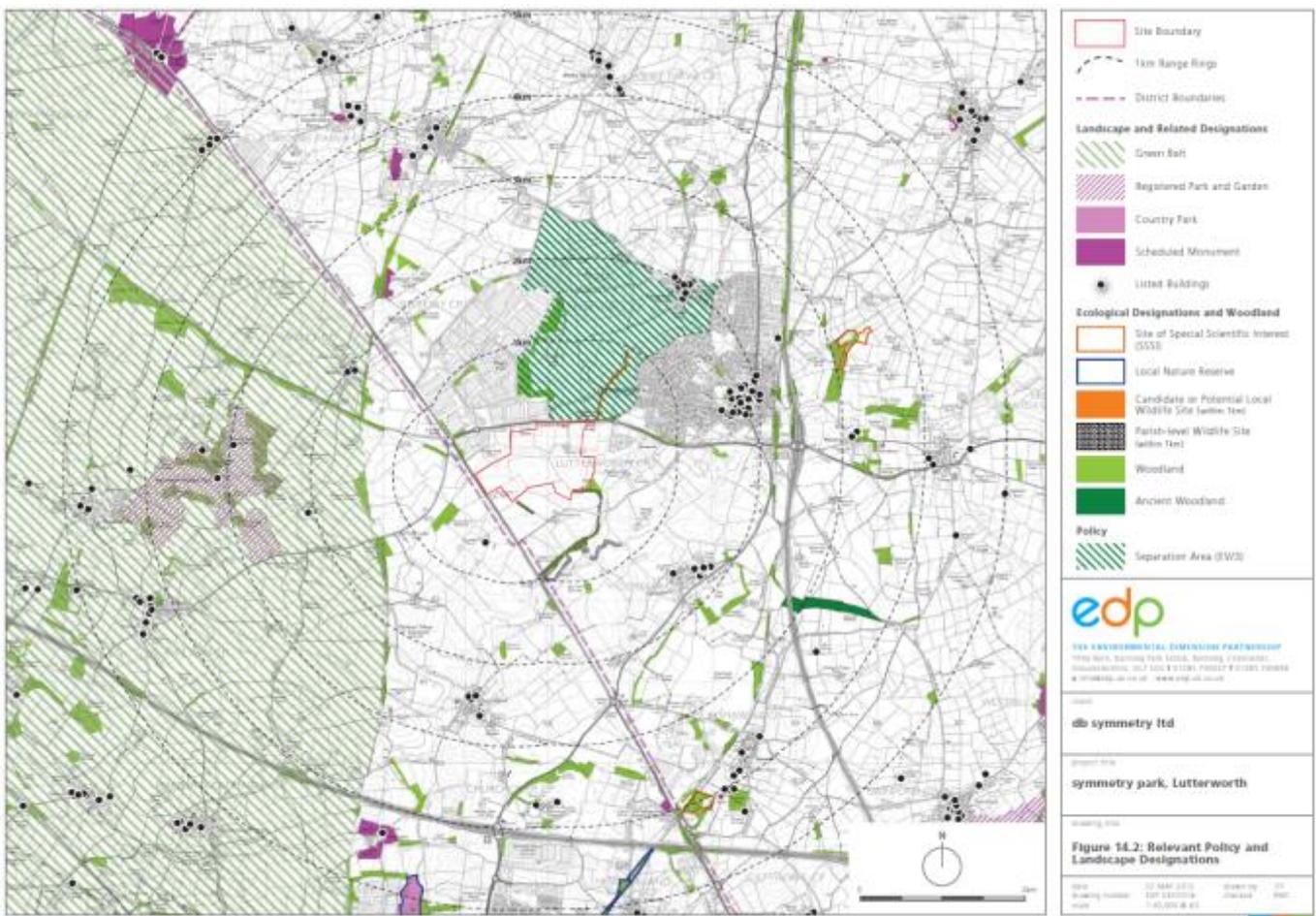


Figure 10: Landscape constraints plan

6.1.12 The LPA commissioned TLP to review the LVIA undertaken by Environmental Dimension Partnership Ltd (EDP) on behalf of the Applicant. TLP's original review of the LVIA and application was submitted in July 2015. This was then updated and submitted in November 2015 to take into account the additional viewpoints submitted since the previous review.

6.1.13 The LVIA contains an assessment of the likely visual impacts of the proposed development. The assessment identifies 8 viewpoints (shown in Table 14.1 of the LVIA) towards the Site, 3 of which have verified wireframe diagrams produced to assess the impact of the proposal.

6.1.14 For each of the viewpoints identified a judgement has been made with regards to sensitivity, magnitude of effect and significance of effect. Following negotiation between The Council and the applicants, two additional viewpoints were agreed upon, and these can be seen at **Figure 11**. TLP differed in terms of the judgements made in relation to a number of viewpoints, however, it was considered that this is down to reasonable differences in professional judgement and that further work was not required to address this.

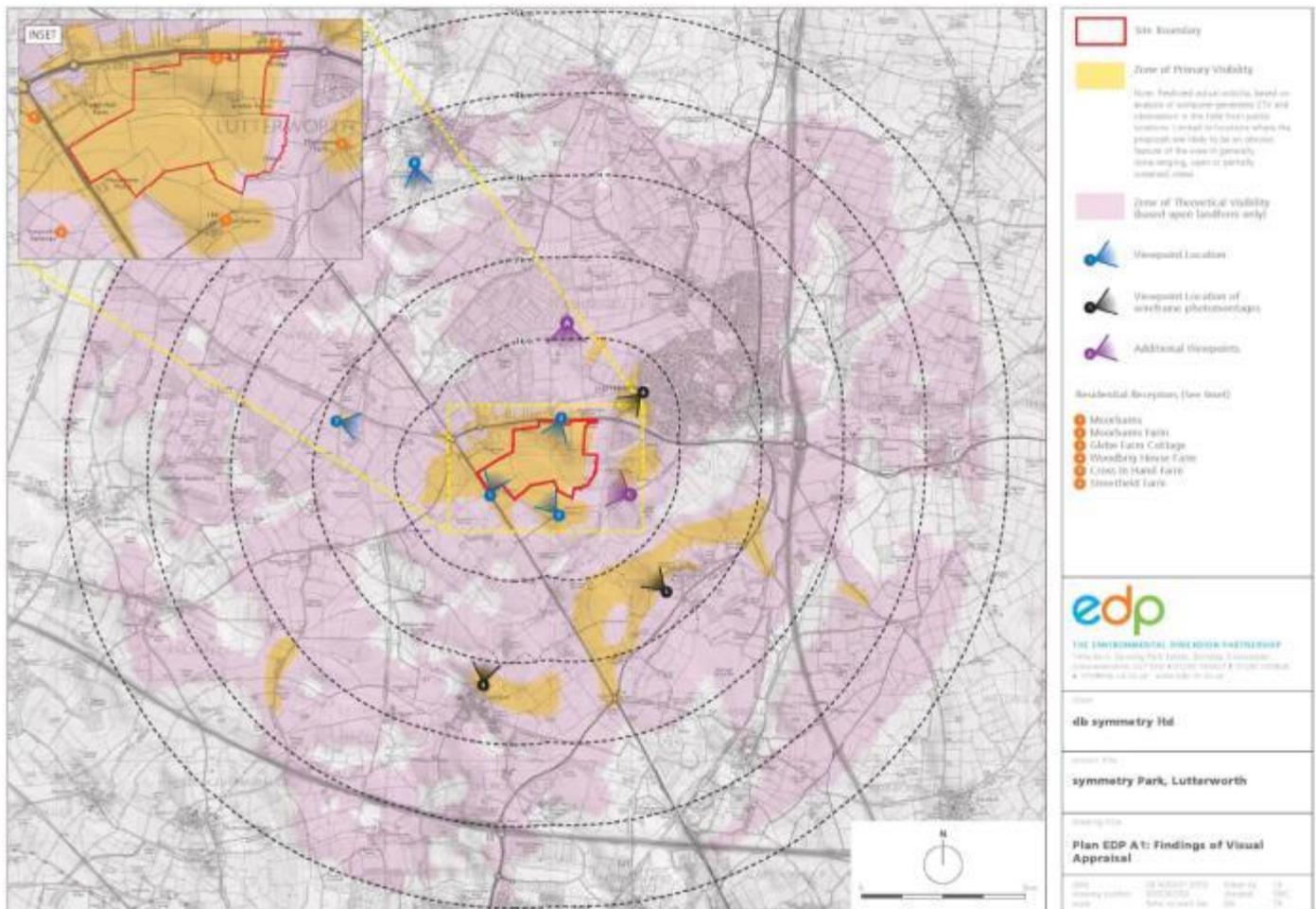


Figure 11: Photo Viewpoint Location Plan

o *Parameters Plan*

6.1.15 In addition to reviewing the LVIA, TLP provided comments on the Applicant's original Parameters Plan (See **Figure 12**). TLP had concerns that the entrance to the site from Coventry Road included a landscaped corridor past the proposed lorry park up to the first buildings. However, after this point the landscape corridor along the central internal access road appeared to be too narrow. The Constraints and Opportunities plan (page 15) indicated a boulevard through the site. However, the ability to achieve this was highly compromised by the narrowness of the corridor and the proximity of the watercourse/drainage corridor located to the south of the road. The proposed arrangement and narrowness of the landscape belt along the internal access road would have resulted in the Zone A/B – Unit 1 being a dominating structure within the layout. In contrast the existing development of Magna Park successfully assimilates the structures within the landscaped layout.

6.1.16 Furthermore, TLP were of the opinion that the width of the green infrastructure corridor around the development plots should be marked with minimum dimensions to ensure the space available is not eroded. A dimension of 25 m is provided at paragraph 8.5. However, the ability to deliver this width throughout the scheme should be demonstrated. The proposed bunding to the southern and eastern boundaries are shown as being a minimum 3 m high. The Zone A/B – Unit 1 at 23 m to ridge would have represented the single largest building both on the site and within Magna Park. This is likely to be a very large dominant structure particular where seen in views from the north and south along and across the valley landscape.



Figure 12 – Parameters Plan

6.1.17 Both of these areas of concern have been addressed through the submission of a revised Parameters Plan, an Illustrative Landscape and Ecology Masterplan and illustrative cross sections through the proposed landscape features as part of the submitted addendum to the Landscape chapter of the Environmental Statement.

o *Lighting*

6.1.18 Lighting at the existing Magna Park is one of the main concerns for local residents, and, it is a key theme which has come through the consultation on the application. The area is located within an area defined as brighter and adjacent to an area of greater light saturation, on the CPRE night skies Map for the East Midlands. At night, the context and nature of the night time baseline conditions on the application site is considered to be different to those on Magna Park itself. Whilst there are the immediate effects of illumination arising from a context alongside Magna Park and the highway network, there are no existing significant light sources on the application site and is only otherwise currently lit up by passing car headlights and the headlights of vehicles moving to and from Glebe Farm. Therefore, the existing Environmental Zone for this part of the Site is considered to be 'Environmental Zone 2' – 'a low district brightness area' – equivalent to a 'rural, small village or relatively dark urban situation'.

6.1.19 A separate lighting assessment engineer report for Magna Park and a lighting strategy for the proposed Site have been included in ES Volume 3, Technical Appendix K4, to inform the night time visual assessment and judgements made regarding potential night visual effects, arising from the proposals. The existing Magna Park building and street lighting consists of High Pressure Sodium Luminaires mounted on buildings and street lighting columns. The type of luminaire varies throughout the park from angled floodlights to full cut off flat glass luminaires. The result of this is a yellow/orange sky glow when viewed from the surrounding villages on nights with low cloud or highly illuminated buildings. This is caused by light reflecting from the horizontal surfaces and from the building elevations. Notwithstanding the sky glow effect, the lighting design in the existing park complies with the planning permission granted and the legislation prevalent at the time. **Figures 13 – 15** indicate the current situation.



Figure 13: Night-view of existing park from Bridleway X32 (430m to the south of application site)



Figure 14: Night-view of existing park from footpath X35 to east of Azalea Close (900m to the north-east of application site)

6.1.20 High pressure Sodium (SON-T) lamps at the time of installation had the highest luminous efficacy (most efficient) available, but also a high luminance intensity as all of the light is derived from a single light source (ie the lamp) SON-T lamps also have poor colour rendition and visual acuity when compared to white light source (fluorescent/metal halide/LED). Until very recently High

pressure Sodium luminaires were used for external lighting for most industrial buildings around the country



Figure 15: Night-view of existing park from bridleyway X28 to east of Cotesbach (1.7km to the north-east of application site)

6.1.21 Whilst the application is in outline form and detailed lighting proposals fall to be considered at a future stage, it is considered prudent to investigate options at this stage. As part of the lighting assessment, numerous lighting design guides and practice notes aimed at reducing obtrusive lighting are quoted and it would be a requirement that any proposed lighting scheme would have to comply with these.

6.1.22 Overall, on the basis of the above, and following consultation from TLP and HDC EHO's the night time visual effects of the proposals are considered to be not significant, as the proposed development would avoid being visually intrusive and would not cause an obvious deterioration or improvement of existing views afforded to visual receptors. During construction or immediately following construction, any temporary disruption to views afforded to visual receptors would be outweighed by long term mitigation of such views.

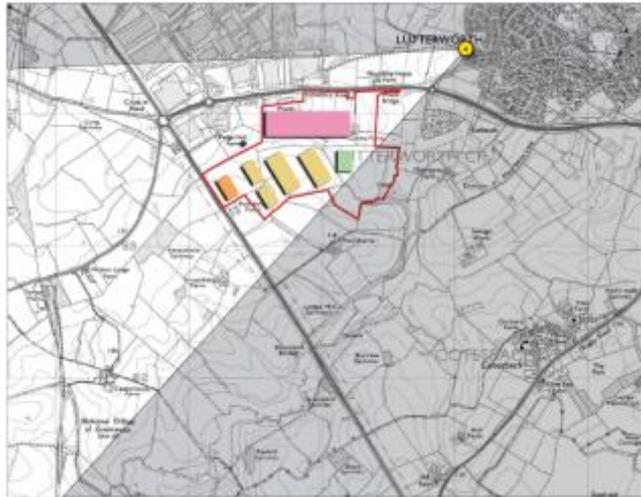
o *Visual Effects*

6.1.23 In year 1, the magnitude of change upon Public Bridleway X32 would be high as the structural, linear woodland planting would still be establishing and would not be mature enough to assimilate the buildings into the landscape. The applicants propose that the new boundary planting will be managed to a size typical of the vegetation around the existing Magna Park through to year 15. The proposed development would take up a much greater percentage of this view and the original parapet height would have appear considerably higher. The reduction in height of Zone A/B from 23m to 18m is a welcome amendment which will reduce the impact from this vantage point. Therefore, although the Proposed Development will assume the same character as the existing Magna Park, the magnitude of change would remain as high, which results in a moderate adverse and locally significant effect. **Figure 16** is a Verified Wireframe from Bridleway X32 where the footpath meets Moorbarns Lane.



Figure 16: Verified Wireframe from Footpath X35

6.1.24 As with Bridleway X32, the year 1 magnitude of change upon Brookfield Way, Lutterworth (and Fairacres Travelling Showmen’s site) (approximately 13 thirteen residencies) would be high and remain so, despite the maturing of the structural planting over 15 years. This is because the proposed development would take up a much greater percentage of these views with a parapet height appearing slightly higher than the existing units. This would result in a major/moderate adverse effect which is locally significant for this low number of residencies. Again, the reduction in height of Zone A/B from 23m to 18m is a welcome amendment which will reduce the impact from this vantage point. **Figure 17** is a Verified Wireframe from Footpath X35 to the west of Azalea Close.



6.1.2. Existing view - X35 footpath just west of Asalea Close

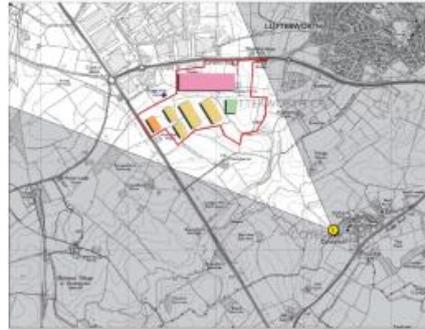


6.1.3. Wireline of proposal.

Figure 17: Verified Wireframe from Footpath X35

6.1.25 The proposals would not extend significantly the proportion of the panoramic skyline taken up by logistics buildings in views from Main Street, Cotesbach. Although some of the proposed development would form a new skyline, this would not typically be higher than the existing units and would not fundamentally change the character of this view. In Year 1, the establishing structural planting would be barely visible and so the magnitude of change would remain as medium. However, by year 15, the new boundary planting will have been managed to a size and character typical of the vegetation around Magna Park, but it is considered that this planting will not reduce below a medium magnitude of change due to the closer proximity of the proposed development than Magna Park. The effect on this receptor would therefore remain as moderate adverse and locally significant. **Figure 18** is a Verified Wireframe from Bridleway X28 to the west of Cotesbach. Part of **Figure 18** also contains two photomontages (PM's) from this viewpoint. These were prepared prior to the reduction in height of Zone A/B, and as such 1.4.2 indicates the 23m high 1.3m sq ft option whereas 1.4.3 indicates the 5 unit option with an 18m height. It is

therefore considered that reading the two PM's together (ie the length of 1.4.2 and the height of 1.4.3) gives an indication of the appearance of an 18m high 1.3m sq ft building as per Indicative Layout A from Design and Access Statement.



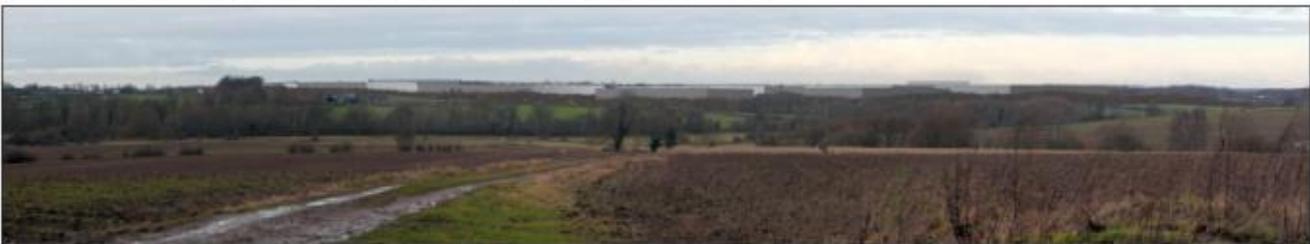
7.1.2 Existing view - X28 bridleway just west of Cotesbach.



7.1.3 Wireframe of proposal.



1.4.2 Photomontage based on Figure 5.3 Illustrative Masterplan - Option 1 of Design and Access Statement: Proposed at Year 15



1.4.3 Photomontage based on Figure 5.4 Illustrative Masterplan - Option 2 of Design and Access Statement: Proposed at Year 15

Figure 18: Verified Wireframe and Photomontage from Bridleway X28

○ *Cumulative Visual Effects*

6.1.26 In terms of cumulative visual effects, there are no locations where both developments (except for the proposed Zone 2 lorry park element) could be seen simultaneously. Therefore, cumulative visual effects are focused around sequential impacts as perceived from the local road network. There is also a possibility that there would be sequential effects for users of rights-of-way, but due to the distances and time to travel along the routes these cumulative effects are not considered to be significant. Residential properties would not be affected by cumulative visual effects as they are static.

6.1.27 ESA of Oct 2016 and July 2017 focuses on the effects on road users travelling through the area including users of the A5, A4303 and Coventry Road/Brookfield Road.

- Brookfield Way/Coventry Road - The 2017 ESA considers the effects on users of Brookfield Way would be reduced with the introduction of Development D (250 units west of Coventry Road) in the foreground. TLP agree with this conclusion and that the level of effect arising specifically from Symmetry Park is likely to be no more than Minor with Development D in place with either Scenario 1 or Scenario 2 (although, TLP do not agree with the ESA that there will be any increased effect to Medium, with Scenario 2).
- A4303 Coventry Road – The ESA considers the effect with Developments D and E added to the baseline would not increase from the October 2016 ESA. The sensitivity of the route is considered Very Low in the ESA as it is a busy main road but TLP consider that this show be Low. As a result , despite a High magnitude of change TLP consider the cumulative effect would be Moderate/Minor rather than Minor during the Operation stage.

6.1.28 In addition to effects along specific sections of road there is a need to consider the aggregate sequential effects. TLP consider that within Scenario 1 (without the Gazeley Hybrid) that there would still be some local Minor adverse effects travelling along a route from the A5 to the A4303 and Coventry Road/Brookfield Road with a combination of Developments, B D and E visible. However, the sensitivity of receptors is generally Low on these routes. Within Scenario 2 there will be additional adverse sequential effects with the introduction of Development C extending north west along the A5. Travellers following the A5, and in combination with Mere Lane and the A4303 and Coventry Road/Brookfield Way would experience sections of High magnitude visual effects with some lengths of routes experiencing Moderate and locally significant adverse cumulative effects from new B8 related development both during Construction and at Year 1. By Year 15 the establishment of structure planting associated with all schemes is likely to reduce effects to non-significant levels subject to the implementation of suitable landscape schemes.

○ *Landscape Effects*

6.1.29 Following the completion of the construction phase, the indirect, perceptual, effects of construction lighting, noise, vibration and the movement of construction materials to/from the Proposed Development upon the Magna Park Open Farmland LCA would cease. In general, the effect of operations on lighting, noise and vibration effects is assessed as being lower than the construction phase. The magnitude of direct change to the Magna Park Open Farmland LCA would continue to be high in year 1 of operation. This is because the new grassland and woodland (native trees and shrubs) around and through the Site is still becoming established and not yet mature enough to assimilate the buildings fully into the landscape. In the long term (year 15), the new vegetation and the existing retained boundary vegetation will be managed and grow to a size typical of the vegetation around the existing Magna Park and so reduce the magnitude of change to medium, which results in a moderate/minor adverse effect which is not significant in EIA terms.

○ *Cumulative Landscape Effects*

6.1.30 The assessment of cumulative landscape effects is based on a composite landscape character area, Magna Park Hinterland. A cumulative assessment that included Magna Park and both the Gazeley Hybrid and the Symmetry Park applications was requested by TLP to appreciate the

overall effects of the potential combined proposed development on the locality. This is in contrast, to only assessing effects on the host landscape character area of each scheme as originally carried out in the ES (and also the Gazeley Hybrid ES). The extent of the Magna Park Hinterland has been clarified and shown on Plan EDP 1. The area broadly extends around the combined developments, with a further 250-750m buffer beyond.

6.1.31 The ESA considers that the Magna Park Hinterland has a Low-Medium sensitivity on account of the existing presence of development and main roads within or adjacent to it. In TLP's opinion that while this is a reasonable assessment in places, the sensitivity would locally increase to Medium particularly where the interface is more with the countryside, such as in the core of the AoS, and to the northwest of Mere Lane (albeit that Development A is already consented immediately north of Mere Lane).

6.1.32 The 2017 ESA (and accompanying subsequent Technical Note) consider there would be a Moderate/Minor-Minor and non-significant effect at Construction and a Moderate/Minor effect at Operation on the Magna Park Hinterland under Scenario 1 (without Gazeley Hybrid scheme). The magnitude of change under this scenario is considered to be Medium during Operation. In contrast, this would increase to a Moderate and significant effect in Scenario 2 (with both the Gazeley Hybrid scheme and the Symmetry Park scheme). The magnitude of change under Scenario 2 is considered to be High. This significant effect within Scenario 2 reflects the greater total aggregation of developments within all five schemes and in particular, the addition of the Gazeley Hybrid scheme to the north-west of Magna Park. TLP broadly agree with the assessment of these adverse significant effects on the Magna Park Hinterland (based on the ES methodology).

6.1.33 It is agreed between TLP and the ESA that they would be no significant cumulative landscape effects on other character areas including High Cross Plateau.

- *Structural Landscape Treatment*

6.1.34 As part of the application, the applicants have indicated the scale and nature of the structural landscaping which could be implemented in order to aid the mitigation of the proposals. The widths and nature of the structural landscape treatment to the site perimeter is shown in the submitted Illustrative Landscape & Ecology Masterplan. Planning permission is being sought for the approval of the Parameters Plan which shows zones for buildings. Should planning permission be granted, any subsequent reserved matters applications would need to be consistent with the Parameters Plan.

6.1.35 The Parameter Plan has now been revised (revision 'U') to not only show 'structural native planting on bunds' but also to clarify the 'zone restricted for structural native planting' around the site boundary. The exact extent and specification (species, size and mix) of this native planting would be secured by condition (see **Condition 2**) and provided as part of a Reserved Matters application once the final configuration of the individual units is known, but would normally comprise a mixture of fast growing species, such as birch, to provide initial height and slower growing species, such as oak, to provide filtering and screening over the longer term..

6.1.36 The edges of the proposed development which have been assessed to impact the most sensitive receptors are the eastern edge (toward Lutterworth) and the southern edge (toward Cotesbach).

- Eastern edge: The structural landscape treatment to the eastern edge of the site is shown in more detail in **Figure 12**. This detail was produced to demonstrate how the impact of the lorry park would be mitigated for receptors on the western edge of Lutterworth, including the Fairacres site. The bunds are shown as 20m in width and a minimum of 3m in height, and this is reflected in the Parameter Plan. Although 15m depth of planting is normally standard for screen planting to significantly reduce the effect of lorry and street lighting, 20m depth is proposed a part of the application. The revised Parameter Plan also clarifies the extent of the 'zone restricted for structural native planting' around the site boundary;

- Southern Edge: A uniform, linear treatment to the southern edge would have appeared incongruous and unnatural, thus a more naturalistic edge with planted bunds of varying depth has been proposed. This treatment would better assimilate the scheme into the landscape when viewed from the south particularly as variation of bund scale and treatment is characteristic of Magna Park. The heavily indented nature of the southern built edge provides scope to create bunds that are deeper, and therefore higher, in the indents. The revised Parameter Plan clarifies the extent of the 'zone restricted for structural native planting' around the site boundary. Receptors AT Cotesbach area almost 2km from the site and there would be no adverse effect with the now proposed landscaping.

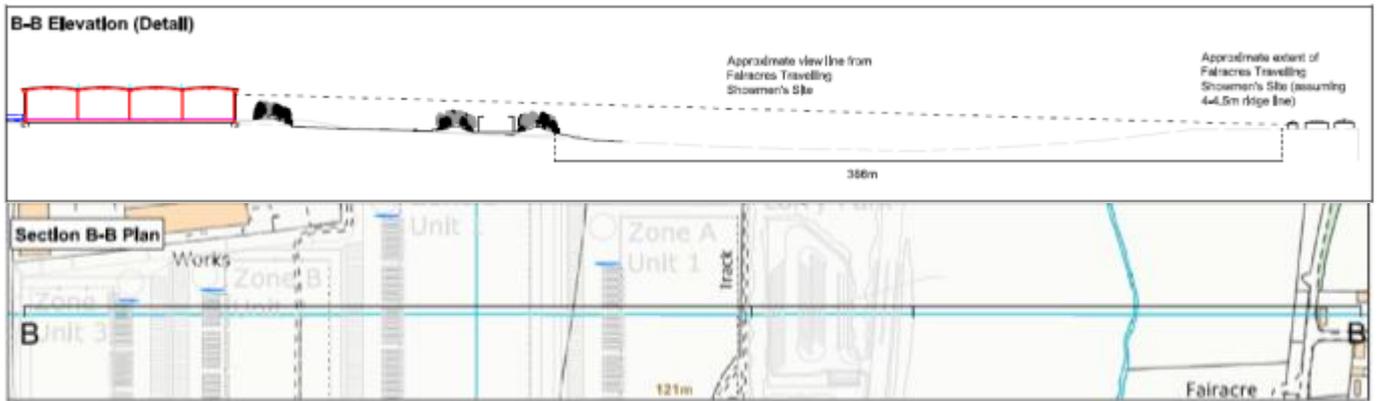


Figure 19: Cross Section indicating relationship between Fairacres, the development and the structural planting

- Northern and Western Edges: Notwithstanding detailed, localised planting to mitigate effects on Glebe Farm Cottage, these edges are the least sensitive to change. Planting is proposed in this area as shown on Figure 14.6 and detailed design of this will be conditioned as part of Reserved matters applications. The revised Parameter Plan also clarifies the extent of the 'zone restricted for structural native planting' around the site boundary. **Figure 19** illustrates how the existing boundary vegetation would be retained and strengthened. The applicants have assessed a worst case scenario (in terms of height and scale of built development) and has proposed bunds and structural planting that respond to the sensitivities of the visual sensitives based upon that worst case scenario. This is examined in more detail in **Para's 6.6.3 to 6.6.10** of this report.

- *Summary*

- 6.1.37 Overall there would be a number of significant adverse effects arising from the proposals on both landscape character and visual receptors within a localised area extending to approximately 2km. There are some measures within the landscape proposals that would offset some of the adverse effects but these would take time to mature with the mitigation effects progressively increasing. The proposed development would result in a notably different landscape character and visual context to the site in the long-term, but one that has some synergies with its context adjacent to Magna Park to the north.
- 6.1.38 Whilst it is acknowledged that there will be a level of harm to the landscape caused by the development, this would predominantly be Minor to Moderate, with Major/Moderate harm only occurring on the site itself. This would be significant locally, however, the magnitude of harm would reduce over time as the landscape mitigation works establish. On the basis of this, it is considered that the proposal accords with Policies CS17 c(i) – c(iii), and as such, only limited weight should be given to the local impact of the proposal on the surrounding landscape.

2. Highways

6.2.1 The ES includes a chapter on Transport (Chapter 7), which was informed by a Transport Assessment (TA) and a Travel Plan (TP) both undertaken by Peter Brett Associates (May 2015). There have been several iterations of both the TA and TP in response to comments provided and subsequent discussions with both the Highways Agency (HA) and the County Highway Authority (CHA).

o *Existing Highways Network*

6.2.2 The application site benefits from a central location within the UK and has connections to the motorway network with Junction 20 of the M1, Junction 1 of the M6 and Junction 1 of the M69, reachable in less than 10 minutes.

6.2.3 The proposed development site lies to the south of the A4303 which is a dual carriageway and is subject to the National Speed Limit and provides a link between the M1 and the A5 and also provides a bypass of Lutterworth to the south of the town. At its eastern end it forms a junction with the M1 at Junction 20. To the east of the motorway the road becomes reclassified as the A4304 and continues as a single carriageway to Market Harborough.

6.2.4 At the western end of the A4303 is the Cross in Hand roundabout, which is where the A4303 forms a junction with the A5. This roundabout has five arms with the A5 forming the northern and southern arms and the A4303 the eastern arm. Two minor roads, the B4207 and Coal Pit Lane form the other arms at the junction. On the approach to the roundabout, the A5 is a single carriageway although both to the north and to the south of the junction there are sections of dual carriageway.

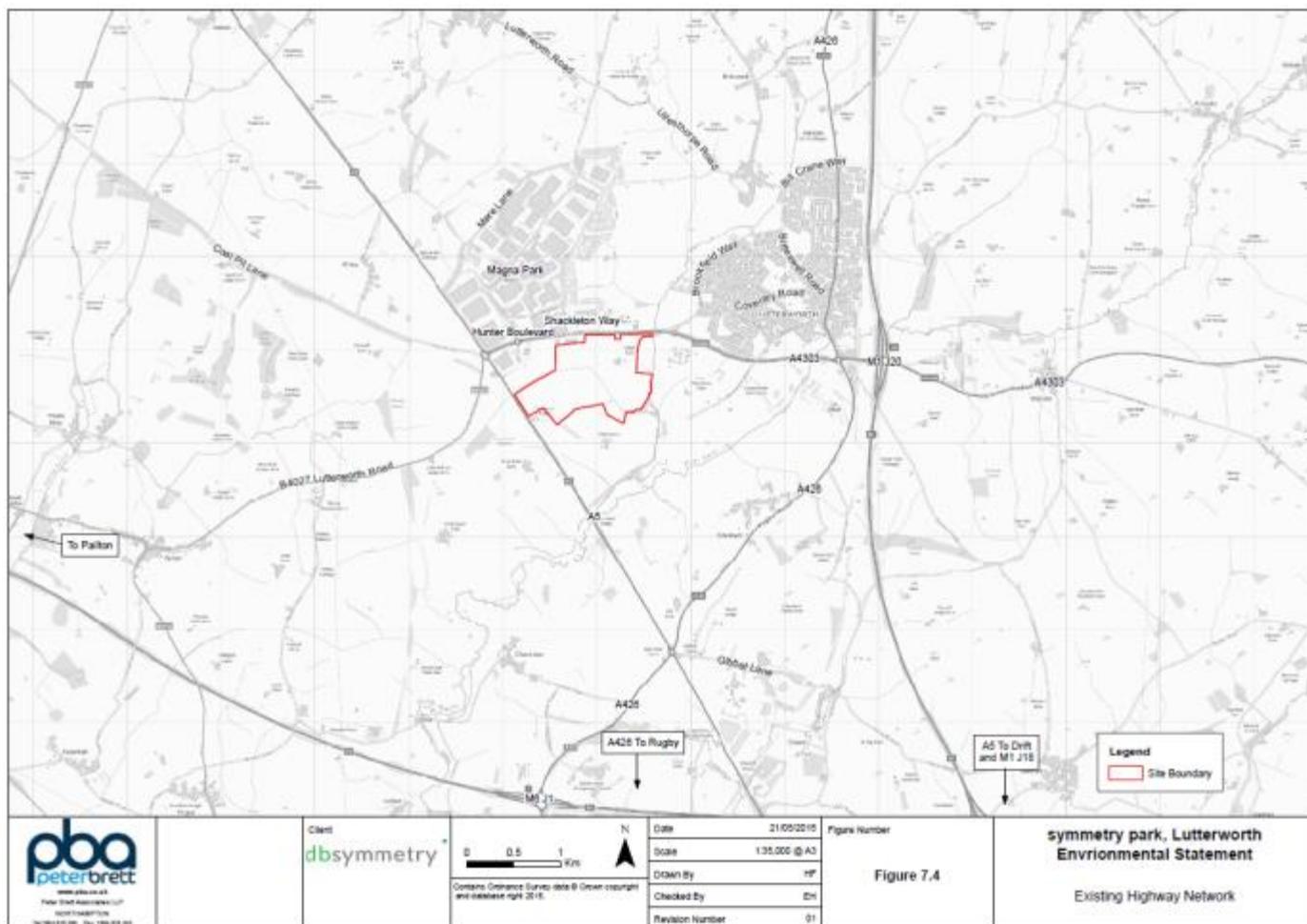


Figure 20: Highway Network context

- 6.2.5 Approximately 4kms to the south of the Cross in Hand roundabout is the Gibbet Hill roundabout. This also has five arms and is at the junction of the A5 and the A426. On the approach to the roundabout both roads are single carriageway. Some 2kms to the south west of the roundabout, the A426 provides a direct link to Junction 1 of the M6 Motorway. This is a large four-arm junction which has traffic signals on the motorway off-slips. The final arm at the Gibbet Hill roundabout is Gibbet Lane, a local route that provides access to Shawell and a large aggregates plant.
- 6.2.6 To the north of the A4303, the A5 is a combination of dual and single carriageway. There are two sections of dual carriageway, one between Emmanuel and Lodge Cottages and White House Farm with a length of 2.1kms and the other between the settlements of Wibtoft and Smockington with a length of 2.6kms. **Figure 20** indicates the relationship of the site with the surrounding highway network.
- *Access proposals*
- 6.2.7 The proposed development will be accessed off the A4303 Coventry Road via a new roundabout, which will then provide access to the new road network within the development. The speed limit on the A4303 dual carriageway between the A5 and the A4303 / Coventry Road / Fairacres Roundabout (a 2km stretch) is proposed to be reduced from 70mph to 50mph.
- 6.2.8 To maximise connectivity and promote walking and cycling, where possible, to and from the proposed development, the following is proposed:
- A 3m wide shared footway / cycleway will be provided alongside the main symmetry park access road through the development leading to each plot/unit. The route will start off the site access roundabout on the A4303.
 - There will also be a 3m wide footway / cycleway connection to the A4303 along the northwest boundary behind zone B to provide a more direct connection for pedestrians and cyclists routing west towards Magna Park and beyond.
 - Signage will be installed on-site to direct pedestrians and cyclists to the key routes. These signs will also include approximate distances and journey times to key destinations such as Lutterworth.
 - Secure, convenient, and sheltered cycle parking will be provided at each unit, as well as changing room and shower facilities to encourage walking and cycling.
- 6.2.9 These measures proposed as part of the pedestrian and cycle access strategy will be supported by a number of promotional 'soft' measures and awareness campaigns provided as part of the travel demand management strategy for the park. In addition the following enhancements are proposed off-site:
- Provision of informal dropped kerb crossings at the proposed site access roundabout to the A4303 and within the central reservation to allow access to the existing footway / cycleway.
 - Enhance the existing informal dropped kerb pedestrian crossing that currently crosses the A4303. The proposed enhancement will include:
 - widening of the crossing to 3m to also allow for cyclists;
 - provision of signs and road markings as a route to symmetry park;
 - general vegetation removal on the existing paving which currently exists.
 - Minor enhancements to the existing informal pedestrian / cycle crossing on the A4303 eastern arm on the A4303 / Coventry Road / Fairacres Roundabout.
- 6.2.10 The proposed public transport strategy was as follows:
- Provide a financial contribution (with the amount and duration to be agreed) towards the continued operation of service 8.
 - As part of the travel planning process, where possible, undertake a coordinated approach with LCC regarding future consideration of the current service 8 format in order to provide services that are better for shift-based workers.

- Encourage the occupiers to provide bespoke shuttle buses for their staff that meet the needs of their shift patterns and staff origins. This will be encouraged as part of the travel planning measures.
- Provide extensive promotion and advertising of the public transport services as part of the travel demand management strategy for the development.

However, following consultation with LCC and WCC Highways Authorities, it became apparent that such an offer was not acceptable. Following detailed negotiations, it has been agreed that services to serve Leicester, Hinckley and Rugby are required. It will also be necessary that these services cover the potential three shift pattern of the development, as well as Office hours, and that it will need to run on weekends and bank holidays in order to provide a comprehensive Public Transport solution. The applicants have agreed to provide this, and this is secured as part of the S106 and by condition (see **Condition 24**)

6.2.11 Such measures, along with 'softer' measures such as promoting car sharing and the adoption of a Framework Travel Plan have been designed to minimise traffic generation as a result of the proposed. The applicants also propose to undertake improvements at the following junctions to enhance capacity:

- M1 Junction 20 / A4304 / A4303 roundabout
- A426 / A4303 roundabout
- Hunter Boulevard (Magna Park) A4303 roundabout
- A5 / A4303 / Lutterworth Road / Coal Pit Lane roundabout
- A5 / A426 / Gibbet Lane roundabout

The improvements to these junctions have been designed to mitigate the potential impact of the symmetry park development and also provide wider benefits to the highway network. Following discussions with LCC Highways it has become apparent that the proposed works to Hunter Boulevard (Magna Park) A4303 roundabout are not necessary to mitigate the impact of the development, and as such, it is proposed that this roundabout be removed from the mitigation scheme.

○ *Impact on the Strategic Highway Network*

6.2.12 In terms of the strategic road network, the Highway Agency's main concern in relation to this development is for the safety and operation of the A5 and the impact of the development upon this, including the provision of a new emergency only access to the north of Liberties Hotel. As a result of these concerns, the Applicant provided further information to demonstrate that the proposed development will not have an impact on the operation of the A5. After extensive dialogue, the Highways Agency removed its Direction to withhold determining the application and has recommended conditions on any approval.

○ *Impact on the Local Highway Network*

6.2.13 The CHA have provided a substantive response to this application and a copy of their full comments is attached at **Appendix A** however, a summary of their comments is provided below.

6.2.14 A new site access is proposed on the A4303 via a new roundabout, as shown in PBA Drawing no. 28903/05 Rev B (see **Figure 22**). The proposed layout is essentially a three-arm roundabout, incorporating the existing Woodbrig House accesses and 3m wide footways / cycle ways on both sides of the entrance to the proposed development. The proposed layout has been subject to an independent Stage 1 Road Safety Audit and following minor amendments, and LCC Highways are satisfied that it is generally compliant to relevant design standards.

6.2.15 In accordance with Para 3.14 Table DG2 of the 6Cs Design Guide, a development of this scale should normally be served by two points of access. The reasons for this are to ensure emergency access as well as permeability of the site to promote sustainable travel. It was concluded after discussions with both LCC and Highways England (HE), that given the limited potential for a new access on the A5 and the restricted site frontage on the A4303 itself, a useful

second point of access was unlikely to be deliverable. The CHA understands that the Applicant has consulted with emergency services and has since agreed a solution of emergency paths within the development such that a second point of access would not be required by them.

- 6.2.16 Although not a main access, there is an agreement with Highways England to construct an emergency access onto the A5 which would only be used under control of the emergency services. HE has conditioned its construction prior to first occupation.
- 6.2.17 As part of the submission the Applicant has measured the vehicle speeds on the A5 and A4303 and the average speeds were within the 70 mph speed limits. Further information on the recorded speeds can be found in Table 3.4 of the Transport Assessment. Following the results of the speed surveys the Applicant proposed to reduce the speed limit to 50 mph. However, given the limited frontage development, it is unlikely that the character of the road would change substantially such that LCC Highways would fully support any reduction to the current National Speed Limit. A reduction in the speed limit is unlikely to be self-enforcing without the need for a proliferation of signage. However, LCC recognises that enforcement of speed limits lies with the Police and would advise that their views are sought in the first instance should the desire remain for the speed limits to be reduced.
- 6.2.18 At present, it is assumed that the internal layout of the site is to remain private i.e. not to be offered for adoption by Leicestershire County Council, and therefore no comments have been made on suitability for future adoption. However, the Applicant should be advised that Para 3.228 of the 6Cs Design Guide states that employment and commercial developments should, where possible, be designed to an adoptable standard.
- 6.2.19 As an outline application, the number of parking spaces has not been reviewed in detail by the CHA. The Applicant has indicated that the development will provide car and HGV parking and cycle spaces in accordance with the guidance set out in the 6Cs Design Guide.
- 6.2.20 In summary, subject to the conditions and S106 contributions set out within their response (and which are repeated within **Appendix C**), the CHA is satisfied that the proposals are in accordance with the policies set out in the LTP3, CS, the Framework & PPG and will not have any severe impacts on highway safety or capacity.

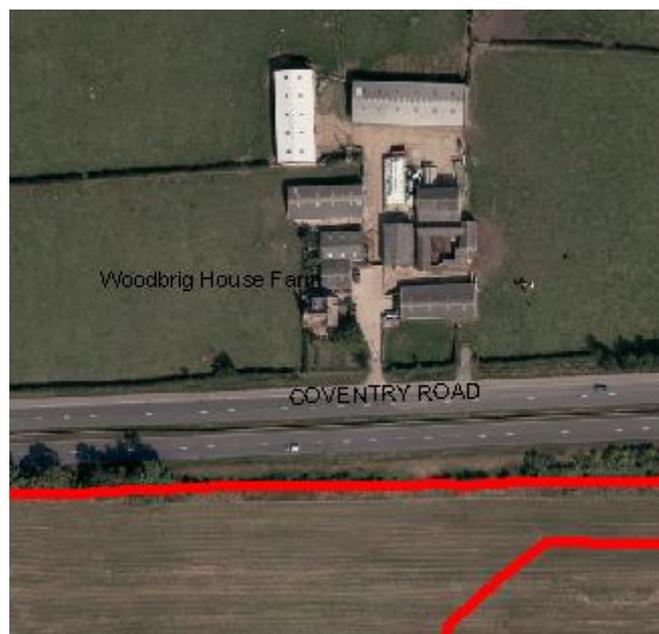


Figure 21: Aerial photo showing Woodbrig Farm in relation to the application site

6.2.21 Concerns have been raised by the occupants of Woodbrig House Farm regarding the proposed access arrangements to the site, and the implications these have for access to the farm. The current access provisions are an access to the property and farm complex direct from the A4303 and a field access 25m to the east of this (see **Figure 21**). The proposals provide a separate arm off of the proposed roundabout to serve both of these accesses (see **Figure 22**). The occupants of Woodbrig House Farm are concerned that the proposed access arrangements would potentially make access to the farm more difficult and could limit the scope to accommodate larger agricultural vehicles and as a result constrain the operation of the farm business.

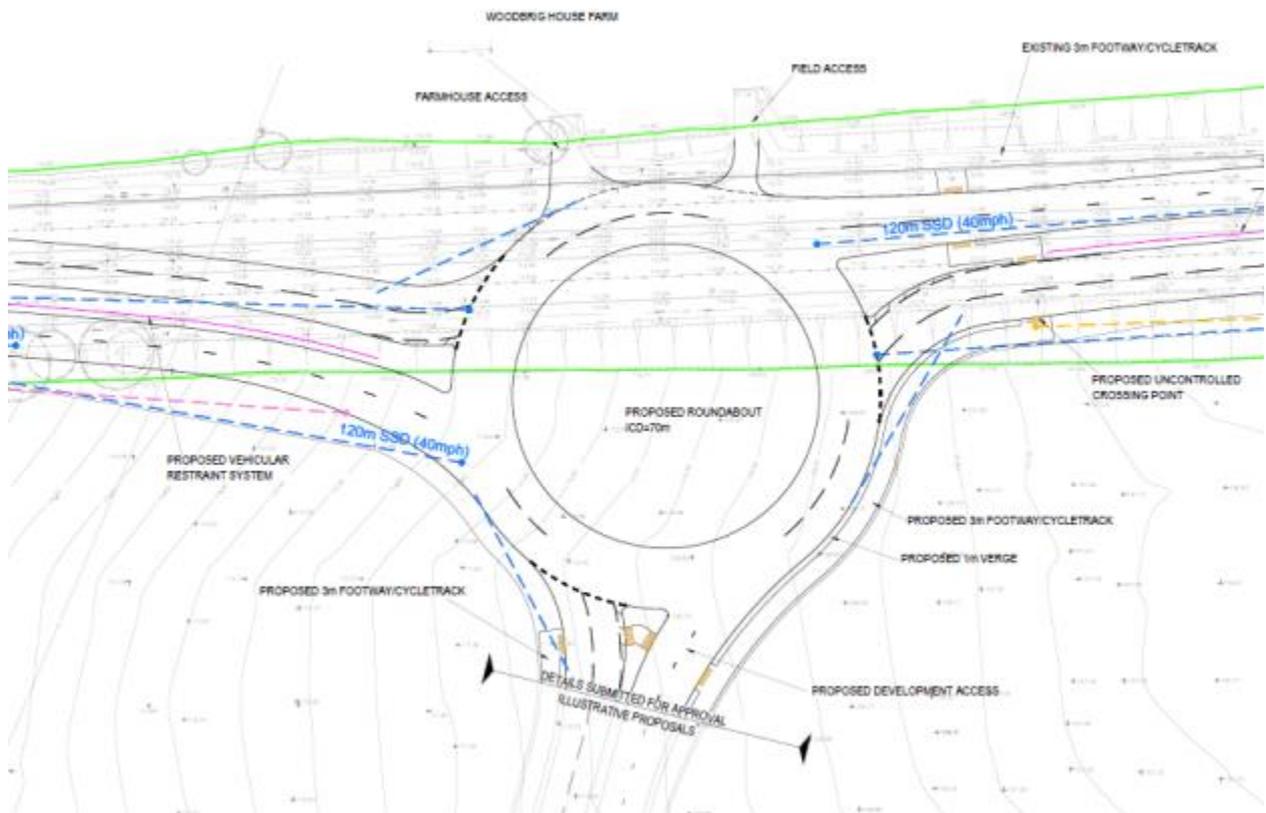


Figure 22: Plan of access works adjacent to Woodbrig Farm

6.2.22 Bancroft Consulting were commissioned to assess the access arrangements on behalf of the Woodbrig House Farm. Bancroft's highlighted a number of issues in relation to the proposed roundabout design. These include the radii of the entry and exit kerbs and also the capacity of the roundabout. They also recommended that the roundabout be re-designed to provide for a four-arm roundabout, with a single point of access to Woodbrig House Farm replacing the two existing private accesses. They consider that this would provide for a more efficient access solution and would ensure that this properly allows for existing and potential access requirements for Woodbrig House Farm. Whilst Officers have some sympathy for the occupiers of the farm, and the potential impact that the access arrangements may have on the operation of the business, as set out in this report, LCC Highways have assessed the proposed access arrangements in detail, and consider the proposals to be acceptable. Furthermore, it is considered that the presence of the roundabout will slow traffic speeds, making egress from the farm onto the round easier than the current situation where trying to access direct onto a dual carriageway before exiting almost immediately. The applicants have been in ongoing discussions and negotiations with Woodbrig House Farm, and have confirmed that the concerns have been overcome. The objection to the application from Woodbrig House Farm has subsequently been withdrawn.

6.2.23 It should be noted, that alongside Landscape and Noise matters, a significant level of the objections received from the local community, parish councils and Town Council concern the traffic implications of a development of this scale. These concerns are fully appreciated and the CHA have considered all issues and concerns raised but have concluded that none would justify withholding planning permission.

○ *Public Transport*

6.2.24 The existing Magna Park facility is served by a single bus service. Route 8 operates between Hinckley and Lutterworth via Magna Park where there are bus stops on Hunter Boulevard and Wellington Parkway. From Lutterworth there are connections to Market Harborough as Route 58 and to Leicester as Route X44.

6.2.25 Route 8 provides one service per hour between 6am and 7pm. The journey time between Magna Park and Lutterworth is around 10 minutes and between Magna Park and Hinckley is around half an hour. The service operates on a Monday to Saturday basis. There is no service on a Sunday or on Bank Holidays. As part of the 15/00919/FUL approval, this service will be altered to provide a more coherent service which serves the need of the Park. Route 58 takes just over half an hour to travel between Lutterworth and Market Harborough. There are six services per day operating approximately every two hours between 7am and 5pm. The service operates on a Monday to Saturday basis. There is no service on a Sunday or on Bank Holidays.

6.2.26 Route X44 takes an hour to travel between Lutterworth and Leicester. There are six services per day to Leicester and four making the return to Lutterworth. The service operates on a Monday to Saturday basis. There is no service on a Sunday or on Bank Holidays.

6.2.27 The proposed public transport strategy was as follows:

- Provide a financial contribution (with the amount and duration to be agreed) towards the continued operation of service 8.
- As part of the travel planning process, where possible, undertake a coordinated approach with LCC regarding future consideration of the current service 8 format in order to provide services that are better for shift-based workers.
- Encourage the occupiers to provide bespoke shuttle buses for their staff that meet the needs of their shift patterns and staff origins. This will be encouraged as part of the travel planning measures.
- Provide extensive promotion and advertising of the public transport services as part of the travel demand management strategy for the development.

However, following consultation with LCC and WCC Highways Authorities, it became apparent that such an offer was not acceptable.

6.2.28 Although the Arriva no 8 provides an hourly service it has limited patronage outside office hours due to the timetable not coinciding with shift patterns. It should be noted that the Arriva no 8 service is currently subsidised by LCC; however recent local government funding changes is likely to result in these subsidies being withdrawn in the future. However, it is also understood that there is existing interest from employers and employment agencies in the area in providing services, in particular to and from Leicester, to improve mode choice for employees. It is also understood that this interest is echoed by Arriva and the CHA considers this development proposal has a potential to contribute towards these aspirations.

6.2.29 Notwithstanding the above, the Applicant has proposed three dedicated routes to serve Symmetry Park, nominally from Rugby, Nuneaton/Hinckley and Leicester, although the exact routes would be agreed upon at the point of commencing the services. These services would be used to target shift workers (6am, 2pm and 10pm) and the traditional office hours i.e. 9am – 5pm and on Sundays / Bank Holidays. The CHA advises that these initial services are required to be operational at 25% occupation and the developer contribution towards these services should

extend until 50% occupation + five years. This duration of contribution is advised to balance the risks of running 'ghost services' alongside the lack of a phasing plan at this stage due to the speculative market-driven nature of this application.

- 6.2.30 Whilst dedicated services would provide public transport services to meet the requirements set out in the 6Cs Design Guide, given the location of the site and the likely levels of patronage, it is highly unlikely that such services would be commercially viable in the long term unless they are integrated as part of a wider strategy.
- 6.2.31 In view of other development proposals in the area as well as growth options for Lutterworth in the emerging Options being considered, LCC is prepared for the Applicant to be given the option that should it become more appropriate to pump prime a potentially commercially viable solution later on, then the funds which would be used to operate the initial services could be transferred instead to an emerging service. Should such a service become fully commercial then the Applicant would be deemed to have fulfilled the obligation. Negotiations and liaison functions to realise such aspirations, in collaboration with other businesses / agencies will be one of the main roles of the Travel Plan Co-ordinator, which can be secured through planning obligation. The CHA has sought legal advice on this matter and is content that a suitably worded S106 agreement would secure the required levels of public transport, with potential benefits to the wider area.
- 6.2.32 Following correspondence the Applicant has received confirmation that the Public Transport operator is willing to serve the site with one point of access. However, the Applicant has been advised that the site must have a high quality internal road with an appropriate bus turning / waiting area and a suitable place to wait between shifts. LCC Highways therefore advises that this is secured through a planning condition (See **Condition 24**).
- 6.2.33 LCC Highways understands that the existing operator has been actively looking at Magna Park and how they can better serve it. Following their investigations and with the support of various recruitment agencies at Magna Park the current operator is introducing a new service and one amended service which will start (on a trial basis) during April. The details are outlined below:
- Brand new service direct from Leicester (north, central and south) to Magna Park to fit in with 06.00/14.00/22.00 shift patterns
 - Extra early morning journey on the 8 from Hinckley to Magna Park to arrive for 06.00 to allow for shift workers
- *Pedestrian and cycle facilities*
- 6.2.34 It has been identified that the greatest potential for cycling to Magna Park is to encourage trips to and from Lutterworth (see Figure 34) and there is an existing segregated shared footway/ cycleway that runs along the north side of the A4303 between Coventry Road and Magna Park. At the access to Magna Park there are uncontrolled crossings together with dropped kerbs and tactile paving on all but the western arm of the roundabout.
- 6.2.35 An important component of the proposed Parameters Plan is a pedestrian and cycle way which leads from the A4303 adjacent to the site boundary with Semelab, leading into the site. This new path would provide a link to the shared footway / cycleway on the opposite side of the A4303 which takes people Lutterworth. This new connection will provide access to the wider network of existing cycle routes from the application site.

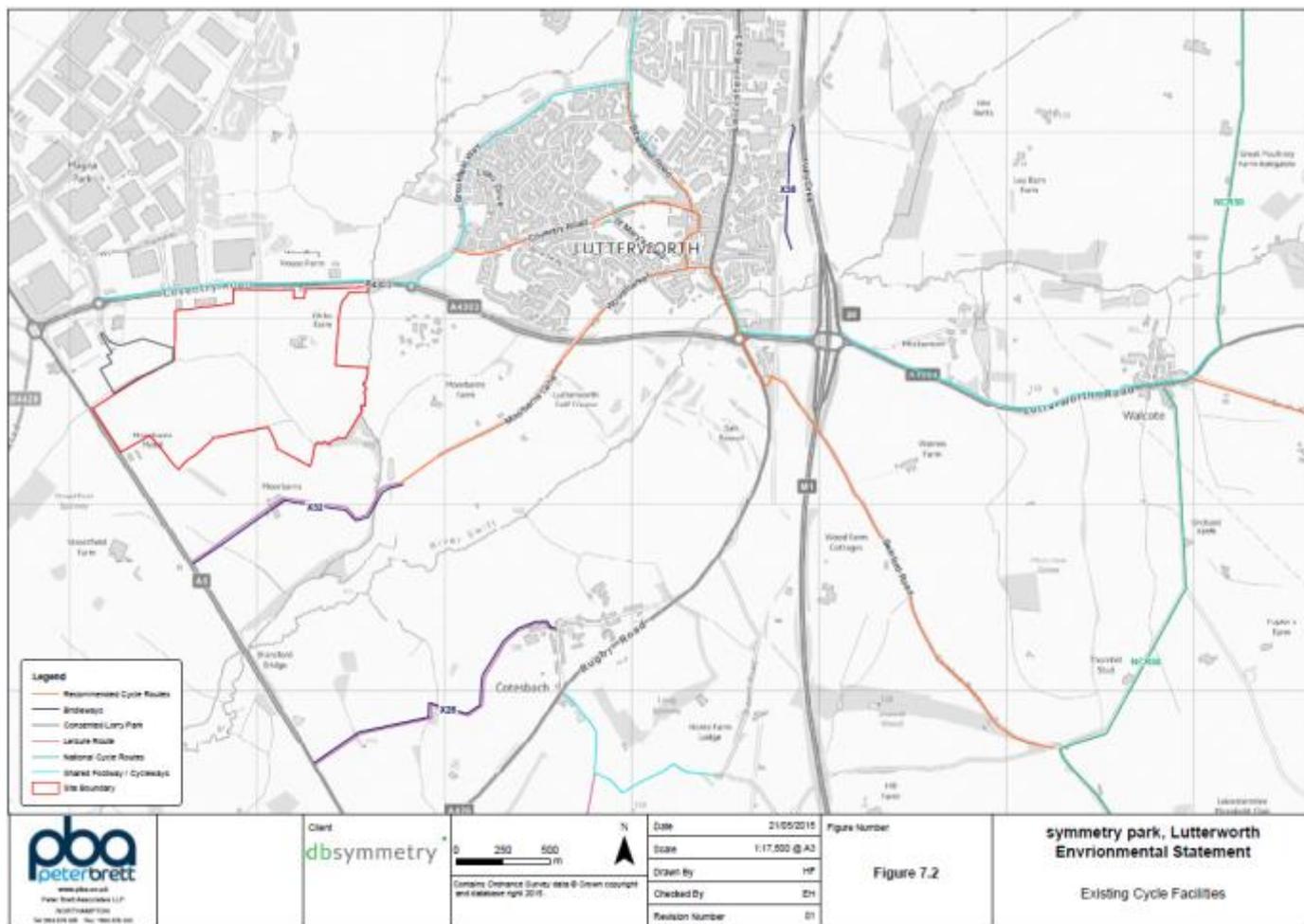


Figure 23: Existing cycle and pedestrian links between Lutterworth and Magna Park

o *Cumulative Highways Effects*

6.2.36 The overall effects on severance², driver delay, pedestrian delay, pedestrian amenity, fear and intimidation, and accidents/safety with both 15/00865/OUT and 15/01531/OUT are similar to the assessment of 15/00865/OUT standalone – that the environmental effects of transport are not significant. This is mainly because there are few sensitive receptors in the study area due to the location of the developments and with 15/00919/FUL already consented, there is already a base level of vehicles / HGVs in the study area at peak times, so any increases both 15/00865/OUT and 15/01531/OUT generate are not significant. Furthermore, the additional evidence submitted in response to the additional consents at Leaders Farm and land at Coventry Road again does not generate an increase in traffic movements that LCC would consider to be severe.

6.2.37 The only exception in terms of environmental effects, that is different to the standalone assessment for proposed 15/00865/OUT, is Mere Lane which has a minor adverse significance of effect. This is due to the access proposals for 15/01531/OUT. The proposed mitigation for the operational phase of 15/00865/OUT therefore remains the same as the proposals identified in **para's 6.2.7 – 6.2.11**. This also relates to the operational mitigation for 15/01531/OUT as outlined in **para's 6.3.9 – 6.3.21 of the IDI Gazeley report**. For all other transport-related effects assessed, there are no significant adverse residual effects as a result of both developments.

o *Summary*

6.2.38 Neither Highways England nor LCC Highways have objected to the proposed development and this carries significant weight in the planning balance. Furthermore, the benefits of the increased

² severance is the perceived division that can occur within a community when it becomes separated by a major traffic artery.

connectivity of public rights of way is also a material consideration in the determination of the application.

6.2.39 Whilst it is acknowledged that the proposal will inevitably result in increased traffic flows, subject to the required mitigation, the increased traffic flows would not result in a demonstrably significant or severe impact upon the surrounding highway network. Furthermore, improvements to existing junctions in the area, coupled with improvements to foot and cycleways in the locality will result in a highway gain. It is therefore considered that the proposal is in accordance with Policy CS5 and the Leicestershire Local Transport Plan. It is therefore considered that moderate weight should be given to the highway benefits of the proposal

3. Socio-Economics

6.3.1 The application site is located on the A5, adjoining the established logistics location of Magna Park Lutterworth. It is readily able to access DIRFT, Birch Coppice and Hams Hall for rail services. It provides an ideal location for growth within the South West Leicestershire Growth Area (GA5), suitable for the already established food and drinks industry, as well as the development of the wider region's automotive manufacturing industry.

6.3.2 The supply chain for these industries includes both storage and the manufacturing process. As parts and processes feed into the manufacture of completed products and / or into the supply chain of major retailers, they need 'large shed' sites.

6.3.3 A fundamental planning conclusion for the 'Strategic Needs Review (SNR) Manufacturing and Distribution Logistics' April 2015 (SNR) (Baker Rose Consulting) which was appended to the applicants Planning Statement is that the need for new strategic distribution floorspace should not be considered in isolation of the needs of manufacturing in the Region. The provision of high quality space in a location that is accessible to the strategic highway network is essential to serve the needs of manufacturers and customers in the interest of economic growth - which have a geographically wider sphere of influence beyond the administrative area of Harborough District

6.3.4 The proposals for Symmetry Park Lutterworth make a substantial contribution to the Government's objective to promote economic growth. The provision for new strategic distribution facilities responds directly to national policy set out at paragraph 21 of the Framework to:

'Support existing business sectors taking account of whether they are expanding or contracting and where possible, identify and plan for new or emerging sectors likely to locate in their area. Policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances'

6.3.5 As stated previously (See **Para's 5.1.2 – 5.1.9 of the Overview Report**), Core Strategy Policy CS7 is inconsistent with this national planning objective. Policy CS7(h) emerged through the development plan process and would have been formulated some time prior to the adoption of the Core Strategy in 2011. Although Policy CS7(h) is intended to apply to a plan period to 2028, the logistics sector is rapidly changing, particularly with the growth of electronic retailing. The growth of electronic retailing has grown substantially within the last five years with the introduction of sophisticated delivery systems that provide efficient and rapid delivery of goods to customers – with the tracking of goods en-route, and delivery to points of collection; 'click and collect'; places of work and homes. Trials are currently being undertaken for delivery directly to car boots with the tracking device identifying the precise location of the customer's vehicle.

6.3.6 The inference in the supporting text to Policy CS7(h) is that further strategic distribution at Magna Park serves no local economic benefit is not borne out by the research undertaken by Wells McFarlane in March 2014 (attached as Appendix 2 to the applicants Planning Statement). In the report titled Lutterworth Business Sentiment Survey, 147 local businesses responded to a survey of businesses within Lutterworth that posed the following questions:

1. Does your operation provide any goods or services to businesses at Magna Park?
2. If the answer to question 1 was yes, participants were asked to indicate what the service was and how important to their business the client at Magna Park was.
3. Do any of your customers or clients come from Magna Park?
4. Do you consider that there are any specific benefits to your business that arise from your proximity to Magna Park?
5. Is there any particular relationship with a Magna Park business that your organisation has that you wish to highlight?
6. Do you want to establish better links with Magna Park businesses and their staff?
7. Do you perceive that an extension to Magna Park would be of benefit to your business?

6.3.7 Wells McFarlane consider that their survey extended to approximately 75% of local businesses. The main findings from the survey are set out below, highlighted under Section 7:

- 'Of the 147 respondents who completed the survey, 84 (57%) indicated that they provided goods and services to companies based at Magna Park and/ or had clients or customers who came from Magna Park.
- A total of approximately 546 people are employed by these 84 companies.
- A total of 84 companies (57%) reported that they wanted to establish better links with Magna Park.
- A total of 74 companies (50%) reported that they thought an extension to Magna Park would be of benefit to their business.
- Many respondents were optimistic that although they may not have clients or customers that were on Magna Park at the moment, they aspired to creating business links with the occupants of Magna Park.
- Many respondents were not sure who the occupiers at Magna Park were. In some instances they initially thought they did not have customers or clients from there and did not provide services to the Park, but some voiced uncertainty as they did not know who their customers were or where they came from. This answer was often influenced by the position of the person you were speaking to, which in the case of the office and industrial properties, was not always someone in a managerial position.
- Many retail respondents commented on the difficulties faced by Magna Park staff of finding parking in Lutterworth when staff came into the town during a lunch break. The idea of a mini bus or small coach undertaking regular trips from Magna Park to Lutterworth Town Centre and back every half hour between the times of 12.00pm and 2.00pm was widely thought to be a good idea.
- Amongst the office occupiers who were surveyed, a significant number of respondents highlighted that companies at Magna Park undertook business activities that bore no relation to their business. Hence the survey questions of "do you want to establish better links with Magna Park" and "do you perceive that an extension to Magna Park would be of benefit to your business" were regarded by many as not applicable.
- Many occupants also voiced the opinion that although their business in particular may not benefit from an expansion of Magna Park, they felt that the town of Lutterworth benefited from increased levels of employment, commerce and affluence as a direct result of having Magna Park nearby.
- One occupant noted that if Magna Park were to expand, he would want it to do so on land within the jurisdiction of Leicestershire rather than Warwickshire in order that local Lutterworth residents would benefit rather than those in say Rugby.

6.3.8 The applicants consider that the results of the survey substantiate a direct economic benefit from Magna Park – which would be continued by the proposed expansion of logistics floorspace at symmetry park Lutterworth. The inference that strategic distribution companies are disconnected from local businesses is erroneous. Local businesses provide support services to strategic distribution companies and could benefit from expansion, particularly where there is greater co-ordination between the two.

- 6.3.9 The perception that employment within the logistics market is concentrated in the lower skilled occupations is now understood to be wrong. The logistics industry provides a wide range of both skilled and unskilled jobs e.g.:
- Senior management
 - IT specialists
 - Secretaries and import and export purchasing clerks
 - Transport and distribution managers
 - Warehouse operatives, couriers, postal workers
 - HGV and van drivers
 - Mechanics, engineers and maintenance staff
- 6.3.10 According to a report by Skills for Logistics titled ‘Sector skills assessments for the freight logistics and wholesale sector’ dated December 2009.
- ‘The overall level of employment within the logistics sector is expected to grow due to improving economic growth and globalisation. Furthermore, it is anticipated that the logistics sector will become more international and complex which will require more management skills, while level and regulatory skills will become essential for managers. Administrative staff will need to develop a number of skills that reflect the role is linked to the operational process. Skills relating to environmental and energy issues will become more important and may include energy efficient driving, dealing with alternative fuels and motor systems, new vehicle designs and reacting to vehicles designs and reacting to vehicles that produce less noise.’*
- 6.3.11 The average ratio is one job per 750sq ft. Greater man power is required for handling and dispatching order items to customers, as well as dealing with ‘reverse logistics’ – the return of goods from customers. In addition the nature of these operations require sophisticated mechanism, including very substantial investment in IT infrastructure. Failure of this infrastructure is ‘business critical’, and as such there is a further requirement for engineers and IT specialists to be employed at the logistics building on a ‘24/7’ basis.
- 6.3.12 The Prologis Technical Note September 2011, attached as Appendix 3 to the applicants Planning Statement, reveals that, in consequence of the technical and administrative changes in the logistics sector, the proportion of staff who work in the warehouse itself has fallen from 68% to 43% (2006 – 2010) and delivery drivers has fallen from 13% to 10%. Increased job opportunities have occurred in:
- Administrative and support staff 11% to 12%.
 - Managerial roles 7% to 8%.
 - IT, customer service, sales and engineering 1% to 25%.
- The dramatic growth in the last group is principally sourced from the rapid growth in electronic retailing and the need for greater sophistication in the supply chain to manufacturers. Within a modern distribution centre – either serving directly to customers, retail outlets or manufacturers - it is common practice to have a mixture of permanent employers; part-time employees contracted to a specific weekly pattern, casual employees employed on a rolling contract, and supplementary agency labour as and when required. All such patterns are an attractive inducement to diversify development within the local work force, actively encouraging employment and providing opportunities for a desired blend of work / life balance to be achieved.
- 6.3.13 A further economic advantage is the fact the logistics sector is also a major provider of apprenticeship opportunities for those aged 16 and above. As at March 2014, the logistics / distribution opportunities registered on the Gov.uk website amounted to 22% of the total apprenticeships available. The opportunities ranged across a wide range of job opportunities within a modern logistics operation.
- 6.3.14 The applicants propose to make provision for apprenticeships within this development, and have had discussions with Officers in order to secure this initiative, with links to Lutterworth College

and Sir Frank Whittle Studio School. The provision within the S106 obliging the applicants to fund a Community Business Liaison Officer will ensure that this is addresses.

6.3.15 It is concluded that this proposal provides substantial economic benefits to the local, regional and national economy in terms of:

i. Supporting regional manufacturing industries, particularly the motor vehicles industry which has achieved efficiencies through the process of destocking within the point of assembly; responding to the demands for new logistics floorspace by supply chains in electronic retailing. These drivers for change all contribute to a continuing process of renewal in supply chain systems. For many logistics operations, the process is leading to the requirement for new building space that is conveniently situated to the customer base, and in high quality buildings to present efficiency and presence. Advanced telecommunication systems now provide powerful tools for efficiently operating vehicle fleets reducing distribution costs. Distribution has always been critical to manufacturing. Without the ability to move raw materials and finished goods manufacturing does not function.

ii. Providing high quality space for companies to invest in new buildings to enable the efficient distribution of goods. Efficiency in logistics systems often imposes requirements upon suppliers to achieve exact time delivery slots, for example, the supplier of parts to a manufacturer within a 'just in time' management system. Particularly with pan-european supply chains there is a need for HGV drivers to arrive early, and await docking times. A 'turn up and unload' system is not practical. The applicants have aimed to address concerns from the local community regarding lorries awaiting attendance at Magna Park, being parked in country lanes or occupying lay-bys for considerable periods of time by proposing the creation of a lorry park as part of the development. The construction of this would be undertaken on a phased basis to serve occupiers at Symmetry Park. The lorry park will be provided with sanitary facilities for drivers. Noise from vehicles manoeuvring in the lorry park will be mitigated by earth mounding and sound attenuation fencing. It has been suggested that Symmetry Park will result in increased heavy goods vehicle traffic on Coventry Road, which, in the absence of any reduction in vehicle speeds, will make it difficult for the residents to cross the Coventry Road. While the applicants and LCC Highways consider that such a situation will not occur, the applicants have suggested that they are willing to fund the administrative procedure for a Traffic Regulation Order to be introduced on Coventry Road for the County Council to undertake.

iii. Providing substantial new opportunities including a wide range of skilled and semi-skilled employment; opportunity for apprenticeships at symmetry park, and linkage to students at Lutterworth College and the Sir Frank Whittle Studio School.

iv. As evidenced from the Wells McFarlane research, the applicants will provide the opportunity for greater trading links with existing businesses in Lutterworth.

v. The applicants have acknowledged within the Environmental Statement under the impact on agriculture that the proposed development will involve the loss of an existing farm business at Glebe Farm, with almost all of the farmland taken for development including the farmhouse and attendant farm buildings.

6.3.16 The Environmental Statement considers the socio—economic impacts of the development. It is estimated that the construction phase would provide in the order of 1390 person-years of employment. In economic appraisals a rule of thumb is that 10 person-years of full-time continuous employment is equivalent to one permanent job. On this basis the proposed development would support the equivalent of 139 permanent jobs in construction.

6.3.17 The applicants socio-economic analysis anticipates that approximately 2/3 of the construction jobs would be taken up from residents within 60 minutes travel time of the application site. In the operational phase it is anticipated that Symmetry Park will provide employment for circa 3500 FTE jobs. The analysis undertaken by the applicants demonstrates that the employment

assumptions do not impact upon the assumptions for housing need within Harborough District during the plan period 2011-2031 (assessment of Objectively Assessed Housing Need).

6.3.18 During the construction and operational period Symmetry Park will provide a range of employment and training opportunities. Young people seeking entry-level positions in construction will benefit from opportunities working as apprentices and attaining valuable experience and construction related qualifications. During the operational phase there will be a wide range of opportunities, including the provision of apprenticeships within the modern logistics sector. A close relationship is proposed between the employers at symmetry park and related education providers, particularly the Sir Frank Whittle Studio School at Lutterworth.

6.3.19 It is considered that the application would bring substantial social benefits during both the construction and operational phase. While it is acknowledged that there will be some degree of disturbance for existing residents during the construction period, it is considered that there are substantial advantages to the social dimension of the planning system in the provision of new job opportunities, particularly in the provision of apprenticeships and training within the modern logistics sector.

o *Cumulative Socio-Economic Effects*

6.3.20 The cumulative effect of 15/00865/OUT along with other committed developments in the vicinity of the site (including 15/00919/FUL and 15/01531/OUT) have been found to be not significant. Developing each of the committed developments would only require 3.5-3.9% of the study area's construction labour force per annum and 11.4%- 14.6% of the study area's logistics labour market force per annum and would not lead to any negative labour market distortions or pressures.

6.3.21 In terms of cumulative operational impacts, the applicants have indicated that the labour market in Harborough is readily able to accommodate the new jobs created at both the Symmetry Park and Magna Park developments. This is down to a highly skilled labour market which has particular expertise in the logistics sector. The applicants have also evidenced that the Harborough housing market will not experience any undue pressure as the projected housing requirements take account of substantial employment growth in the area. HDC have separately commissioned GL Hearn to assess the impact of employment growth at Magna Park upon housing need. The findings of this report are set out in **Para's 4.123 – 4.131 of the Overview Report**. In summary, it concludes that 700,000sqm of floorspace with 25% of the workforce being drawn from within the District, can be accommodated with a slight increase in housing need to 557dpa compared to the OAN of 532dpa. It is considered that such an increase can be accommodated within the 20% flexibility allowance allowed for within the draft Local Plan which sets a target of 640dpa. Furthermore, the report concludes that such growth would result in a 3% increase in housing need for Oadby and Wigston, less than a 1% increase for Hinckley and Bosworth. In terms of Coventry and Warwickshire, there would be no impact on housing need as a result of such a level of development, and Daventry's housing need would increase by 6dpa. None of these impacts on housing need are considered to be significant or demonstrable. There will also be no significant strain on existing healthcare and community facilities.

o *Summary*

6.3.22 It is considered that the benefits of this sustainable proposal as outlined above are significant and weigh very substantially in favour of the proposal and must be assessed against the harm of the development in the overall planning balance. As such, it is considered that maximum weight should be given in favour of the socio-economic benefits of the scheme.

4. Air Quality

6.4.1 The ES includes a chapter (Chapter 8) on Air Quality which has been informed by an Air Quality Assessment which established existing air quality conditions at the Site, which were found to be good. Lutterworth Town Centre is subject to an Air Quality Management Area (see **Figure 24**)

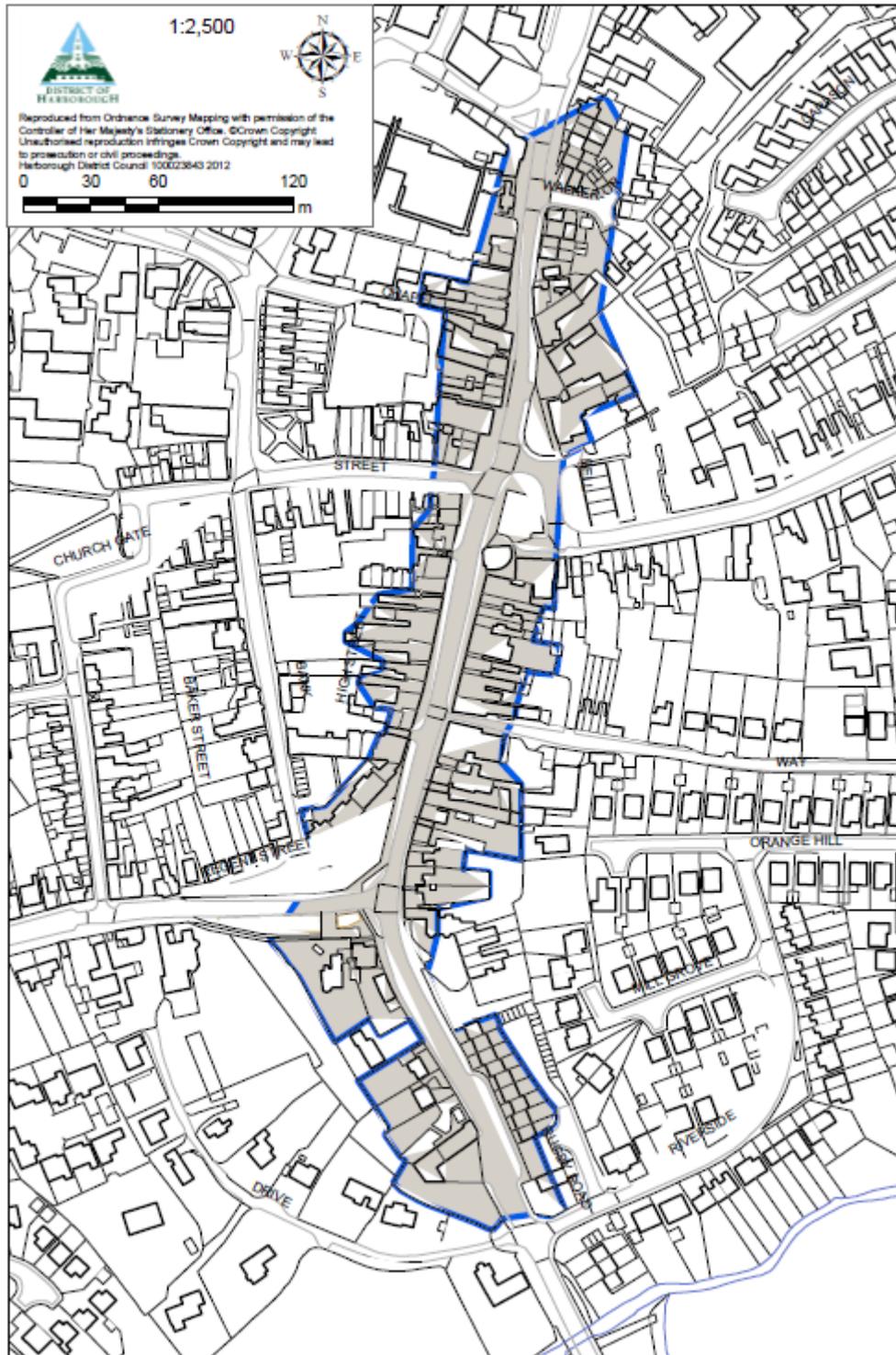


Figure 24: Air Quality Management Area Plan

- 6.4.2 Data for future traffic levels was used to predict whether increased traffic would give rise to an impact on air quality. It was found that there would be a negligible effect on air quality i.e. any effect would not be detectable.
- 6.4.3 The construction phase would give rise to temporary dust emissions and this could mainly have effects within 50-100 metres of the Site. There are residential and commercial neighbouring uses within this vicinity so mitigation measures would be necessary in order to limit impact.

- 6.4.4 Mitigation measures would include dust control measures such as damping surfaces and screening dust generating activities. This should mitigate the construction impact on air quality to an acceptable level. These mitigation measures can be secured by way of condition requiring the Applicant's to submit a Construction Environmental Management Plan (hereafter referred to as 'CEMP'). See recommended **Condition 6**.
- 6.4.5 The operational impacts of increased traffic emissions arising from the additional traffic on local roads, due to the development, have been assessed. Concentrations have been modelled for a number of worst-case receptors, representing existing properties where impacts are expected to be greatest. In the case of nitrogen dioxide, the modelling for the year of 2016 has been carried out assuming both that vehicle emissions decrease (using 'official' emission factors), and that they do not decrease in future years. This is to allow for uncertainty over emission factors for nitrogen oxides
- 6.4.6 There are many components that contribute to the uncertainty in predicted concentrations. The model used in this assessment is dependent upon the traffic data that has been input which will have inherent uncertainties associated with them. There is then additional uncertainty as the model is required to simplify real-world conditions into a series of algorithms.
- 6.4.7 A disparity between the road transport emission projections and measured annual mean concentrations of nitrogen oxides and nitrogen dioxide has recently been identified. Whilst projections suggest that both annual mean nitrogen oxides and nitrogen dioxide concentrations should have fallen by around 15-25% over the past 6 to 8 years, at many monitoring sites levels have remained relatively stable, or have even shown a slight increase. Model uncertainty can be reduced through model verification, in which model outputs are compared with measured concentrations. Because the model has been verified and adjusted against 2014 monitoring data there can be reasonable confidence in the predicted concentrations.
- 6.4.8 The assessment has been carried out for the anticipated opening year of 2021, using 2019 emission factors and background concentrations, and for the sensitivity test using 2014 emission factors and background concentrations. The assessment has therefore used appropriate assumptions to arrive at the predicted concentrations.
- 6.4.9 The proposed scheme will increase traffic volumes on local roads. These changes will lead to an imperceptible increase in concentrations of small particulates at all existing receptors. In the case of nitrogen dioxide, in 2016 there will be imperceptible to small increases.
- 6.4.10 The assessment of the significance of the effects of the development needs to be considered in relation to the methodology of the assessment. The assessment has been undertaken on the basis that all of the traffic from the development will occur at the opening year (2021) and will have emissions from the vehicle fleet in 2019. This is a conservative approach which is confirmed by the sensitivity test results using the CURED approach. Even using this approach, only one receptor within the Lutterworth AQMA is predicted to have an exceedance with or without the development in place. In addition, and most importantly, NO_x emissions from the vehicle fleet are predicted to reduce significantly in the future due to the introduction of the Euro 6 / VI vehicle emissions standards, and especially as a result of the introduction of real world emissions testing on Euro 6 diesel cars from 2017. The predicted effect will therefore reduce very quickly from the opening of the development.
- 6.4.11 HDC's EHO's have advised that all applications if approved should be required to comply with a HGV routing agreement similar to that in place on the existing Magna Park development in order to ensure that impacts on Lutterworth town centre are minimised. The applicants for this application have indicated that they would be in agreement with such an obligation, and this is included within the draft S016. A requirement for a monitoring and enforcement scheme for the

HGV routing agreements to be implemented and funded by the developers should also be agreed, and this will also be included within the S106.

6.4.12 EHO's have also advised that access points and junctions in the vicinity of receptors should be optimized for air quality rather than simple traffic delay. Developers should undertake microsimulation assessments of junctions coupled with instantaneous emissions modelling to achieve a balance between traffic improvements and minimizing air quality impacts. It should not be assumed that what is good for traffic is good for air quality. EHO's initially suggested if both this application and 15/00919/FUL were approved, the location of the access be reassessed in order to increase the distance between the junction and Woodbrig House Farm in order to ensure that air quality objectives are met at this property. However, on the basis of the updated assessment with the revised calculations, this requirement no longer stands. The revised, conservative assessments have highlighted that there is a low potential for an adverse impact at two locations within Lutterworth Town Centre. Previous Air quality assessments showed that the objective would be met when the development was completed. The reasons for this change are that the modelling in the latest report has assumed that the entire area of the AQMA is an Urban Canyon which was not the case in previous reports and there is no significant change in the predicted traffic volume through the AQMA. The assessment methods used by the applicants are considered to be conservative because:

- Location R8 does not meet the requirements of an urban canyon
- Location R9 is border line on meeting the definition of an urban canyon.
- The assessments have modelled the 2015 results at Location R8 significantly higher than that monitored by the council (the council does not monitor R9) this over estimate is likely to be present in both the modelling for R9 and for the future year of 2026
- The margin of error in predicting the routes of commuter traffic traveling to/from the development

Given the above and on the basis that this development is subject to a section 106 HGV routing agreement (to include a method for monitoring and enforcement) similar to that placed on 15/00919/FUL to ensure that HGV traffic to/from the development does not impact the Lutterworth AQMA HDC Environmental Health Officers do not object to the development given the above impacts are likely to be highly conservative.

- *Cumulative Air Quality Effects*

6.4.13 The air quality impacts associated with Symmetry Park and the Hybrid scheme have been assessed taking into account two additional committed developments at Coventry Road and Leaders Farm. The assessment has been undertaken using a conservative approach with regard to the selection of future year emission factors which has been confirmed by the use of a sensitivity test using the CURED approach. Changes to the emissions assumptions and how the dispersion model deals with street canyons have led to higher concentrations being predicted within the Lutterworth AQMA than in the 2016 ES Addendum. Symmetry Park alone, or in combination with the hybrid scheme, is not considered to give rise to significant air quality effects taking into account the conservative nature of the assessment and future improvements in vehicle emissions that will occur due to the introduction of the Euro 6/VI emission standards.

- *Summary*

6.4.14 In light of the above, it is considered that, notwithstanding the potential for short term exceedances along the A5 and the A4303, the longer term compliance results in the proposal according with Policy CS14 and Para 124 of The Framework. As such, it is considered that limited weight should be given to issues related to Air Quality.

5. Ecology (Flora & Fauna) and Biodiversity

6.5.1 The ES includes a chapter on Ecology (Chapter 13), which has been informed by a detailed Ecological Appraisal undertaken by Environmental Dimensions Partnership Ltd (EDP).

- *Statutory Designations*

6.5.2 No part of the site is covered by any statutory designations and there are no international designations within 10km. There are two national statutory designations within 5km of the site, namely Misterton Marshes SSSI, which is located approximately 3.2km east and Cove's Inn Pits SSSI approximately 4.2km south of the site boundary.

6.5.3 Misterton Marshes SSSI is one of the largest remaining blocks of unimproved wetland habitat in Leicestershire and supports a diverse breeding bird community. Cove's Inn Pits SSSI contains some of the best remaining areas of neutral marsh in Leicestershire; this interest is supported by the presence of other wetland, scrub and grassland habitats. The marsh and open water habitats are representative of base-rich wetland communities in eastern and southern England.

6.5.4 Whilst of National importance, these designations are not considered pertinent to the proposed development given their distance and separation from the site. As such, Misterton Marshes SSSI and Cove's Inn Pits SSSI were excluded from the assessment.

- *Non-Statutory Designations*

6.5.5 No part of the site is covered by any non-statutory designations, however there are nine such designations within 1km of the site (See **Figure 25**). One PLWS (Magna Park Hedgerow) lies directly adjacent to the boundary of the site while a CLWS (Bitteswell Brook to west of Lutterworth) is approximately 0.2km north-east of the site beyond the A4303 Coventry Road.

6.5.6 Magna Park Hedgerow PLWS was subject to a survey which showed this hedgerow to be intact but species poor and it was not considered to be 'important' following Hedgerow Regulations 1997 criteria. However, given the potential for the site to be assigned LWS status it was considered to be of District Level importance. Bitteswell Brook – West of Lutterworth PLWS is spatially separated from the site beyond the A4303 and is upstream from the site. It is not considered that the development would have any adverse impact on the PLWS and it was excluded from the assessment.

6.5.7 A further seven designations of Parish level importance are located within the site's potential zone of influence. Three of these sites relate to a strip of interconnected linear broad-leaved woodland (Lodge Mill Spinney) which broadly follows the course of Bitteswell Brook and the River Swift. The closest of these parcels of woodland (ref. 00019708) is immediately adjacent to the south eastern boundary of the site and is considered to be of District Level importance. An isolated block of mixed woodland is located approximately 100m south of the site. Despite its proximity to the site this woodland block will not be impacted by proposals and as such it was excluded from the assessment.

6.5.8 A section of the River Swift (forming the parish Boundary ref 00031236) is designated of Parish level importance. The section is upstream from the river's confluence with Bitteswell Brook (of which an onsite stream is a tributary) and as such no detrimental impacts on the designation are anticipated and it has been scoped out of this assessment.

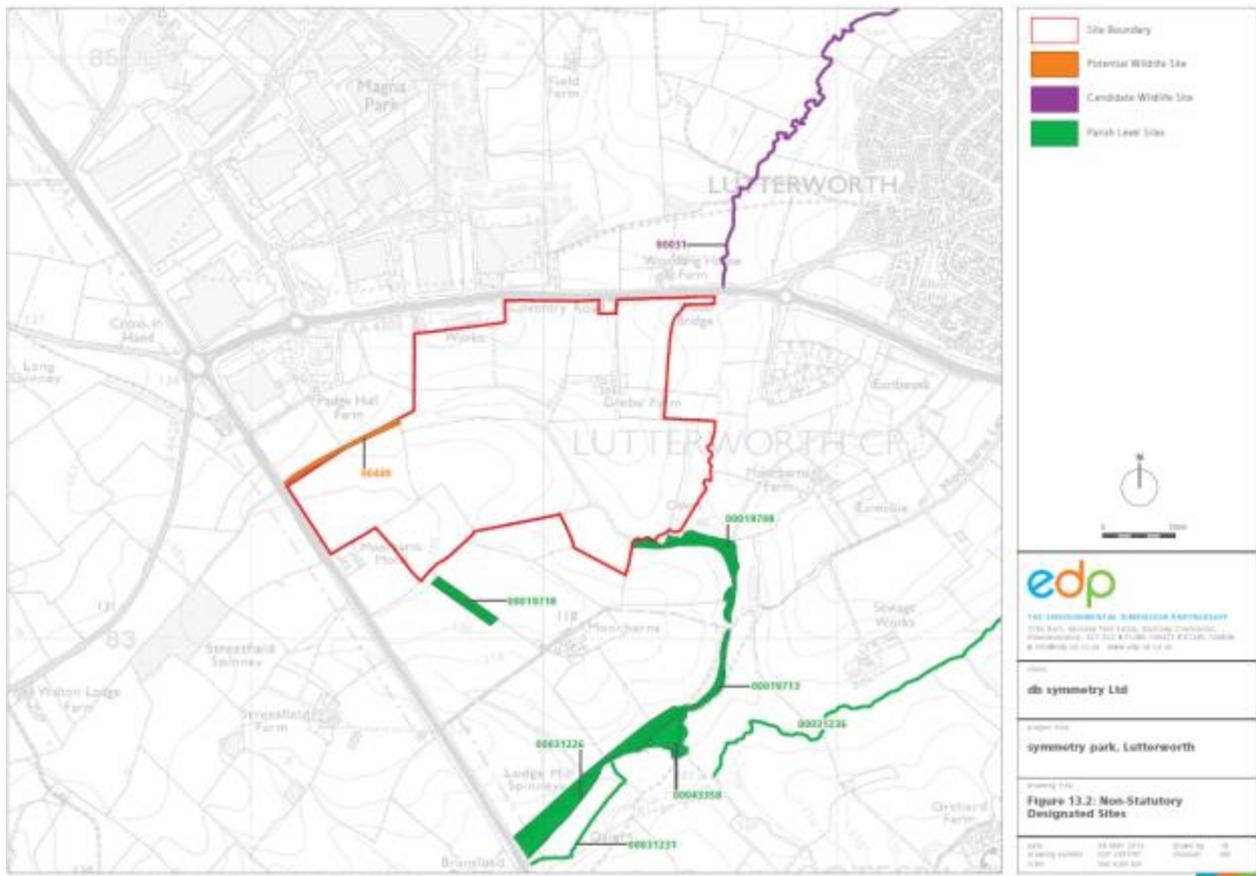


Figure 25: Non Designated ecological features

○ *Habitats*

6.5.9 The majority of the site comprises land under intensive agricultural use, which is considered to be of negligible ecological value, such that development in these areas would have a minimal impact on biodiversity. However, the hedgerows, scattered mature trees and stream are considered to require further consideration. There are 24 hedgerow sections present within or bounding the site, all of which were found to be species-poor. None of the hedgerows qualified as ‘important’ under the Wildlife Criteria of the Hedgerows Regulations, on the basis of their species diversity and associated features. Despite this, it is recognised that the hedgerow network provides an ecological function in its own right by providing habitat for protected species whilst also providing the site with connectivity to the wider landscape.

6.5.10 Padge Hall Brook which runs through the centre of the site varies considerably in water depth, bank profile and vegetation along its length and therefore the watercourse was split into five discrete reaches distinguished by changes in channel gradient and/or riparian land use for the purposes of the assessment. Reach 1 refers to an offsite stretch to the west of the site beyond the A5 and Reach 5 is the easternmost stretch which exits the site in the south-eastern corner. The water level would vary throughout the year dependant on rainfall however water levels were consistently <10cm for most of its length and Reach 2 (also off-site) was either partially or completely drying at times during summer 2014.

6.5.11 Occasional mature tree standards were found within the hedgerow network or in association with the riparian corridor. The trees, though not distinctive or of particular ecological value provided habitat with potential to support nesting birds and or roosting bats.

○ *Protected Species*

- 6.5.12 The Phase 1 survey carried out as part of the EIA recorded habitats on site suitable for breeding birds however these were generally confined to the peripheries of the site. The lack of diversity and current management of habitats reduces the potential of the site to support a diverse assemblage of breeding birds, such that targeted surveys were not considered appropriate.
- 6.5.13 LRERC held a single historic record of barn owl (*Tyto alba*) from Magna Park in 1995 and incidental record of a barn owl flushed from a dead tree on the River Swift to the south of the site was provided by the EA (Chris Farmer, April 2015). Whilst no barn owl were recorded on site during Phase 2 surveys (including an inspection of buildings associated with Glebe Farm), presence of barn owl in the wider area is considered likely and mature trees on site have potential to provide suitable nesting or roosting locations for this species. The site itself is unlikely to represent a key foraging resource for the species given that the majority of the site is under intensive management and cultivation and long/rank grassland favoured for foraging is largely absent. Consequently barn owl are considered to be a Valued Ecological Receptor (VER) at a Site Level only.
- 6.5.14 The LRERC data search did not return any records of bats within the 4km buffer around the site. During the ground level assessment of mature trees for roosting bats in August 2014, no bats or evidence of bats was recorded. However, a total of nineteen trees/tree groups were identified as offering potential to support roosting bats, with two identified as offering high potential (Category 1*), fifteen as moderate potential (Category 1) and two as low potential (Category 2). The masterplan for this outline planning application is illustrative, and impacts on trees require further detailed consideration at the reserved matters stage, however at present it appears that all but four (2 individual trees and 2 tree groups) can be retained within the proposals. Glebe Farm buildings are located towards the north east of the site. All buildings within this complex were accessed internally and externally by a bat licenced ecologist on 1st August 2014. The buildings include a complex of twelve farm buildings including a single large farmhouse with associated boiler room and garage as well as ten barns in constant use. No signs of roosting bats were found during the assessment however buildings were identified as offering features suitable for roosting bats. In summary the main farmhouse building was assessed as offering moderate potential to support roosting bats. Two further buildings offered low potential to support roosting bats with the remaining buildings offering negligible potential to support roosting bats.
- 6.5.15 A single dusk emergence survey and a dusk and dawn emergence and re-entry survey targeting the buildings described above, undertaken in August and September 2014, failed to detect any bat activity indicative of emergence or re-entry and the buildings are not considered to support bat roosts. In summary, moderate levels of bat activity were recorded across the site. The following common and widespread species of bat were recorded during the transect surveys: common pipistrelle, soprano pipistrelle, noctule and species of Myotis bat, with common pipistrelle accounting for the vast majority of recordings. Whilst the Myotis bats could not be reliably identified to species level, it is considered very unlikely that any of the bats were Bechstein's (an Annex II species of particular conservation concern), based on local distribution and habitat suitability. In terms of distribution within the site, activity was highest (relatively speaking) along the central stream corridor associated with the linear scrub and semi-improved grassland.
- 6.5.16 The vast majority of bat registrations recorded by the automated detectors deployed in September 2014 was of common pipistrelles and the range and proportion of species was broadly similar to that recorded during the manual transect surveys. However, a single Leisler's bat and a small number of calls by unidentified big bats and/or *Nyctalus* species were detected by this method which were not recorded during the transect surveys.
- 6.5.17 To summarise, the abundance and diversity of bat species recorded on site is considered to be typical of an urban edge farmland site in central England with common and widespread generalist

species such as common and soprano pipistrelle bats accounting for the vast majority of foraging and commuting activity (>85% combined). *Myotis* sp. and noctule accounted for less than 10% of all recordings whilst a single Leisler's bat was recorded during the automated detector surveys. Based on the findings set out above, the bat assemblage present within the site is considered to be of no greater than Local Level value and bats have been included as a VER.

- 6.5.18 Twenty one records of badger within 2km of the site were returned by LRERC. Most recent record was from 2011 however the location is not provided. Surveys on-site recorded five disused badger holes on the north western boundary of the site, together with multiple snuffle holes and runs through the undergrowth. The holes did not exhibit signs of recent activity and appeared to have been subject to human interference with sett entrances filled in with logs and soil. These obstructions had not been moved or bypassed confirming that the sett was not currently active.
- 6.5.19 Snuffle holes were also found along the same boundary along with mammal runs through the undergrowth. Slightly further north was evidence of a wasps nest which had been unearthed, a possible sign of badger foraging. Use of the sett on an infrequent basis could not be ruled out and further signs of badger activity in the area along the same boundary suggested the presence of an active sett in the vicinity (off-site).
- 6.5.20 The survey confirms the presence of badgers within and around the site, however no main setts are currently present within the site boundary, and both foraging and sett building opportunities are generally restricted to the site's field boundaries. As such and due to the common and widespread distribution of this species, the badger population is not considered to be a VER but may require further consideration owing to legal status.
- 6.5.21 A series of mitigation ponds created within the Magna Park development to the north of the Coventry Road (A4303) have been confirmed as supporting breeding populations of great crested newts (Ecosulis, 2010). The ponds lie on the northern and eastern peripheries of Magna Park. The closest of these ponds is more than 1km north of the site. The site supports two ponds and a further 3 ponds are located within close proximity to the site as identified on aerial and OS mapping. The site offers occasional suitable terrestrial habitat, largely confined to field boundaries with some areas of semi-improved grassland, mostly associated with the central stream. Off-site woodland to the south and south-east provides additional suitable terrestrial habitat for great crested newt. The majority of the site comprises intensive arable land of negligible value for great crested newts.
- 6.5.22 In summary, no great crested newts were recorded in the ponds on site, or the three other ponds surveyed. One male smooth newt was recorded as well as frogs, toads and tadpoles in confirming these ponds suitability for amphibians. Two of the Ponds dried up completely during the survey season and the ponds are considered unsuitable for great crested newts due to presumed annual drying during the breeding season. Spring 2014 was not un-seasonally dry and so it can be assumed that this is an annual event rather than an isolated occurrence.
- 6.5.23 Great crested newt are known to occur in the area, however, given the distance from the site of the known breeding ponds in Magna Park and the presence of barriers to dispersal, including the A4303 and Magna Park itself, it is considered to be extremely unlikely that this population would be utilising habitats within the site. Whilst culverts do exist under the road (at Bitteswell Brook for example), no great crested newts were recorded by surveys and great crested newt are not included as VER's.
- 6.5.24 No records of reptiles were returned from the LRERC data search. The site provided some suitable areas for, refuge, foraging and basking reptiles along grassy margins and semi-improved grassland, in the small scrub patches and in the rubble mounds adjacent to the Glebe Farm buildings. As such a reptile presence/likely absence survey was undertaken involving the

deployment of artificial refugia (locations of which are provided on which were subsequently checked on seven occasions between April and July 2014.

- 6.5.25 No reptiles were recorded on any of the seven survey visits. Given the lack of any evidence of reptiles onsite or in the surrounding area it is concluded that there are no populations of reptiles on the site and they are not included as VER's.
- 6.5.26 The data search returned a single record of an otter spraint at the point at which the River Swift passes beneath the A5 approximately 1km to the south of the site. During the survey, surveyors looked for evidence of otters including spraints, tracks, runs, feeding remains and lay-up points however no signs of otter were found. It is considered highly unlikely that otter use this stream on a regular basis however they will commute for long distances along small waterways and so it is not possible to rule their presence out entirely. Opportunities for holts and resting places along the course of the stream are extremely limited and the species is not considered to be a constraint to development and is not included as a VER.
- 6.5.27 Two old records of water vole were returned from LRERC from 1987 and 1988 both on the River Swift approximately 1.5km downstream of the site. Surveys were conducted across all watercourses on site in August 2014 with surveyors looking for evidence of latrines, burrows, footprints and feeding remains. No signs of water vole were found during the survey. Water vole are not considered to be a constraint to development and they are currently absent from the site and are therefore not included as a VER.
- 6.5.28 The site is not considered to support significant populations of terrestrial invertebrates given the dominance of arable and improved grassland habitats. However, habitats including areas of semi-improved grassland, the stream, hedgerow network and scattered mature trees provide local opportunities for invertebrates. Invertebrates are not considered to warrant inclusion as a VER in their own right, but effects and mitigation are addressed based on the habitats present.
- 6.5.29 As the Site will be developed over several years, the Ecologist has requested repeat surveys. See recommended **Condition 17**.
- 6.5.30 An assessment of likely significant effects of the project on the ecological receptors has been undertaken by the applicants. This was based on the Illustrative Masterplan, which incorporates 'inherent' mitigation included as a result of an iterative assessment and design process. The likely significant effects are assessed with the inherent mitigation included, but in the absence of the additional mitigation measures required to address potentially significant effects. Whilst exact details of the construction methods to be used cannot be determined with absolute certainty at this time, a number of assumptions and parameters have been fixed for the purposes of this assessment.
- 6.5.31 Reaches 3, 4 and 5 of Padge Hall Brook lie within the development boundary. Ground raising of up to circa 10m is proposed adjacent to Reaches 3 and 4 to provide a suitable plot level for the construction of the storage units. Alongside this, the scheme includes proposals to modify Reaches 3 and 4 of the watercourse within the development area to provide an appropriate and sustainable form for the development. As a consequence, the slope of the channel will reduce within these reaches from 1:97 to 1:760 for Reach 3 and approximately 1:81 to 1:92 for Reach 4. At the end of Reach 4 will be a 'flume' type flow control just before the top of the cascade. This is notionally 3m high in the channel, 8m long and 0.5m wide. It is designed to force water to spill out to the strategic attenuation basins and to still allow the natural catchment flow along the main channel for most events. To bring the channel back to the natural bed level, a steeper, approximately 100m long, cascade structure is proposed at a gradient of 1:18 at the upper end of Reach 5. It is assumed that this channel will require a degree of hard engineering on the channel bed, banks and outfall to prevent erosion. Design principles for this channel will follow those set by the Environment Agency

6.5.32 Further details will be provided in an Ecological Construction Method Statement (ECMS) as secured by **Condition 6**, which will also include full phasing/timing details.

6.5.33 The key inherent mitigation measures pertinent to the ecological impact assessment include:

- Retention and provision of buffers along the boundary forming hedgerow and tree network;
- Significant new native woodland planting throughout the site;
- Provision of a minimum 20m habitat corridor along the course of Padge Hall Brook;
- Extensive new grassland habitat in the south east of the site;
- Retention and buffering of the disused badger sett; and
- Provision of seasonally wet and permanent ponds, swales and other Sustainable Drainage systems (SuDs) set in proximity to the retained onsite stream adjacent to Reach 5.

6.5.34 Development of the site includes two main stages, namely the construction phase comprising all site preparation works, channel modifications and construction of all buildings, associated infrastructure and landscaping, and the operational phase comprising the long-term occupation of the site. The effects of the proposals in relation to these two stages are discussed in turn below.

6.5.35 Construction would span approximately nine years from 2016 to 2025. Generalised effects which could arise as a result of the construction of the development in the absence of mitigation include the following:

- Effects of direct habitat loss and fragmentation/severance due to land take upon habitats and species;
- Indirect effects to habitats and species due to habitat degradation and damage;
- Impacts of noise, light and human disturbance to species; and
- Risk of pollution, siltation and alterations to groundwater and surface water flows.

6.5.36 Potential impacts identified which could arise as a result of the operation of the project in absence of mitigation include the following:

- Impacts of light and noise/visual/human disturbance to habitats and species;
- Increased risk of collision to species arising from increased traffic movements; and
- Alteration of groundwater and surface water flows.

6.5.37 The key mechanisms which will be implemented are:

- Detailed Design Measures. The outline planning application is being made with all matters reserved, with the exception of access. The masterplan is therefore illustrative and allows flexibility for specific detailed design measures to be secured and included within the proposed development. Such design measures will, where necessary, be agreed between the Local Authority and the applicants and secured via condition (see **Condition 38**) and addressed at the Reserved Matters stage;
- Ecological Construction Method Statement (ECMS). The ECMS will be prepared at the Reserved Matters stage and implemented during the demolition and construction phase of the proposed development. The ECMS will aim to set out in detail those measures which will require implementation with respect to the protection and enhancement of VERs during the demolition and construction phase of the proposed development, and will be secured by condition (see **Condition 6**);
- Landscape, Ecology and Arboricultural Management Plan (LEAMP). The LEAMP will be prepared at the Reserved Matters stage and implemented thereafter to ensure that the biodiversity value of the retained and created green infrastructure of the proposed development is maintained and where possible enhanced during the lifetime of the proposed development. The LEAMP will set out in detail measures for the ongoing management, maintenance and monitoring of the VERs and of those newly created habitats to maximise opportunities for biodiversity enhancement and gain. It will also identify a mechanism for the review and monitoring of the LEAMP's effectiveness. It is envisaged that the LEAMP will be

secured through a suitably worded planning condition or obligation, depending on the precise mechanism for delivery. The LEAMP will also cover the post-construction management of arboricultural and landscape elements in order to ensure that a more holistic approach is adopted. The LEAMP will be secured by condition (see **Condition 38**)

6.5.38 The key inherent measures included within the illustrative masterplan pertinent to the mitigation of the ecological effects are to require as far as possible the retention, protection and sensitive incorporation of the boundary forming hedgerows and mature trees supported therein, the onsite stream (with channel modifications) and dry ditch into the proposed development, particularly in relation to those features with a high proportion of mature, healthy trees to give a richness and permanence to the environment.

6.5.39 In addition, the Landscape Strategy for the site has been designed so as to sensitively and fully integrate such areas of ecological value through use of appropriate planting and sensitive design and layout of formal and informal areas of open space in addition to required infrastructure. The illustrative *Landscape and Ecology Masterplan* is included as Figure 14.5 appended to Chapter 14 of the submitted ES (see **Figure 26**). Such principles are anticipated to further complement those measures sought to ensure habitat protection, enhancement and creation on site, whilst further strengthening those wildlife corridors extending across the site to the wider landscape. The key design principle incorporated includes the provision of habitat buffers of appropriate widths along the full lengths of the western, eastern and southern boundaries of the site as well as along part of the site's northern boundary. A minimum 20m habitat corridor along Reach 3 extending to 38m along Reach 4 is incorporated as per EA advice along with extensive areas of wildflower and grassland planting.

symmetry park, Lutterworth
Figure 14.5 Illustrative Landscape & Ecology Masterplan

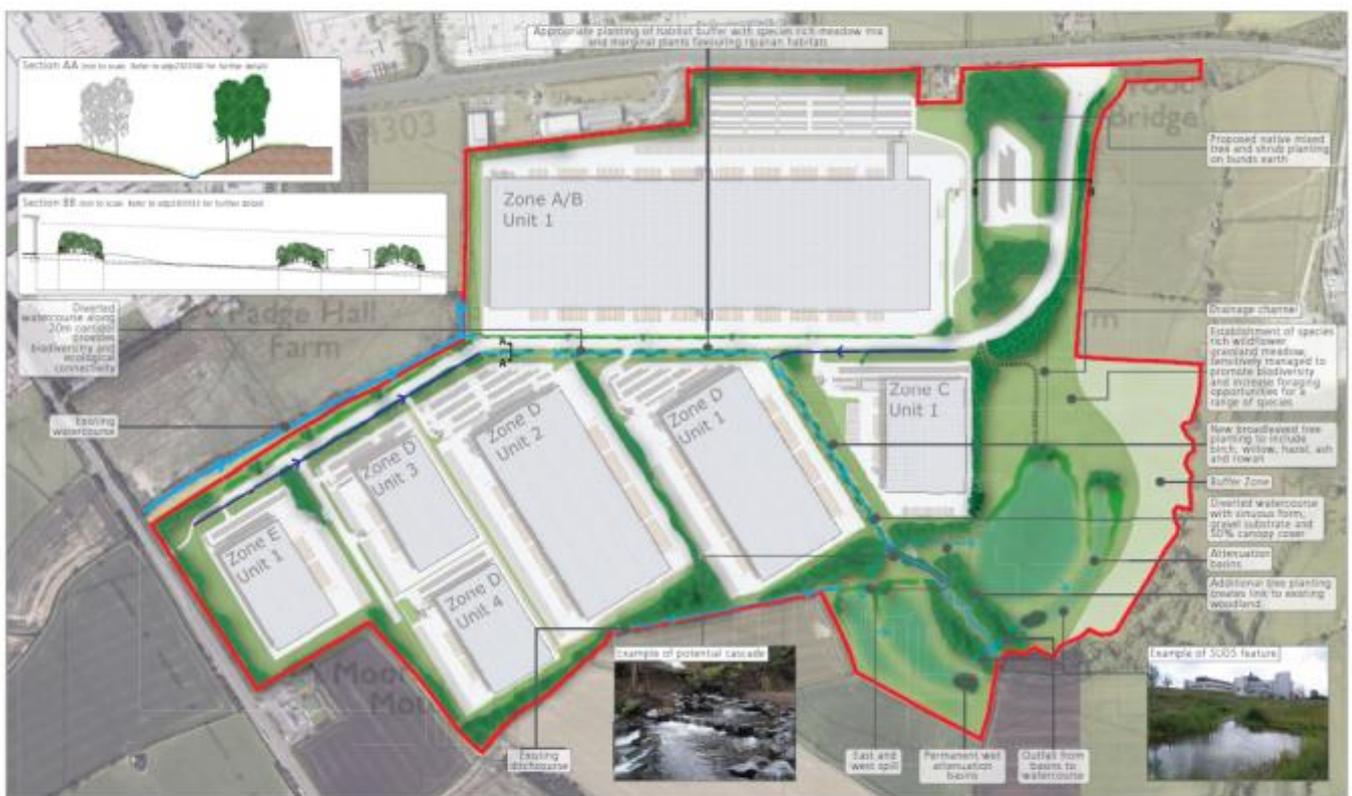


Figure 26: Illustrative Landscape and Ecology Masterplan

- *Cumulative Ecology and Biodiversity Effects*

6.5.40 The application site for 15/01531/OUT comprises predominately agricultural land, including arable and improved grassland, of low ecological value. A number of on-site buildings and trees were assessed as having potential support roosting bats, however, no evidence of roosting bats was found at the site, whilst a disused badger sett has also been identified. Zone 2 of the 15/01531/OUT application site is situated immediately adjacent to the north western boundary of Zone 2 of 15/00865/OUT. The A4303 and the existing Magna Park form a barrier to dispersal to many species of flora and fauna, save for bats, birds and potentially badgers and, therefore, the cumulative impacts upon other species of fauna occurring in Zone 1 of 15/01531/OUT and at the 15/00865/OUT site would not need to be considered. However, given that no protected or notable species of flora or fauna were found on the site, nor within Zone 2, there are not considered to be any cumulative impacts to Ecology and Biodiversity to arise as a result of the cumulative development of 15/00865/OUT and 15/01531/OUT.

- *Summary*

6.5.41 Natural England and LCC's Senior Ecologist has fully appraised the submitted statements and reports including the addendum information, and has commented accordingly. LCC have requested a condition requiring that:

- Final plans to be in accordance with the illustrative masterplan. (See **Condition 38**)
- 20m buffers to be provided along the watercourse. (See **Condition 39**)
- The SUDS feature should be designed for biodiversity, with native planting. (See **Condition 38**)
- The recommendations in the Ecological Baseline report must be followed (including habitat creation and protection and protected species mitigation). (See **Condition 17**)
- An ecological management plan should be submitted for areas of the site where habitat has been created (SUDS areas, boundary features, stream corridor and buffers between 'zones'). (See **Condition 38**)
- Updated ecological surveys must be submitted after two years from the original (i.e. August 2016 onwards) with either the reserved matters application or prior to commencement. The proposal is considered to comply with both local and notional policy, and that both Natural England and the County Council's Senior Ecologist have raised no objections to the proposed development on Ecology grounds weighs in favour of the development. (See **Condition 17**)

6.5.42 In general terms, following the completion of mitigation proposed which is to be secured by condition (see **Conditions 17, 38 & 39**), the overall impact of the development upon the ecology of the surrounding area is considered to be minor, and therefore not significant. It is therefore considered that minimal weight should be given to ecology related issues.

6. Residential Amenity

6.6.1 Core Principle 4 of the Framework seeks to ensure a good standard of amenity for all existing and future occupants of land and buildings and this is also reflected in CS Policy CS11.

6.6.2 Notwithstanding, layout, scale and external appearance of the proposed development is a Reserved Matter, from the information provided it is possible to provide general observations on whether or not the amenity of existing residential areas/properties located adjacent to or within close proximity will be affected. The properties mainly affected by the proposals are as follows:

- Glebe Farm Cottage
- Woodbrigg Farm
- Moorbarns Bungalow and Liberties Hotel
- Fairacres
- Cross in Hands Farm
- Moorbarns Farm

The impacts of the proposals on the above properties are assessed in detail below.

○ 'Glebe Farm Cottage'

6.6.3 Glebe Farm Cottage is the closest affected residential property to the application site. The property is located on the southern side of the A4303, with the application site "wrapping" around it on the remaining three sides. The property directly bounds the application site and is located approximately 10m from the northern-most extent of Zone A/B. As outlined elsewhere in the report, Zone A/B has been identified by the developers as having a maximum ridge height of 23m. As can be seen at **Figure 27**, there are principal windows at both ground and first floor level of Glebe Farm Cottage, although these are not at the closest part of the dwelling to the rear boundary. **Figure 28** indicates how the dwelling sits within the site in relation to the application site.

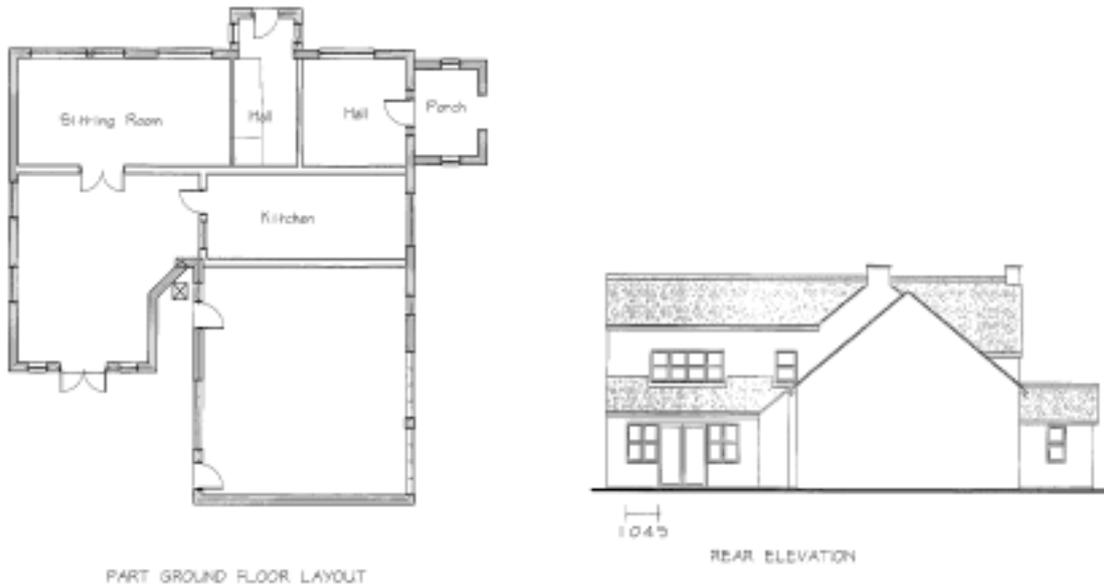


Figure 27: Ground Floor plan and Rear Elevation of Glebe Farm Cottage

6.6.4 Whilst it is accepted that a 18m high building within 10m of the boundary and within approximately 47m of the ground floor principal windows and 50m of the first floor principal windows, would not be acceptable, one has to remember that the application is in outline form and that the precise location of any building would be considered as part of any subsequent Reserved Matters application if Outline consent is granted. The Zones indicate the overall demise of any particular unit rather than the outline or footprint of the building. As such, within each zone, as well as the relevant building, there will also be car parking areas, service yards and landscaping features, all of which would be considered at a later date. As such, it is not possible to fully assess the finer details of the impact of the proposal. Indeed, as can be seen earlier in the report at **Figures 4** and **5**, the different options can result in significantly differing outlooks from Glebe Farm Cottage. To this end, the applicants have supplied some cross sections (see **Figure 29**), based on the indicative layouts, to indicate the potential relationship between the property and the proposal at 1 and 15 years after the development.



Figure 28: Aerial photo showing Glebe Farm Cottage in relation to the application site

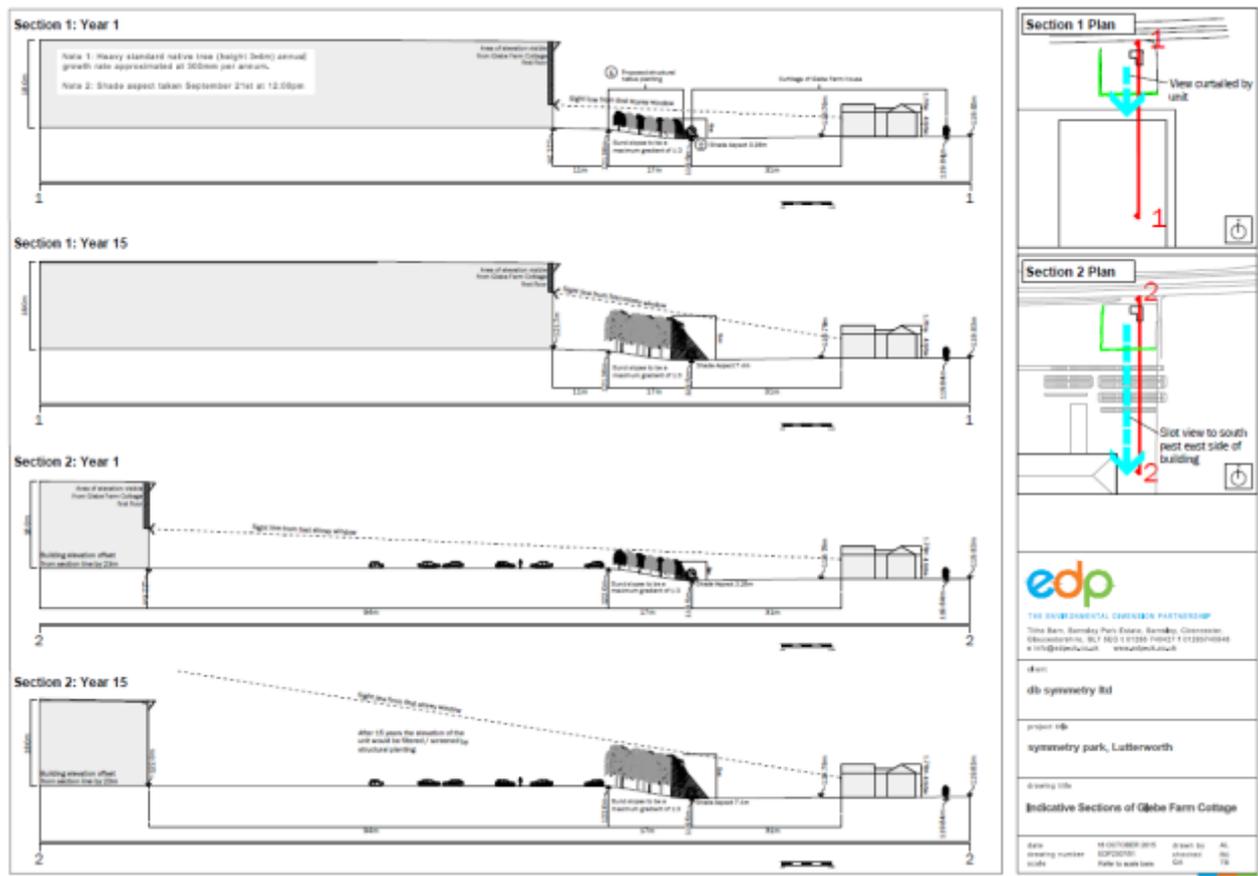


Figure 29: Indicative cross sections showing Glebe Farm Cottage in relation to the proposals

- 6.6.5 The property also benefits from a significant amount of existing screening in the form of a hedgerow along the southern and western boundaries and a mixed native hedgerow along the eastern boundary. This existing boundary treatment will afford the residents of Glebe Farm Cottage a significant level of natural screening against the development. Based on the submitted cross sections, it is considered that the development of Parcels A/B can be accommodated without a demonstrable detrimental overbearing impact upon the outlook of the property.
- 6.6.6 Due to the proximity of Glebe Farm Cottage to the application site, one also has to consider the impact of both the construction phase and also the operational phase of the development upon the residential amenity of the property. These two phases could result in amenity issues such as noise, vibration and intrusive lighting. These elements are considered in detail within the relevant sections of the report with lighting being covered in the Landscape and Visual Impact chapter (**Section 6.1**) and Noise and Vibration at **Section 6.7**.
- 6.6.7 Due to the fact that the application is in outline form, the full detail of the proposal is not known, and as such, it is not possible to consider the full impact of the construction phase of the development. There will, undoubtedly, be an increase in traffic during the construction phase, however, this is considered to be an increase of approximately 1-2% which would not be considered to be a significant increase. Construction noise, particularly in the early phases of development has the potential to cause an adverse noise impact at Glebe Farm Cottage. The level of impact cannot be properly determined until a construction programme has been finalised which will only occur once a contractor has been appointed. To this end a Construction Environmental Management Plan (CEMP) condition is recommended at **Condition 6**.
- 6.6.8 The applicants have identified and acknowledged as part of the ES that the operational phase of the development, in particular lorry movements in the service yards, will have an impact upon Glebe Farm Cottage during the night time that exceeds the SOAEL. Furthermore, activities in the proposed Lorry Park could result in a night time noise impact which exceeds the LOAEL and as such, mitigation measures have been proposed and these can be secured via the CEMP *see recommended **Condition 6**).
- 6.6.9 Based on the above, it is acknowledged that there will be some harm caused by the development upon the residential amenity of Glebe Farm Cottage. However, due to the fact that the application is in outline form only, it is impossible to fully assess the impacts at this time. Based upon the submitted cross sections, and given the reduction in height of the building within Zone A/B which has been secured by Officers, it is considered that, subject to careful design and consideration of the relationship with Glebe Farm Cottage both in terms of visual impact and noise impact, a building of up to 120,000sq m and 18m in height could be accommodated within the building parcel without significantly impacting upon the residential amenity of the property. Furthermore, the occupiers of Glebe Farm Cottage have subsequently withdrawn their objection following an agreement between them and the applicants. The applicant has entered into a Put and Call Option with the landowner, whereby should planning permission be granted, the landowner can require the applicant to purchase the property.
- 'Woodbrig Farm'
- 6.6.10 Woodbrig Farm is located immediately to the north of the proposed roundabout on the A4303. The property is located 30m from, the proposed roundabout, which is 5m further than the existing relationship between the A4303 and the property. The principal concerns which have been raised on behalf of the occupants of the property relate to the access arrangements. These have already been assessed in detail in **Section 6.2** of this report.
- 6.6.11 With regards the impact of the development upon the amenity of the property, no objections have been raised relating to this. The property currently has farm buildings immediately to the north and east, and has distant views (420m) of Magna Park to the west. To the south, the property

currently experiences open views across the landscape. The proposal will not introduce new warehouses due south of the property. The indicative Masterplan indicates that the lorry park will be located to the south of the property with structural landscaping and a bund surrounding this feature to help screen any views of it. The proposed buildings will be located between 200m – 300m to the south east of the property. Whilst it is accepted that the presence of these buildings, along with the lorry park, roundabout and landscaping will change the outlook from the property, it is not considered that this would be demonstrably detrimental to the residential amenity of the property. On the basis of this, it is not considered that the proposal would have an adverse impact upon the residential amenity of Woodbrig Farm. Furthermore, the occupiers of Glebe Farm Cottage have subsequently withdrawn their objection following an agreement between them and the applicants. Should planning permission be granted, the applicant has agreed with the landowner that a review of existing access arrangements to the property will be considered, and a single, consolidated point of access from the new site roundabout to the property will be considered and promoted.

- 'Moorbarns Bungalow'

6.6.12 Moorbarns Bungalow is located immediately to the south of Zone E on the Parameters Plan. The bungalow is situated 10m from the boundary of the site and 30m from the perimeter of Zone E. **Figure 30** shows the relationship of the properties with the application site. Concerns regarding the proposal have not been raised by the residents of Moorbarns Bungalow, however, it does not therefore follow that there will be no impact upon the residential amenity of this property. Furthermore, concerns have been raised by the operators of Liberties Hotel which comes within the demise of Moorbarns Bungalow. These concerns relate to the visual impact of the proposals (particularly where Zone E is close to the party boundary), and also the potential for vibration and attendant noise pollution from plant, machinery and vehicles, especially during the hours guests might be assumed to be in the overnight hotel rooms.



Figure 30: Aerial photo showing Moorbarn Bungalow and Liberties Hotel in relation to the application site

6.6.13 The operators of the Hotel have also suggested that the developers could provide a positive contribution by extending the run of a foul sewer from Zone E up to the joint boundary of the Hotel land and to grant the operators of the Hotel leave to connect to that foul sewer. Currently, foul liquid waste is processed on site by a bio-degrader and the treated effluent discharged into the ditch alongside the A5 trunk road.

- 6.6.14 The concerns relating to the impact of the proposal upon the guests of the Hotel can not be considered as an impact upon residential amenity, it is more of a commercial concern for the operators of the Hotel and due to the nature of the Hotel, the potential impact is difficult to quantify, however, the impact of the proposal upon the amenity of residents is considered below. Furthermore, whilst the requested drainage solution might be seen as a gesture of goodwill from the developers to the Hotel operators, it is not something which would directly mitigate against the impacts of the development, and as such would not be CIL compliant, and could therefore not be requested as part of the S106 agreement.
- 6.6.15 Whilst there have been no concerns raised by the residential occupiers of Moorbarns Bungalow, it is considered that the proposal would have an impact upon the residential amenity of the property. Any building situated within Zone E would be approximately 100m from the principal window on the rear elevation of the property. The Parameters Plan indicates that this part of the site could accommodate a building with a maximum height of 18m. Due to the relationship of the bungalow and Zone E, any building within this zone would breach the 45 degree line from the principal window, however, as discussed above, this would be at a distance of approximately 100m. To the rear of the site, the Hotel rooms will directly face any building within Zone D, however, this would be at a distance of approximately 250m, whilst the principal windows of the Bungalow are at a greater distance than this, and again, there is scope for screening along this boundary.
- 6.6.16 Due to the proximity of Moorbarns Bungalow and Liberty Hotel to the application site, one also has to consider the impact of both the construction phase and also the operational phase of the development upon the amenity of the property. These two phases could result in amenity issues such as noise, vibration and intrusive lighting. Whilst it is accepted that the presence of proposal will change the outlook from the property, it is not considered that this would be demonstrably detrimental to the residential amenity of the property. Issues of lighting can be controlled at Reserved Matters stage. The suggested CEMP will give control over construction methods which ensure that noise and vibration during construction are not an issue for concern, and noise related issues during operation will depend upon the orientation and layout of the building and plot when this is proposed, and as such, this will be assessed at Reserved Matters stage. On the basis of this, it is not considered that the proposal would have an adverse impact upon the residential amenity of Moorbarns Bungalow.
- 'Fairacres'
- 6.6.17 Despite the Fairacres site initially being classed as winter quarters for Travelling Showpeople, there are a number of residents on the site who reside there for a large proportion of the year, particularly those with children who attend the local schools. As such, it is considered that yards within the site should be afforded the same protection as a dwelling occupied by a member of the settled community.
- 6.6.18 The majority of the yards either face into the site itself and therefore do not have views of the application site, or are located on boundaries away from the application site, and so again will not have direct views of the application site. There are however, 5 yards face directly towards the application site (1 on the original site, 4 on the expansion area) with the closest yard (38 Stanley Way (part of the expansion site)) being approximately 100m from the application site boundary. Despite this, the closest developable area to 38 Stanley Way within the application site is Zone C which is a further 320m from the boundary of the site, giving approximately 420m separation between the boundary of 38 Stanley Way and the eastern edge of Zone C. 2 Fairacres (part of the original site) is situated approximately 460m from the proposed lorry park. The relationship between Fairacres and the application site can be seen at **Figure 31**.



Figure 31: Aerial photo showing Fairacres in relation to the application site

- 6.6.18 The majority of the yards either face into the site itself and therefore do not have views of the application site, or are located on boundaries away from the application site, and so again will not have direct views of the application site. There are however, 5 yards face directly towards the application site (1 on the original site, 4 on the expansion area) with the closest yard (38 Stanley Way (part of the expansion site)) being approximately 100m from the application site boundary. Despite this, the closest developable area to 38 Stanley Way within the application site is Zone C which is a further 320m from the boundary of the site, giving approximately 420m separation between the boundary of 38 Stanley Way and the eastern edge of Zone C. 2 Fairacres (part of the original site) is situated approximately 460m from the proposed lorry park. The relationship between Fairacres and the application site can be seen at **Figure 31**.
- 6.6.19 The application site sits on varying land levels sloping down from the A4303. As such, Zone A/B sits on the higher land area of land and are separated from Fairacres by a relatively deep valley. Similarly, Whilst Zone C is on lower lying ground than Zone A/B, likewise, the relevant properties on Fairacres are also on lower ground, and again the existing properties are separated from the application site by the same valley. The applicants have supplied some cross sections (see **Figure 32**), based on the indicative layouts, to visualise the potential relationship between the property and the proposal. Whilst it is accepted that the presence of these buildings, along with the lorry park, roundabout and landscaping will change the outlook from the site, it is not considered that this would be significantly detrimental to the residential amenity of the properties within Fairacres. On the basis of this, it is not considered that the proposal would have an adverse impact upon the residential amenity of Fairacres.



Figure 32: Indicative cross sections showing Fairacres in relation to the proposals

- 'Cross in Hand Farm'

6.6.20 Cross in Hand Farm is situated on the west side of the A5, approximately 300m to the north west of the application site (see **Figure 33**). Due to the oblique angle at which the site is located from the front of the property, it is not considered that the proposal will result in any issues of overbearing upon the residential amenity of the property. Furthermore, given the proximity of the property to the A5 and buildings on the existing Magna Park, it is not considered that the proposal will result in any significant increase in the noise environment at the property.



Figure 33: Aerial photo showing Cross in Hand Farm in relation to the application site

- 'Moorbarns Farm'

6.6.21 The Moorbarns Farm complex is a group of residential properties made up of Moorbarns, Ringwood (also known as Moorbarns Farm Bungalow) and 1 & 2 Moorbarns Cottage. Of these properties, Moorbarns has a predominantly east – west aspect and is located due south of existing barns on the farm complex (see **Figure 34**). As such it is not considered that the proposals will have any significant detrimental impact upon the residential amenity of Moorbarns.



Figure 34: Aerial photo showing Moorbarns Farm in relation to the application site

6.6.22 Likewise, Ringwood enjoys a south west – north east aspect with the existing farm complex being approximately 20m from the property, and therefore obscuring all but potential oblique views of the development. As such, again, it is not considered that the proposals will have any significant detrimental impact upon the residential amenity of Ringwood.



Figure 35: Aerial photo showing arrangement of Moorbarns Farm

6.6.23 Moorbarns Cottages enjoy a south east – north west aspect, and being located to the south of the application site, will be afforded direct views of the application site. The properties are located approximately 430m (boundary to boundary) from the application site with no intervening buildings. A long spinney of trees will partially screen the western-most section of the site from views from these properties. Along the aspect of the site which will be predominantly visible from these properties, the proposed development parcels lie between 20m and 75m within the application boundary. The revised parameters plan indicates that this intervening area will provide a screening bund (of a minimum of 3m) and planting.



Figure 36: Viewpoint (and location) from adjacent to Moorbarns Farm

6.6.24 The parameters plan also indicates that any buildings within this zone (Zone D) will have a maximum ridge height of 18m. Whilst it is accepted that a 3m bund and planting will not obscure views, it will aid the softening of the impact of the proposal. Given the distances involved in conjunction with the proposed mitigation, whilst it is accepted that there will be a change to the outlook from the properties, it is not considered that, subject to a further assessment at Reserved Matters stage, the proposal would have any significant detrimental impact upon the residential

amenity of the Moorbarns Cottages. On the basis of this, it is not considered that the proposal would have an adverse impact upon the residential amenity of Moorbarns Farm.

○ *Cumulative Residential Amenity Effects*

6.6.25 The impact upon residential amenity of a number of other committed developments have been assessed. Due to the location of the application site away from urban areas, there are few other proposals which have an impact upon the properties assessed above. The only proposal identified which has an impact upon any of these properties is 15/01531/OUT. Due to the geographical remoteness of the two application sites, the main sections of the sites do not cumulate impacts upon any of the properties, however, Zone 2 of 15/01531/OUT is located in close proximity to 15/00865/OUT in that they share a common boundary. As such, it is considered that the cumulative impact of the two applications upon the following properties should be assessed:

- Glebe Farm Cottage
- Woodbrigg Farm
- Moorbarns Bungalow and Liberties Hotel
- Fairacres
- Cross in Hands Farm
- Moorbarns Farm

○ *Glebe Farm Cottage / Woodbrigg Farm / Moorbarns Bungalow / Fairacres / Moorbarns Farm*

6.6.26 If both 15/00865/OUT and 15/01531/OUT were to be consented and developed, the buildings proposed under 15/00865/OUT would screen the development at 15/01531/OUT from all of the above properties, and as such it is not considered that there would be any cumulative impact in terms of the residential amenity of these as a result of both developments being approved.

○ *'Cross in Hand' Farm*

6.6.27 As set out in **Para 6.6.20**, it is not considered that 15/00865/OUT would have any significant impact upon residential amenity at Cross in Hands Farm. Furthermore, as set out in **Para 6.9.20 of the report for 15/01531/OUT**, it is not considered that this development would have a significant impact upon the residential amenity of the property. Furthermore, given the relatively oblique views towards the two sites from the front of the property and the fact that the garden of the property is screened from the development by the house, it is not considered that the combination of the two developments would result in any overbearingness or loss of privacy, particularly given that the applicants are proposing a bund along the A5 and that container storage element (with a maximum height of 6m) is located on the southern edge of the site, away from the property. Furthermore, given the property's proximity to the A5 and its resultant high background noise levels, it is not considered that these two developments together would significantly increase the noise environment experienced at the property. As such it is not considered that there would be any cumulative impact in terms of the residential amenity of these as a result of both developments being approved.

○ *Summary*

6.6.28 On the basis of the above, Officers consider that there will be no significant impact upon the residential amenity of the neighbouring properties. It is considered that the magnitude of harm caused by the development would be negligible and that the proposals would accord with Policy CS11 of the Core Strategy. On this basis, only minimal weight should be given to the impacts of the proposal upon residential amenity.

7. Noise and Vibration

6.7.1 The ES includes a chapter (Chapter 9) on Noise and Vibration. A Noise Assessment has been undertaken to survey existing noise levels at the Site and neighbouring, noise sensitive, locations. The Noise Assessment used data from the Transport Assessment to predict the impact of road traffic noise in the future.

- 6.7.2 The highest noise levels would be associated with plant that would be employed during earthmoving, concreting, road pavement construction and piling associated with the construction of the proposed bridge. During the fit-out, construction noise would be significantly lower.
- 6.7.3 Construction noise, particularly in the early phases of development has the potential to cause an adverse noise impact at Glebe Farm Cottage. The level of impact cannot be properly determined until a construction programme has been finalised which will only occur once a contractor has been appointed. As such, any impact of noise on this property must be assessed as part any future Reserved Matters application. To this end a Construction Environmental Management Plan (CEMP) condition is recommended at **Condition 6**. The applicants have identified and acknowledged as part of the ES that the operational phase of the development will have an impact upon Moorbarns Bungalow during the night time that exceeds the SOAEL, and as such, mitigation measures have been proposed.
- 6.7.4 A CEMP is suggested (see recommended **Condition 6**), which would mitigate construction noise impact to an acceptable level with the requirement for the developer to use quiet plant, screens around noisy fixed plant and limiting hours of work.
- 6.7.5 The Environmental Health Officer has assessed the proposals and is satisfied that the mitigation measures suggested within the ES demonstrates that the living conditions of future residents would not be unduly affected by the development.
- 6.7.6 Construction noise has the potential to cause an adverse noise impact at existing noise sensitive receptors. Construction noise is also likely to cause a noise impact at completed, occupied phases of the development whilst construction continues elsewhere on site. The level of impact cannot be determined until a construction programme has been finalised which will occur once a contractor has been appointed. At this stage, general requirements and guidance for the control of construction noise and vibration have been outlined.
- 6.7.7 In accordance with modern working practices, the principles of 'best practicable means', as defined in the Control of Pollution Act, 1974, would be used to reduce noise emissions throughout the demolition and construction works to a reasonable and practicable level.
- 6.7.8 Prior to the commencement of construction and demolition works, advice should be sought from HDC's Environmental and Public Protection Team to discuss proposed methods of working and measures to minimise disruption. The control of noise and vibration from demolition and construction would be incorporated into a site-specific Construction Environmental Management Plan (CEMP) and should include and/or specify routine noise and vibration management controls.
- 6.7.9 Construction traffic noise can be assessed by considering the short-term increase in traffic flows during construction works following the principles of the Design Manual for Roads and Bridges (DMRB). Referring to the construction traffic scenario set out in the Transport Assessment, there is a predicted increase in road traffic flows due to construction traffic of approximately 1 – 2 %. Due to the guidance set out in the DMRB this increase in road traffic flow would result in a negligible increase in noise levels during the short term due to construction traffic.
- 6.7.10 The assessments of road traffic noise uses criteria to compare changes between the existing traffic noise levels and the potential future traffic noise levels at nearby noise sensitive receptors. The noise assessment considers the 18 hour Average Annual Weekly Traffic flow (AAWT) information provided by the transport team within Peter Brett Associates as presented in Appendix F to the ES, and compares the baseline traffic flows against the predicted future traffic flows associated with the development proposals.

- 6.7.11 The receptors identified in the ES represent the 'worst case' locations for assessment purposes. Referring to the Traffic data provided in Appendix F it can be seen that the worst case increase in road traffic flows in the long term along all the links that have been surveyed indicate an increase of approximately 1.5dB. Based on the results of the assessment, the predicted increase in road traffic noise for the closest noise sensitive receptors does not exceed the LOAEL.
- 6.7.12 The applicants have suggested that a reasonable and practical mitigation measure is to position the service yards behind warehouses wherever possible so buildings can act as noise barriers to nearby residential receptors. Furthermore, the provision of acoustic barriers (of around 4 m in height) could be another mitigation option. However, it is unlikely that the acoustic barrier alone will mitigate the impact and the applicants have suggested that additional measures will be required as described below:
- Once stationary engines should be turned off;
 - Use of reversing beepers should be minimised where possible;
 - Drop heights should be reduced to their lowest practicable levels;
 - A low noise, rubber floor should be considered around the delivery area;
 - Use of radios should not be permitted; and
 - All staff (including delivery drivers) should be made aware of the necessity to keep noise to a minimum.
- 6.7.13 The noise assessment has been based upon a worst case scenario assumption whereby service yards are orientated towards (i.e. facing) noise sensitive receptors, it is recognised that suitable orientation of warehouse/service yards may be the most practical/efficient mitigation measure. Implementing the suggested mitigation will reduce the noise impact of the HGV service yards and will result in levels that are likely to be below the LOAEL.
- 6.7.14 As the assessment is based on parameter plans, it has not been possible for the applicants acousticians to accurately set out mitigation measures to correlate with the exact locations of the lorry parks parking bays. However, again, the assessment has been based upon a realistic worst case scenario assumption whereby the lorry park's parking bays are located at the closest possible location and overlooking Glebe Farm (as per the parameter plan).
- 6.7.15 As the noise assessment has been based on this worst case scenario (i.e. the only noise attenuation taken into account is the approximate distance loss attenuation.), the provision of acoustic barriers (of around 4 m in height) around the proposed lorry park is likely to be a viable mitigation option along with the proposed minimum 3m bunds as shown on the parameter plan. Vibration (and dust) is a major concern of SEMELAB, a local business situated adjacent to the site. This impact is addressed at **Para's 6.14.5 – 6.14.7**.
- 6.7.16 Noise and vibration levels as a result of the construction phase of the proposed development will be minimised by implementing the mitigation measures advised in BS 5228 and the Council's Code of Practice via a CEMP which can be secured by **Condition 6**. With this mitigation in place, it is expected that the noise and vibration effects of construction should not exceed the suggested SOAEL therefore avoiding a moderate adverse impact. As construction noise is temporary in nature an exceedance of the LOAEL is unlikely to be considered an adverse impact.
- 6.7.17 The final layout and orientation of the various buildings/service yards has yet to be determined. Mitigation measures have been proposed which can eliminate any residual impacts in relation to industrial/commercial sounds. It has been proposed by the applicants that there is be a minimum 3 m bund at certain locations within the site as indicated in the parameter plan (See **figure 38**). Along with the proposed minimum 3m bunds, and on the basis of the proposed mitigation measure outlined above being put in place, it is unlikely that a significant residual adverse impact will occur.

- *Cumulative Noise Effects*

6.7.18 On the basis of the submitted ES, the cumulative effect of noise from on-site operations and from road traffic changes associated with the development is not expected to change from a worst case magnitude of Negligible for Zone 1 and Minor/Moderate for Zone 2, and therefore Not Significant in both the Short and Long Term (15 years after opening) scenarios.

6.7.19 The road traffic noise assessment undertaken includes the effect of known committed development in the area. This assessment has shown that the cumulative effect of road traffic changes due to this and the committed developments would result in an impact of Negligible Magnitude and Significance along each road corridor. Other committed developments in the area are located at much greater distances from the receptors than the application site. Therefore there will be no adverse cumulative effects due to noise from operational or construction activities at this and other committed developments cumulatively.

- *Summary*

6.7.20 The scheme is currently in Outline form, and as such, the finer detail of the impact upon the residential amenity of surrounding properties can be fully assessed as part of the consideration of any future Reserved Matters application. There is also scope for screening along this boundary as indicated on the Parameters Plan and **Conditions 4 & 38** addresses this. Given the distances involved, whilst it is inevitable that any development of the scale proposed would alter the outlook from these properties, it is not considered that the proposals would be so significantly and demonstrably harmful so as to outweigh the benefits of the proposal. It is therefore considered that whilst the proposal is in conflict with Policy CS11 of the Core Strategy CS11c of the Core Strategy, limited weight should be given to this in the planning balance.

8. Drainage and Hydrology

6.8.1 The ES includes a chapter (Chapter 12) on flood risk and drainage, which has been informed by a detailed Flood Risk Assessment (FRA) carried out by Peter Brett Associates LLP.

6.8.2 The ES chapter provides an assessment of the potential impacts of the proposed development and their associated effects on water resources including flood risk as a result of the proposed development. The assessment considers the effects relating to flood risk, surface water drainage, water quality and consumption of public water supply and is supported by the Peter Brett Associates LLP (PBA) Flood Risk Assessment (May 2015), the PBA Ground Conditions Desk Study (PBA, 2015) and the Report on Baseline Surface Water Quality (PBA, 2015) which were submitted in support of the application appended to the ES.

6.8.3 The main receptors identified in the chapter are any areas of land or development potentially affected by flooding both as a result of the development but also within the proposed development itself, surface water, groundwater and humans onsite or vicinity of the site (flood risk/water quality/water resources effects on human health).

6.8.4 The Padge Hall Brook flows in a north easterly direction upstream of the site before flowing through the site. A small ditch flows into the Padge Hall Brook, running along and just inside the southern boundary of the site. A tributary of the River Swift runs southwards down the eastern side of the study site (see **Figure 37**). Surface water quality testing has confirmed that generally the baseline surface water quality in the Padge Hall Brook, the River Swift Tributary and the groundwater spring is generally of 'Good' or 'High quality'. Further testing of soils on site and surface waters in the Padge Hall Brook was recommended to assess elevated levels of manganese that were recorded in the surface water.

in terms of flood risk and water quality. Water efficiency measures may also be included in the scheme and will reduce the impact on water resources.

- 6.8.9 Strategic wastewater treatment works (off site) will be subject to a discharge consent and the impact of new development could result in additional loadings at the treatment works off site if these do not have adequate capacity and this could potentially impact on the water quality in the receiving watercourse downstream of the treatment works. Foul water effluent from the new development will be discharged to an existing foul sewer located east of the site, and there are no constraints to wastewater treatment capacity arising from the proposed development. The nearest foul sewer is a 375 mm concrete sewer running north-south adjacent to the site's eastern boundary.
- 6.8.10 Following implementation of the incorporated mitigation measures no adverse residual effects have been identified for the completed development. The proposed scheme has been designed to provide negligible effects upon the existing hydrology and flood risk conditions. No additional special mitigation measures are required.
- 6.8.11 The EA and LLFA are satisfied with the revised FRA and Drainage Strategy (submitted as part of the November 2015 additional information) and have no objections to the proposed development subject to suitably worded conditions relating to surface water. See recommended **Conditions 15, 30, 31, 33 – 37**
- *Cumulative Drainage and Hydrology Effects*
- 6.8.12 A number of other developments have been proposed in the area surrounding the proposed development. Other developments could potentially have an adverse impact on flood risk, potentially increasing flood risk on the Proposed Development site, or to properties downstream of the proposed development.
- 6.8.13 Other development includes the Land at Mere Lane, Bittesby. The outline application for this site includes the erection of up to 419,800m² of Storage, Distribution buildings (B8) with ancillary B1(a) offices and other associated elements. The area surrounding Zone 1 of this site Glebe Farm drains into a series of Ordinary Watercourses, which discharge into the River Soar and therefore Zone 1 of 15/01531/OUT will have no cumulative impact with 15/00865/OUT.
- 6.8.14 The Proposed Development is located in a downstream part of the River Swift catchment from Zone 2 of 15/01531/OUT which opens up the potential of it being affected this proposal. 15/01531/OUT has been accompanied by a SFRA which has identified a series of mitigation measures which limit runoff rates to that of a greenfield. As such, the increase in flood risk to the Proposed Development from Other Developments in the surrounding region is considered negligible.
- *Summary*
- 6.8.15 The development of a surface water management scheme that restricts runoff to the Greenfield runoff rate shall ensure that there is no increase in flood risk on site or to those downstream. SuDS practices should be implemented to the greatest extent possible (depending upon appropriate site soil and geology) to maximize infiltration rates and associated contributions to baseflow.
- 6.8.16 The proposed development is considered to accord with Section 10 of the Framework and Policy CS10 of the CS. It is therefore considered that limited weight should be given to drainage and hydrology related issues.

9. Heritage and Archaeology

6.9.1 The ES contains a chapter (Chapter 10) on Heritage and Archaeology.

○ *Heritage Legislation / Policy*

6.9.2 Section 66 of the Planning (Listed Buildings & Conservation Areas) Act 1990 places a duty on a local planning authority, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting, or any features of architectural or historic interest it possesses. Likewise, Section 72 of the same Act places a requirement on a local planning authority in relation to development in a conservation area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

6.9.3 CS Policies CS1(o); CS11 and CS13 are the relevant DP policies. The relevant parts of these policies state:

- Support development which protects, conserves and enhances the District's built heritage (CS1(o))
- In areas with particularly high heritage value (such as Conservation Areas), new development should be sympathetic to those characteristics that make these places special (CS11a)
- Heritage assets within the District, and their setting, will be protected, conserved and enhanced, ensuring that residents and visitors can appreciate and enjoy them (CS11(d))

6.9.4 Protecting and enhancing the historic environment is an important component of the Framework's drive to achieve sustainable development. The appropriate conservation of heritage assets in a manner appropriate to their significance forms one of the 'Core Planning Principles' (Core Principle 10) that underpin the planning system. This is expanded upon principally in Paragraphs 126-141.

6.9.5 The NPPG states:

- the significance of a heritage asset derives not only from the asset's physical presence, but also from its setting.
- the harm to a heritage asset's significance may arise from development within its setting.
- that public benefits could be anything that delivers economic, social or environmental progress and they may include heritage benefits, such as: sustaining or enhancing the significance of a heritage asset and the contribution of its setting.

○ *Designated Heritage Assets*

6.9.6 The site contains no designated heritage assets such as world heritage sites, scheduled monuments, registered parks and gardens, listed buildings or conservation areas. In the wider area surrounding the site are a number of listed buildings, the closest is a Grade II listed farmhouse at Streetfield, 700 metres to the south and located on the southern side of the A5. There are groups of listed buildings at Cotesbach, 2km to the south east, Churchover, 3.5km to the south west and within the Lutterworth conservation area 2km to the north east. Due to their location away from the Site, the surrounding environs, including topography, settlement, woodland and tree cover, their settings are not considered sensitive to change as a result of the proposed development being implemented. In each case, their function, form and location are such that they clearly do not possess any significant inter-relationships with the site. No harm would be caused to the significance of any Listed Buildings or the Lutterworth Conservation Area.

○ *Impact of the development on the Cotesbach Conservation Area*

6.9.7 Cotesbach Conservation Area is located to the south east of the application site. Due to the close knit pattern of development within the village, and in particular the historic core element of it, there are only glimpsed views of the surrounding landscape from within the Conservation Area itself. Due to relatively modern development on the fringes of the village, the Conservation Area

is not clearly perceptible from the wider landscape and therefore there would not be any impact on its significance, and there is therefore no harm to the Conservation Area.

- *Archaeological Impacts*

- 6.9.8 The application has been supported by a detailed desk-based archaeological assessment (DBA) which has identified that there was the potential for Prehistoric, Romano British, Anglo-Saxon, medieval and modern remains to be present within the site, based on the records contained within the Leicestershire historic environment record (HER).
- 6.9.9 Whilst no direct evidence of Anglo-Saxon activity is recorded from within the site, an isolated Anglo-Saxon burial was discovered during road widening of the A5 adjacent to the southwest of the site. This raises the potential for other isolated burials to be present in this vicinity, restricted to the area of the site closest to the A5. The geophysical survey did not identify any features which would indicate significant Anglo-Saxon activity, although the nature of the burials means that they may not be easily detectable via this method. As such, the potential remains for Anglo-Saxon burials to be present in the area adjacent to the A5.
- 6.9.10 Evidence for medieval activity within the site comprises of areas of ridge and furrow. These no longer survive as extant remains, although the geophysical survey indicated that they do survive as buried features. The geophysical survey also identified buried evidence of former field boundaries identified on 18th and 19th century mapping. The farm buildings at Glebe Farm are located within the site. The archaeology and heritage assessment has identified that this farm originated in the 19th century and that only the farmhouse and two outbuildings currently survive from its original layout, none of which are listed buildings. The assessment has concluded that the farm is a poor representation of a 19th century farmstead.
- 6.9.11 In light of the submitted DBA, LCC Archaeology requested trial trenching be carried out across the site in order to explore the archaeological potential of the site. This work was carried out during the summer of 2015 and submitted for consideration in the Autumn. The trial trenching confirmed that the geophysical survey was an accurate guide to the location and extent of archaeological remains within the site, and that large parts of it contain no buried deposits. The trial trenching also confirmed the presence of a ditch feature dated to the Roman period in the northeast of the proposed development area, which coincides with a faint response in the geophysical survey. The lack of any associated features and its projected presence across a large area of modern farmland suggests that it is agricultural in origin and likely to represent the remains of a field system outside of the site area. No further features dating to the Roman period were identified. There is good preservation of organic material within waterlogged deposits adjacent to the Padge Hall Brook. However, no material considered to be of archaeological significance was identified.
- 6.9.12 LCC Archaeology consider that, taken as a whole (ie the DBA, geo-physical works and trial trenching) the investigation has provided an adequate understanding of the heritage interest of the development area, indicating the presence of buried archaeological remains of Roman date in the northern and north-eastern part of the site. Additional targeted trenching and area excavation prior to development will be required to satisfactorily investigate and recorded any remains likely to be affected by the development proposals.
- 6.9.13 Accordingly, LCC Archaeology consider that, unmitigated, the proposals are likely to have a detrimental impact upon any heritage assets present. NPPF paragraph 141, states that developers are required to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact of development. In that context it is recommended that the current application is approved subject to conditions for an appropriate programme of archaeological mitigation, including as necessary intrusive and non-intrusive investigation and recording.

6.9.14 The applicant will be required to submit a Written Scheme of Investigation to the planning authority, for approval before the start of development. It should include a suitable indication of arrangements for the implementation of the archaeological work, and the proposed timetable for the development.

- *Cumulative Heritage and Archaeology Impact*

6.9.15 Given the disparate locations of the two application sites, there are no assets upon which both proposals have an impact other than the potential for buried remains in the area to the south of the Coventry Road. Zone 2 of 15/01531/OUT also falls within this area as well as 15/00865/OUT and therefore has the potential to impact similarly as 15/00865/OUT as detailed above. Similar to this application, 15/01531/OUT is also subject to a programme of further detailed archaeological work if consent is granted with the same result that any buried remains would be reported and recorded. On the basis of this, it is considered that there would be no cumulative impact upon Heritage assets as a result of the cumulative development of both 15/00865/OUT and 15/01531/OUT.

- *Summary*

6.9.16 On the basis of the above, it is considered that the impact upon archaeological assets is considered to be not significant. The impacts of the proposal upon the surrounding heritage assets (both designated (NPPF Para 132) and non-designated (NPPF Para 135)) have been considered in detail as part of the formulation of the recommendation by Officers. It is considered that the proposals accord with Policy CS11 of the Harborough District Core Strategy. Furthermore, as detailed above, it is considered that there will be no harm to the significance of designated assets or non-designated assets and the effect on archaeological features are all considered to be not significant, and, given the recording of the archaeological finds on site which would be of benefit to the understanding of the area, limited positive weight should be given to Heritage related issues.

10. Design

6.10.1 Notwithstanding layout, scale and external appearance of the proposed development is a Reserved Matter, the DAS and Parameters Plan submitted demonstrate how the Site could be developed – see **Figure 38** below

6.10.2 This plan sets out the number of units in each zone, the maximum floorspace and ridge height of the units and the overall dimensions of the proposed units. A more detailed view of the parameters can be seen in the Design and Access statement and are set out below. The plan also sets out the proposed locations of the strategic attenuation basins and the watercourse drainage corridors, the proposed bunds and screen planting, the location of the lorry park, the realignment of the A4303 to accommodate the proposed roundabout and the route of the emergency only access to the A5.

- *Zone A/B*

6.10.3 The main zone is adjacent to the A4303 and the proposed roundabout and lorry park and has a developable area of 23.36Ha and it is proposed to be able to accommodate between one and five buildings, ranging in floorspace from 15,000sq m to 120,709 sq m with a maximum floorspace of 120,709sq m. The buildings would range between 70m and 195m in length, by 190m to 620m in width. The maximum height of the buildings would be 18m. The proposed finished floor level would be no higher than AOD 122.00 with a resultant maximum parapet height of no more than AOD 140.00.

- *Zone C*

6.10.4 Zone C is located in the south eastern corner of the site adjacent to the attenuation basins and has a developable area of 3.84Ha and it is proposed to be able to accommodate one building, with a maximum floorspace of 20,000sq m. The buildings would be no more than 174m in length, by 115m in width. The maximum height of the building would be 18m. The proposed finished

floor level would be no higher than AOD 117.00 with a resultant maximum parapet height of AOD 135.00.

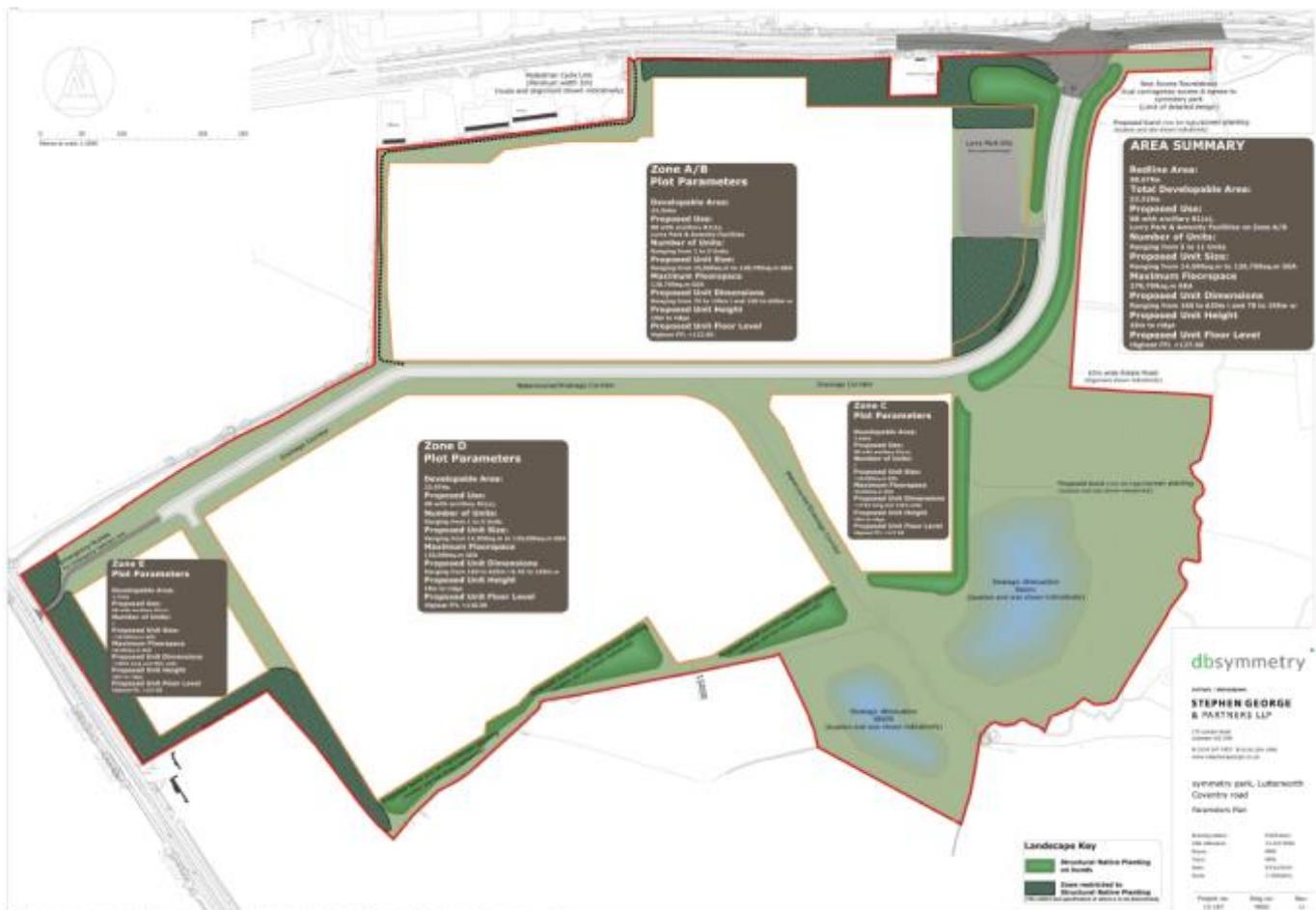


Figure 38 – revised Parameters Plan

- Zone D
- 6.10.5 Zone D is located to the south of Zone A/B and has a developable area of 23.07Ha and it is proposed to be able to accommodate between one and four buildings, ranging in floorspace from 14,500sq m to 120,000 sq m with a maximum floorspace of 120,000sq m. The buildings would range between 160m and 620m in length, by 95m to 195m in width. The maximum height of the buildings would be 18m. The proposed finished floor level would be no higher than AOD 126.00 with a resultant maximum parapet height of no more than AOD 144.00.
- Zone E
- 6.10.6 Zone E is located adjacent to the A5 and the proposed emergency vehicle access and has a developable area of 3.25Ha and it is proposed to be able to accommodate one building, with a maximum floorspace of 18,000sq m. The building would be no greater than 180m in length, by 98m in width. The maximum height of the building would be 18m. The proposed finished floor level would be no higher than AOD 127.00 with a resultant maximum parapet height of no more than AOD 145.00.
- Open Space & Green Infrastructure
- 6.10.7 A range of open space and green infrastructure have been proposed alongside the development proposal. The Open Space to be provided includes:
 - additional hedgerow planting and new spinneys along the edges of the A4303 and A5;
 - a network of SuDS ponds to manage run off and maintain water quality;

- measures to reinforce existing planting and to enhance wetland habitat will be incorporated; and
- routes for cyclists and pedestrian links to a bus stop and to Magna Park.

6.10.8 The Landscaping Strategy has provided a suitable response to the proposal and will ensure that the long term impacts of the proposals are sufficiently mitigated. The detailed landscaping of the site can be considered by condition (see recommended **Condition 2**) or at the Reserved Matters stage for each parameter zone. To ensure the landscaping is appropriately managed and maintained, a condition seeking the submission of a Landscape Management Plan is recommended (see recommended **Condition 38**).

6.10.9 Matters relating to levels, refuse & recycling facilities, cycle storage within the curtilage of the buildings; extraction / ventilation equipment and external lighting can all be controlled by way of condition (see **Condition 13**) or considered as part of the Reserved Matters submission for each parameters zone. It is therefore considered that the proposal accords with Policy CS8 of the Harborough District Core Strategy.

6.10.10 The design of the proposal has been fully considered as part of the formulation of the recommendation by Officers. It is considered that, subject to the satisfactory consideration of Reserved Matters the proposals accord with Policies CS11 and CS8 of the Harborough District Core Strategy.

6.10.11 Landscaping is a reserved matter. See recommended **Condition 2**. To ensure the landscaping is appropriately managed and maintained, a condition seeking the submission of a Landscape Management Plan is recommended. See recommended **Condition 38**.

- Lorry Parking

6.10.12 The application proposes the creation of a Lorry Park to serve the buildings within the development. Whilst the facility will not be available to lorries serving the Magna Park site, and therefore will not solve the issue currently faced in the area, it will prevent the development from exacerbating the situation. The lorry park facility will likely feature facilities for the drivers, and the details of these fall to be considered at Reserved Matters stage.

- Other design matters

6.10.13 Matters relating to levels, refuse & recycling facilities, cycle storage within the curtilage of the buildings; extraction / ventilation equipment and external lighting can all be controlled by way of condition. See recommended **Conditions 9 – 13**.

- *Summary*

6.10.14 The design of the proposal has been considered as fully as possible for an Outline application as part of the formulation of the recommendation by Officers. It is considered that the proposals as set out accord with Policies CS11 and CS8 of the Harborough District Core Strategy.

11. Footpaths

6.11.1 The distance from the centre of Lutterworth to the centre of the site is around 2.5km while the main residential part of the town, which has developed to the west of the centre, and some of the surrounding villages are a little closer at around 1.8km.

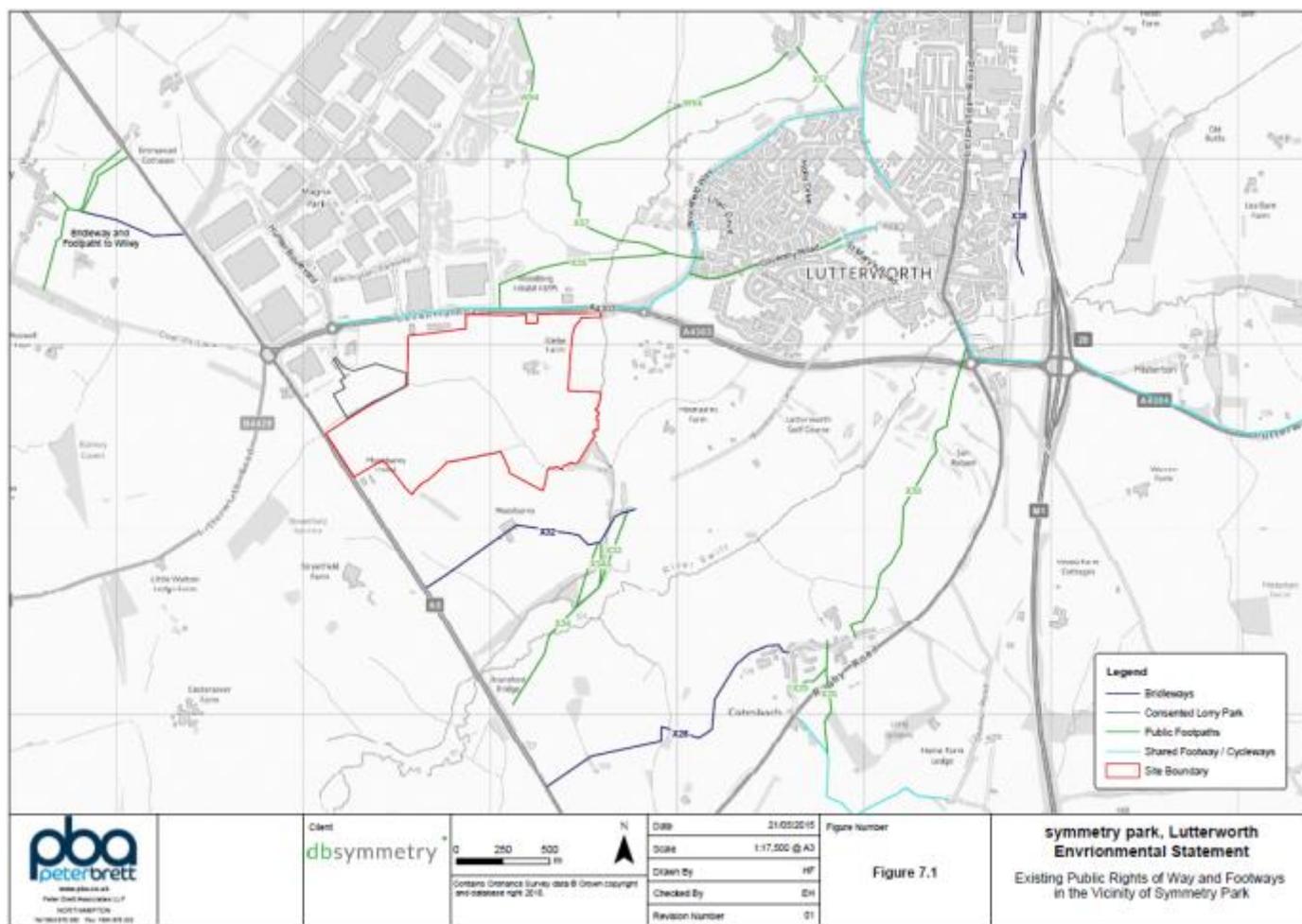


Figure 39: Existing Rights of Way

6.11.2 There are no footpaths or bridleways crossing the site (see **Figure 39**). An important component of the proposed Parameters Plan is a pedestrian and cycle way which leads from the A4303 adjacent to the site boundary with Semelab, leading into the site. This new path would provide a link close to the public footpath on the opposite side of the A4303 which takes people across the Lutterworth Country Park to Brookfield Way. This new connection will provide access to the wider network of existing Public Rights of Way between Lutterworth and the application site.

- *Cumulative Footpaths Effects*

6.11.3 Due to the fact that the sites are remote from each other with the existing Magna Park located between them, it is not considered that application 15/00865/OUT has any impact on the same footpaths as 15/01531/OUT and vice versa. Furthermore, the recently approved residential scheme at Coventry Road and the B2 consent at Leaders Farm again do not have any impact upon the same footpaths as 15/01531/OUT. As such, it is not considered that the proposals will have any cumulative impact on rights of way.

- *Summary*

6.11.4 The increased accessibility across and around the site weighs in favour of the proposal and must be assessed against the harm of the development in the overall planning balance.

12. Agriculture and Soils

6.12.1 The ES includes a section on the agriculture and soil quality of the Site.

6.12.2 The ALC system divides land into five grades according to the extent to which inherent characteristics can be exploited for agricultural production. Grade 1 is described as being of

'excellent' quality and Grade 5, at the other end of the scale, is described as being of 'very poor' quality. ALC is based upon an assessment of limiting factors, including soils, climate and other physical limitations and the way in which these factors interact.

6.12.3 National planning policy governing the non-agricultural development of agricultural land is set out in the National Planning Policy Framework (2012) (the NPPF). Annex 2 of the NPPF identifies the "best and most versatile agricultural land" (BMV) as land in Grades 1, 2 and 3a of the Agricultural Land Classification (ALC). It is estimated (Natural England, 2012) that around 42% of all farmland in England is of BMV quality.



Figure 40: Agricultural Land Classification

6.12.4 Only a very small element of the Site has been identified as 'best and most versatile' (see **Figure 40**); 1.9% is grade 3a (good), 96.2% is grade 3b (moderate to poor), and 1.9% is non-agricultural. It is therefore considered that the proposal complies with NPPF Para 112.

o *Cumulative Agricultural Land and Soils Effects*

6.12.5 Cumulatively, only a very small element of the two sites has been identified as 'best and most versatile'; 0.56% is grade 3a (good), 83.3% is grade 3b (moderate), 0.82% is grade 4 (poor) and 15.32% is non-agricultural. It is therefore considered that cumulatively the proposals comply with NPPF Para 112.

13. Contamination

6.13.1 The ES includes a stand alone report on Contaminated Land which has been informed by a detailed Phase 1 Preliminary Environmental Risk Assessment to determine whether the ground conditions are suitable for construction and whether any contamination present from historic uses could cause adverse impacts during construction or to future residents and users of the Site.

- 6.13.2 The Site is located within a predominantly agricultural area with some limited residential housing to the north, east and south of the Site, with commercial/industrial use to the north and south west, in the form of the existing Magna Park and Moorbarns Hotel. The Site is located within an area of mixed agricultural and commercial/industrial use.
- 6.13.3 Potential sources of contamination identified at the Site are primarily from the agricultural use of the Site, including the farming processes and buildings, the presence of any Made Ground on-Site, and the presence of the clay pigeon shooting club. Potential sources of contamination identified in the surrounding area include the agricultural land use, the travelling showpersons site, and the commercial/industrial warehouses in the existing Magna Park.
- 6.13.4 From available regulatory information, there are potential sources of contamination present on the Site, which relate to landfilled material, understood to have been deposited in the south of the Site, associated with the former aerodrome. Considering the future commercial use of the Site, possible pollutant linkages were identified.
- 6.13.5 It was recommended that intrusive Site investigation be undertaken at the Site, targeting historical sources of contamination, as well as gaining coverage of the Site area. It was concluded that in the unlikely event that significant contamination be identified, remedial works may potentially be required, in order to be protective of sensitive controlled water receptors, and the human health of end-users of the proposed Site development.
- *Summary*
- 6.13.6 On the basis of the information reviewed as part of the Phase I Preliminary Environmental Risk Assessment, it is considered that the risk of significant pollutant linkages with respect to ground contamination is low to medium. It is therefore considered that the proposal complies with NPPF Para 120.

14. Other Matters

- *Renewable Energy*
- 6.14.1 The proposed development would be required to meet the statutory minimum contained in the Building Regulations on sustainable build standards in accordance with CS Policy CS9.
- 6.14.2 The most sustainable form of energy is that which is not required in the first place. Consequently the energy demand reduction achieved by energy efficiency measures and good design standards is considered more sustainable than renewable energy. The energy efficiency measures should be incorporated where they are cost effective as this then reduces the burden of the absolute energy supplied by renewable sources.
- 6.14.3 Notwithstanding the above, the development has the potential to benefit from the installation of roof mounted Photo voltaic panels which could provide a significant contribution level of (7.5MWP). The Photo voltaic panels will generate approx 6,750,000 Kwhrs per annum saving 3,523,500 KG CO². This equates to over 60% of the projected annual site energy usage. Solar Thermal cells could be installed the main office areas to provide a pre heat facility for the main office hot water installation. This would reduce the gas usage by the development. Air source heat pumps could be installed for the heating and cooling of the main office areas. Heat pump installations have extremely high efficiency for both the heating and cooling cycles. A Condition seeking details of such measures is recommended at **Condition 9**.
- *Loss of Existing Sport Facilities*
- 6.14.4 An established clay pigeon shooting venue currently occupies part of the Site. Whilst the loss of an existing sports facility is considered unfortunate there are suitable alternative facilities already available within a reasonable travel distance of the existing facility such as the Kibworth Gun Club at Kibworth Beauchamp. Whilst CS policies seek to generally protect existing sports facilities, the 'Provision of Open Space, Sport and Recreation' document does not identify a

specific local standard for the provision of clay pigeon shooting facilities. A balanced assessment of the benefits of the existing facility against other objectives of the CS and benefits of the proposed development must be made. Furthermore, the Club are fully aware of the temporary nature of their current venue. As such there is no reasonable justification for withholding planning permission on this ground.

○ *SEMELAB*

6.14.5 Semelab are a world renowned manufacturer of high reliability semiconductor devices for commercial aircraft, satellites and military equipment. Semelab exports a significant proportion of its sales to companies in the United States and Europe. The Semelab factory is located on Coventry Road, to the south of the existing Magna Park.

6.14.6 Semelab have concerns that the ground bourn vibrations and air borne dust particles could have an unacceptable impact upon their business operations which could potentially lead, particularly for SEMELAB, to major issues for the continuance of the business.

6.14.7 Whilst it is possible that such issues could arise, it must be noted that the application site is currently in agricultural use, and as such, particularly during harvest time, there is already the potential for significant issues related to air borne dust even if the development did not occur. Secondly, the applicants and the operators of SEMELAB have been in lengthy discussions to develop an adequate mitigation scheme to prevent dust particles entering the laboratories and to prevent ground borne vibrations interfering with the sensitive equipment within the laboratories. These could include the damping of the soil on the site in order to prevent dust at source, and the installation of air showers within the facility in order to prevent dust particles entering the laboratories. In terms of vibration, the mitigation could include the provision of a rubber filled trench along the sensitive boundary. This mitigation scheme can be secured as part of the CEMP (see recommended **Condition 6**) and in the view of Officers adequately addressed the concerns of SEMELAB. As such there is no reasonable justification for withholding planning permission on the grounds of the impact of the proposal upon these operations.

○ *Separation Area*

6.14.8 Concerns have been raised through representations by local residents regarding the loss of the existing "separation area" between Magna Park and Lutterworth. The area defined as separation area under Policy EV3 and further clarified in Policy CS1 Of the Harborough District Core Strategy. The application is not in the defined area of separation (see **Figure 41**), and as such, does not directly conflict with the Policy. Policy CS1 states that areas of separation will be reviewed, and this can be considered either by the District Council through the formulation of the New Local Plan, or by a neighbourhood group through the formulation of a Neighbourhood Plan.

6.14.9 The Regulation 22 request from HDC in March 2017 specifically requested consideration of the effect in cumulative terms on the Area of Separation (AoS). The ESA considers that the AoS has a Low-Medium Sensitivity. TLP consider the sensitivity would be higher and at least Medium in view of its important separating function between Lutterworth and Magna Park.

6.14.10 The ESA considers there would not be any significant effects on the Area of Separation arising from the Symmetry Park scheme. Three viewpoints 15, 16 and 17 have been provided to illustrate views from within and towards the Area of Separation. Effects for both Scenario 1 and 2 are considered to be of Low magnitude at Construction and Operation stages and of Minor to Minor/Negligible significance.

6.14.11 The Symmetry Park scheme is located outside the Area of Separation and although it would have an indirect effect due to providing increased containment of built form around part of the Area of separation it would be located in relatively close proximity to the existing Magna Park. The greatest direct effects on the Area Separation would be the consented residential Development D which is located within it. TLP consider that there would be an increased and

Medium effect on the Area of Separation compared to that assessed in the ESA within both Scenarios 1 and 2. However, this increased effect is principally due to Development D, but also contributed to by Development B (Symmetry Park) as together they would reduce the sense of separation between Lutterworth and Magna Park.

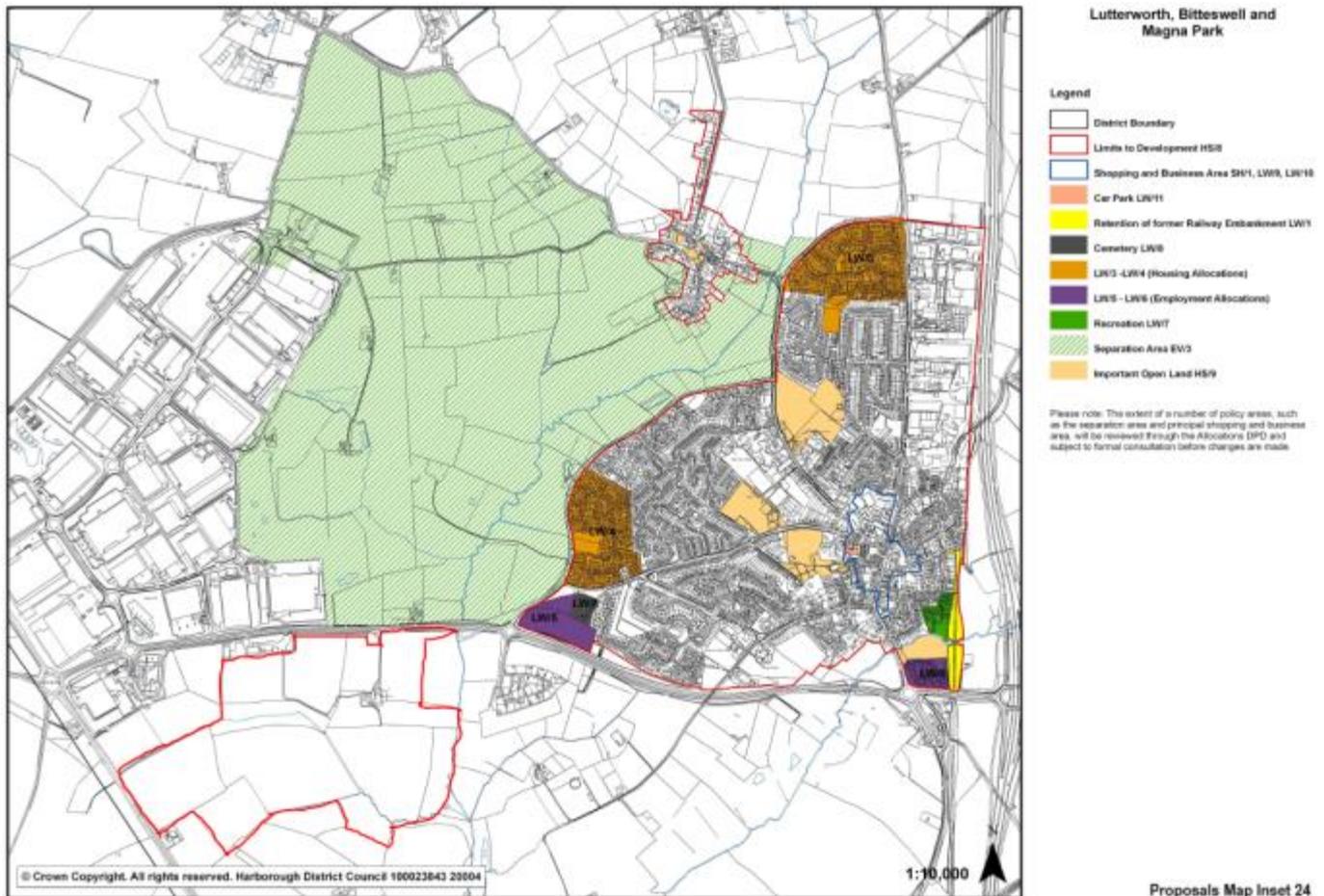


Figure 41: Local Plan Proposals Map Inset 24 indicating defined Separation Area in relation to Application Site

c) Section 106 Obligations & Viability

- 6.10 Planning obligations under Section 106 of the Town and Country Planning Act 1990 (as amended), commonly known as s106 agreements, are a mechanism for securing benefits to mitigate against the impacts of development.
- 6.11 Those benefits can compromise, for example, monetary contributions (towards public open space or education, amongst others), the provision of affordable housing, on site provision of public open space / play area and other works or benefit's that meet the three legal tests.
- 6.12 To be material planning considerations in the determination of the applications, planning obligations must be:
 - necessary to make the development acceptable in planning terms
 - directly related to the development
 - fairly and reasonably related in scale and kind to the development
- 6.13 These legal tests are also set out as policy tests in paragraph 204 of the Framework whereby Planning obligations should only be sought where they meet all of the following tests:
 - necessary to make the development acceptable in planning terms;
 - directly related to the development; and

- fairly and reasonably related in scale and kind to the development..

6.14 Policy CS12 provides that new development will be required to provide the necessary infrastructure which will arise as a result of the proposal. More detailed guidance on the level of contributions is set out in The Planning Obligations Developer Guidance Note, 2009.

6.15 Db Symmetry propose all of the following via the S106 agreement, a draft version of which is available at **Appendix D**, the heads of terms of which provide for:

- *An increase in the local value of the jobs and procurement of the development*
Db symmetry will, at its own expense, fund and employ a Community and Business Liaison Officer for a period of 7 years from the commencement of development or until full occupancy (whichever is the sooner). The CBLO:
 - will be multi based, working from various locations in the local area;
 - will report to the Landowners and the School with progress updates from time to time and in any event annually review the role. The annual review will also allow for the working hours of the CBLO to be increased up to a maximum of a full time position if the Landowners and the School agree.
 - shall be contracted to work for up to 4 hours per week during the Construction Phase of the Development until First Occupation when the CBLO shall be contracted to work for up to 7.5 hours per week per 600,000 sq ft of Occupied Development (or pro rata for each part thereof) increasing to up to 37.5 hours per week at Full Occupancy.
 - shall regularly update the Landowners and the School regarding the progression of the CLP and the OLP as applicable
 - shall act as a principal point of contact between the occupiers of the Development and the School provided that the School may invite other local education establishments to participate in any opportunities created in conjunction with the CBLO; and
 - shall foster business links between the occupiers of the Development, Lutterworth and any businesses within Lutterworth in order to ensure that the role is not limited to a relationship between the occupiers and the School.

Db symmetry will produce a Construction Liaison Plan (CLP) in accordance with the Vision Statement produced in conjunction with the Sir Frank Whittle Studio School. The CLP shall contain the following minimum provisions:

- The Landowners must identify a named point of contact for liaison with the School during the construction process
- The Landowners shall facilitate visits to the Site for students from the School at various stages during the Development where appropriate and practicable
- The Landowners shall provide an educational input to the School's programme and curriculum during the construction phase

Db symmetry will produce an Occupation Liaison Plan (OLP) in accordance with the Vision Statement with the cooperation of the School following First Occupation of the Site and it shall contain the following minimum provisions:

- The Landowners must promote the role and objectives of the School to occupiers of the Site
- The Landowners shall encourage occupiers of the Site to foster links with the School for the benefit of the School's students
- The Landowners shall require occupiers of the Site to offer experience placements, apprenticeships and job opportunities if they arise to the School
- *The mitigation of the traffic and transport effects*
Db Symmetry will, at its expense:
 - Provide an HGV Routing Plan for the construction and operation phase of the application development and enforce and monitor its application. This will include the monitoring of HGV traffic through the Lutterworth AQMA.
 - provide a new roundabout at the site access

- provide for new bus services to Hinckley, Leicester and Rugby with a new stop within the development with seating, shelters and timetable information
 - provide travel packs and bus passes for employees
 - A Site-Wide Travel Plan Co-Ordinator will be funded and employed by the landowners from the commencement of the development until full occupancy of Symmetry Park, or 7 years from the commencement of the development, whichever event is sooner.
 - provide new footways to connect the bus stops to the proposed development
- 6.16 **Appendix C** identifies the developer contributions sought by consultees, an assessment as to whether the requests are compliant with the CIL Regulations and a suggested trigger point to advise when the contribution should be made. With regards to the trigger points they should not necessarily be seen as the actual or final triggers points for the S106 agreement but treated as illustrative of the types of trigger points which may be appropriate.
- 6.17 The Assessment concludes that all stakeholder requests are CIL Regulations compliant. Furthermore, the Community Business Liaison Officer (CBLO) role suggested by the applicants is also considered to be CIL Regulations compliant. Whilst the Vision Statement prepared in conjunction with the Sir Frank Whittle Studio School in itself is not considered to be CIL compliant, it does fulfil one of the objectives of the CBLO, and as such, the management of the aims and objectives of the Vision Statement can be incorporated into CBLO role.
- 6.18 As set out in LCC Highways comments at **Appendix A**, due to the presence of the Lutterworth Southern Bypass and operational weight restrictions on the local highway network, it is not considered that a traffic routing agreement would be necessary to make the development acceptable in highways terms. However, it is considered that, in terms of meeting the Air Quality Objectives, a HGV Routing Agreement so as to ensure that HGV's do not enter the Lutterworth Air Quality Management Area (other than for purposes of access) would meet the tests of Para 204 of the NPPF. The applicants have agreed to a monitoring regime for this which utilises an Automatic Number Plate Recognition (ANPR) system which monitors whether or not vehicles which enter or leave the site then travel through the Lutterworth AQMA. In order to HGV discourage drivers from doing this, fines will be levied against offending vehicles, which will then be passed on to the Council for Air Quality Monitoring purposes within the District.
- 6.19 Furthermore, WCC and LCC both consider that the development could result in a need to amend a number of Traffic Regulation Orders (TRO) in the vicinity of the development. The two Highways Authorities are currently proposing different solutions to this. WCC have suggested that the developers be obliged to make a financial contribution to be held in a bond, and that a Transport Review Group (TRG) is established. The TRG would identify areas in which concerns are being raised, identify the issue and work together to resolve it. The relevant parties of the TRG would then draw down funds from the bond in order to implement the works required. LCC are suggesting that the developers be obliged to contribute £200,000 for the review of TRO's in conjunction with WCC. Officers are not convinced that LCC's requirement of £200,000 for yet to be identified issues is CIL compliant and that LCC are not yet sure that the TRG can work, however if LCC can provide more evidence regarding the £200,000 obligation to justify it or the applicants can provide more evidence of how the TRG would work, then one or the other of the options can be included in the S106 to mitigate any yet to be identified harm which may occur. It is considered that all other contributions and obligations proposed by the Applicants would also be compliant with the Para 204 tests.

d) Assessment of Alternatives

- 6.20 As set out at **Para's 5.2.1 – 5.2.4 of the Overview Report**, there is an identified need for B8 floorspace in the area, and as part of the Local Plan preparation process, evidence has been gathered which demonstrates that Harborough District can accommodate up to 700,000sq m of B8 floorspace in the area around Magna Park.

- 6.21 As set out at **Paras 5.2.5 – 5.2.6 of the Overview Report**, HDC have assessed whether or not there are any available alternatives to provide the quantum of development which has been identified as being needed as part of the local Plan preparation. The only site within the area capable of providing the identified quantum of development is located between Lutterworth and Leicester. To date, no developers have been appointed to the project, and as such there is no realistic prospect of any planning application being forthcoming in the foreseeable future. As such, Officers are satisfied that, whilst it may come forward during HDC's Local Plan period, there is no certainty of this, and as such, it cannot currently be regarded as a suitable or available site on which to meet the identified need. It is therefore considered that there are no suitable and available alternatives for the quantum of provision identified within the locality other than two current applications.
- 6.22 Each application proposal and site (15/00865/OUT and 15/01531/OUT) is acceptable in its own rights. As set out in the individual application reports and the **Overview Report** to this Agenda at **Section 5**, there are no technical reasons to object to either, or both applications, and both applications are recommended for approval. Therefore, whilst a comparison of the two applications has been carried out (see the **Comparative Report**), if Members agree with the reasoning and conclusions as set out in the **Overview Report**, there is no need for Members to carry out a comparison of the two applications. It would therefore fall that, if Members agree that there are no technical issues with either application and that there are no cumulative concerns, both applications should be approved. However, if Members have concerns regarding the capacity or need for, or the cumulative impact of the proposals, a comparison of the two applications would have to be made.

e) Phasing, implementation and delivery

- 6.23 The development has been programmed over a 10 year period and will likely come forward in 4 phases. Assuming outline consent is granted and the first reserved matters approved by Spring 2017, the Applicant's have advised that development would start on Site in Summer 2018, with completion of Zone A/B expected in 2020/21. It is anticipated that thereafter, the development could be completed by 2026.



Figure 42: Indicative Phasing Plan

- 6.24 The applicants included an Indicative Phasing Plan (**Figure 42**) as part of the submitted documentation
- 6.25 As the Phasing Plan is indicative and to ensure all of the elements within the development are provided within a suitable timeframe, a condition seeking a Site wide phasing plan is requested. See recommended **Condition 3**.

f) Article 2(3) Development Management Procedure (Amendment) Order 2012

- 6.26 In assessing this application, the Case Officer has worked with the Applicant's in a positive and proactive manner consistent with the requirements of paragraphs 186-187 of the NPPF. This included the following:-
- Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
 - Have encouraged amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development.
 - Have proactively communicated with the Applicant's through the process to advise progress, timescales or recommendation.

7. Conclusion – The Planning Balance

- 7.1 The proposal relates to a considerable level of additional provision of B8 floorspace in the area to the west of Lutterworth adjacent to Magna Park. Policy CS7h of the Core Strategy stated that the policy seeks to protect “Magna Park’s unique role as a strategic distribution centre (B8 uses / Min size 10,000 m2) of national significance and an exemplar of environmental performance.” CS7h goes on to say, “No further phase of development or large scale expansion of the site, beyond the existing development footprint (to be defined in the Allocations DPD) will be supported.” On the basis of this, it is evident that the proposal is contrary to Policy CS7h, and therefore, does not comply with the Development Plan. However, as set out in the reports, it is acknowledged that elements of the Core Strategy are considered to be out of date, including Policy CS7h. On the basis of this, only limited weight can be given to the conflict with Policy CS7h of the Core Strategy. Subsequently, on the basis that the relevant policies within the Local Plan are considered to be out of date the presumption in favour of sustainable development (Para 14 of the NPPF) should be applied.
- 7.2 The proposed development will deliver a distribution scheme that will provide a substantial quantum of B8 floorspace which will contribute to meeting the deliverable road based distribution land supply in the District and to meeting longer term needs across the County. This carries significant weight in favour of the proposal which outweighs the conflict with the Development Plan.
- 7.3 The proposed development whilst on Greenfield land and within open countryside is not subject to any statutory landscape designations (e.g. AONB - Area of Outstanding Natural Beauty or National Park). The proposed development will have some significant adverse effects in landscape/visual terms, which weigh against the proposal however this is inevitable on any Greenfield Site accommodating major development. Furthermore, the proposals have been designed to minimise these effects with significant areas available for open space and structural landscaping and the maximum height of the buildings in Zone A/B has been significantly reduced. It is considered that harm caused by the proposal upon the surrounding landscape would not be significant, and as such, limited weight should be given to the impact of the proposal in landscape terms.
- 7.4 The Site is well connected to the local and strategic highway network within an accessible location, central to the Region’s and Country’s manufacturing and distribution core and able to take advantage of and provide service to these industries. The development will also provide for

improved Public Transport services with new routes to Rugby, Hinckley and Leicester to be provided for.

- 7.5 The CHA are satisfied that, subject to appropriate mitigation measures, there would be no unacceptable adverse impact on the safety or free flow of traffic on the local road network. Furthermore, the Highways Agency has also confirmed that it is satisfied that the development would cause no adverse impact on the strategic road network. It is considered that, subject to the required mitigation, there would be no harm caused by the proposal upon the surrounding highway network and that there would be a net benefit to the network, This weighs in favour of the proposal.
- 7.6 The proposed development would be visible from some local properties, and from some, highly visible, however, it is not considered that the proposal would have any demonstrable impact upon these properties at this stage, and as such, little weight should be given to the impacts of the proposal on residential amenity. Furthermore, whilst there may be some audible noise emanating from the development, given the existing background noise levels in the area, it is not considered that there would be any demonstrable harm caused by noise from the development which could not be adequately mitigated against, and as such, limited weight should be given to the impacts of the proposal in terms of noise issues.
- 7.7 Concerns have been raised regarding the impact of the development on Air Quality on the area. However, due to advances in technology and stricter legislation with regard to vehicle emissions, notwithstanding concerns regarding the location of the proposed access, it is considered that, subject to the inclusion of a S106 obligation regarding HGV monitoring through Lutterworth Town Centre, the impact of the development on Air Quality will not be significant, and as such, limited weight should be given to the impacts of the proposal on Air Quality.
- 7.8 The proposal provides inherent mitigation against flood risk, in particular surface water run off, by means of, amongst others, surface water attenuation facilities. It is considered that the mitigation provided by the development will off-set any harm that may be caused.
- 7.9 The proposed development provides inherent mitigation against the impact of the development upon Ecology. Where negative effects have been identified in terms of species and habitats, mitigation measures are proposed to minimise any potential impact.
- 7.10 The proposed development would not adversely affect the significance of any Conservation Areas, Listed Buildings or non-designated Heritage Assets. The proposal would lead to the loss of some archaeological features, however, this has been mitigated against by the requirement for these features to be fully recorded as part of the development. The result of this mitigation would be that there would be a small net benefit to non-designated heritage assets resulting from the development.
- 7.11 The proposed development would provide employment in the short term (construction) and longer term (operational phase). Whilst such benefits would arise irrespective of where development occurs, the regional and national economic benefits would be an outcome of this scheme and significant weight should be afforded in favour of the development.
- 7.12 The proposed development will remove the existing agricultural use of the Site, however, only 1.95% of the site has been identified as the 'best and most versatile' with 96.2% being classed as moderate to poor quality, and therefore this issue does not weigh materially against the application.
- 7.13 The remediation of the land and removal of contaminants is a material consideration and weighs in favour of the application.

- 7.14 The provision of a low carbon building and renewable energy facilities as part of the proposal benefit in terms of low energy related issues.
- 7.15 It is acknowledged that the proposal has caused considerable concern within the local community, and this is evidenced by the level of objection which has been received. Notwithstanding this, it is considered that the regional and national benefits of the scheme significantly outweigh the conflict with the development plan and the other limited harms which would result from the proposal. As such Members are asked to endorse the Officer recommendation that planning approval should be granted (subject to the suggested conditions and the signing of the s106 agreement/s38/2278 agreement).
- 7.16 In reaching this recommendation, Officers has taken into account the ES which was submitted under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations, the two further statements submitted under Regulation 22(1) and the further clarification and errata statements. Officers consider that the ES and the further information provided complies with the above regulations and that sufficient information has been provided to assess the environmental impact of the proposals.

8. Suggested Planning Conditions

- 8.1 If Members are minded to approve the application, Officers recommend that the following conditions are attached to any approval. The conditions have taken into account the advice contained with Annex A of the former Circular 11/95 and the PPG.

1 Duration of Consent

The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON: To accord with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2 Reserved Matters Application

Applications for approval of details of the layout, scale, appearance, landscaping, (hereinafter called "the reserved matters") for each of the Phases (as identified in the Phasing Programme approved under condition 3 below) shall be submitted to and approved in writing by the local planning authority before any development in that particular Phase begins, and the development shall be carried out as approved.

REASON: To conform with Section 92 (2) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

3 Phasing

Prior to or concurrently with the submission of the first of the reserved matters application(s), a Site Wide Phasing Plan which accords with the section 106 triggers shall be submitted to the local planning authority for approval. The Phasing Plan shall include the sequence of providing the following elements:

- a) development parcels major distributor roads/routes within the site, including timing of provision and opening of access points into the site
- b) strategic foul surface water features and SUDS
- c) strategic electricity and telecommunications networks
- d) environmental mitigation measures

No development shall commence apart from enabling works agreed in writing by the Local Planning Authority until such time as the phasing plan has been approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved phasing contained within the phasing plan.

REASON: To ensure that the development is comprehensively designed and phased to make sure that the development takes the form agreed by the authority and thus results in a satisfactory form of development.

4 Parameters

The reserved matters submitted under Condition 2 shall be in accordance with the principles and parameters described and illustrated in the Design and Access Statement and the following Parameter Plans:

- Parameters Plan – 13-107 P002 Rev. U

Thereafter, the development shall be implemented in accordance with the approved details and retained as such in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To make sure that the development takes the form agreed by the authority and thus results in a satisfactory form of development.

5 Approved Plans

The development hereby permitted shall be carried out in accordance with the following approved drawings:

- Location Plan – 13-107 P001 Rev. F
- Parameters Plan – 13-107 P002 Rev. U
- Proposed Development Access – 28903/05 Rev. B
- Emergency Access – 28903/08 Rev. A

Thereafter, the development shall be implemented in accordance with the approved details and retained as such in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the scheme takes the form agreed by the authority and thus results in a satisfactory form of development and for the avoidance of doubt.

6 Construction Environmental Management Plan (CEMP)

No development shall take place, including any site works, until a Construction Environmental Management Plan (CEMP) for that phase has been submitted to, and approved in writing by, the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period for that phase of development to which it relates. The CEMP shall provide for, and include details of the timing of the provision of:

- The parking of vehicles for site operatives and visitors
- Loading and unloading of plant and materials
- Storage of plant and materials used in constructing the development
- The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- Wheel washing facilities
- Measures to control the emission of dust and dirt during construction
- Measures for the lighting of compounds and works during construction
- A scheme for recycling/disposing of waste resulting from demolition and construction work
- Hours of operation - the details shall include the hours of construction and the hours for the loading/unloading of materials
- The means of access and routing of demolition and construction traffic
- Location of contractors compound
- Management of surface water run-off including details of any temporary localised flooding management system and a scheme to treat and remove suspended solids from surface water run-off during construction
- The storage of fuel and chemicals
- Temporary highway works
- The means of access and routing of construction traffic
- Measures to protect the trees and hedges to be retained on the application site during the duration of the construction works;

- Measures to protect the wildlife habitats and wildlife corridors during the duration of the demolition and construction works.
- The provision of temporary drainage measures
- The storage of fuel and chemicals
- Details of any piling operation to be undertaken
- Details of measures which will require implementation with respect to the protection and enhancement of VERs during the demolition and construction phase of the proposed development
- Measures to protect the operation of the adjacent SEMELAB business.

The approved CEMP shall be adhered to throughout the construction period for that phase of development to which it relates.

REASON: To ensure appropriate mitigation for the impacts caused by the construction phases of the development and to reflect the scale and nature of development assessed in the submitted Environmental Statement.

7 Risk Based Land Contamination Assessment

No development shall commence on site until a Risk Based Land Contamination Assessment has been submitted to and approved in writing by the Local Planning Authority, in order to ensure that the land is fit for use as the development proposes. The Risk Based Land Contamination Assessment shall be carried out in accordance with:

- BS10175 Year 2011 Investigation Of Potentially Contaminated Sites Code of Practice;
- BS8485 Year 2007 Code of Practice for the Characterisation and Remediation from Ground Gas in Affected Developments; and
- LR 11 Model Procedures for the Management of Land Contamination, published by The Environment Agency 2004.

Should any unacceptable risks be identified in the Risk Based Land Contamination Assessment, a Remedial Scheme and a Verification Plan must be prepared and submitted to and agreed in writing by the Local Planning Authority. The Remedial Scheme shall be prepared in accordance with the requirements of:

- CLR 11 Model Procedures for the Management of Land Contamination, published by The Environment Agency 2004.
- The Verification Plan shall be prepared in accordance with the requirements of:
- Evidence Report on the Verification of Remediation of Land Contamination Report: SC030114/R1, published by the Environment Agency 2010;
- CLR 11 Model Procedures for the Management of Land Contamination, published by The Environment Agency 2004.

If, during the course of development, previously unidentified contamination is discovered, development must cease on that part of the site and it must be reported in writing to the Local Planning Authority within 10 working days. Prior to the recommencement of development on that part of the site, a Risk Based Land Contamination Assessment for the discovered contamination (to include any required amendments to the Remedial Scheme and Verification Plan) must be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be implemented in accordance with the approved details and retained as such in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the land is fit for purpose and to accord with Core Strategy Policy CS11

8 Completion/Verification Report

Prior to occupation of any part of the completed development, a Verification Investigation shall be undertaken in line with the agreed Verification Plan for any works outlined in the Remedial Scheme relevant to either the whole development or that part of the development. Prior to occupation of any part of the completed development, a report showing the findings of the Verification Investigation shall be submitted to and approved in writing by the Local Planning Authority. The Verification Investigation Report shall:

- Contain a full description of the works undertaken in accordance with the agreed Remedial Scheme and Verification Plan;
- Contain results of any additional monitoring or testing carried out between the submission of the Remedial Scheme and the completion of remediation works;
- Contain Movement Permits for all materials taken to and from the site and/or a copy of the completed site waste management plan if one was required;
- Contain Test Certificates of imported material to show that it is suitable for its proposed use;
- Demonstrate the effectiveness of the approved Remedial Scheme; and
- Include a statement signed by the developer, or the approved agent, confirming that all the works specified in the Remedial Scheme have been completed.

REASON: To ensure that the land is fit for purpose and to accord with Core Strategy Policy CS11

9 Renewable Energy

The appearance details required in Condition 2 shall include energy efficiency measures to be used on the buildings. The details shall be implemented as approved.

REASON:

10 Refuse and Recycling

No development shall commence on a phase until details of the provision for the storage of refuse and materials for recycling have been submitted and approved in writing by the Local Planning Authority. The details shall be implemented as approved.

REASON: To ensure the adequate provision of facilities and in the interests of visual amenity and to accord with Core Strategy Policy CS11

11 Cycle Storage

No development shall commence on site until details of secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

REASON: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles and to accord with Harborough District Core Strategy Policy CS11

12 Extraction Equipment and Air Conditioning Units

The appearance details required in Condition 2 shall include details showing ventilation and extraction equipment for the individual buildings.

REASON: To protect the amenities of residents and the surrounding area and to accord with Core Strategy Policy CS11

13 External Lighting

The appearance details required in Condition 2 shall include a scheme for the external lighting of that phase (including details of permanent external lighting including layout plan, lighting type, luminaire type, intensity, mounting height, aiming angles and luminaire profiles). The scheme shall be implemented as approved.

REASON: In the interests of the visual amenity of the area and to accord with Core Strategy Policy CS11

14 Levels

The layout and landscape details required in the reserved matters applications (condition 2) shall include details of existing and proposed site levels, including finished floor levels of any buildings. The development shall thereafter be implemented in accordance with the approved details.

REASON: To ensure that the work is carried out at suitable levels in relation to adjoining properties and the wider surroundings, having regard to amenity, landscape, biodiversity, access, highway and drainage requirements.

15 Foul Water Drainage

No development should commence on site until a foul drainage solution has been submitted and approved by the local planning authority. No building should be occupied until the works have been carried out in accordance with the solution unless otherwise approved in writing by the Local Planning Authority

REASON: To prevent pollution of the water environment.

16 Hedgerow Protection

In respect of any tree/hedgerow shown to be retained as part of any reserved matters approval scheme:

- a) no tree shall be cut down, uprooted or destroyed within 5 years of the date of the commencement of the respective Phase of development.
- b) If any retained tree is removed, uprooted or destroyed or dies within 5 years from the date of the commencement of development, another tree of the same size and species shall be planted at the same place within the first planting season following the loss of the retained tree.
- c) No development hereby approved shall begin until a scheme showing the exact position of protective fencing to enclose all retained trees beyond the outer edge of the overhang of their branches in accordance with the British Standard 5837 (2005): Trees in relation to construction has been submitted to and approved in writing by the local planning authority. Protective fencing in accordance with the approved scheme shall be erected prior to any equipment, machinery or materials being brought onto the site for the purpose of the approved development.
- d) Fencing shall be maintained until all construction equipment, machinery and surplus materials have been removed from the development site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made.

REASON: To protect trees/hedgerows which are to be retained in order to enhance the quality of the development, bio-diversity and the landscape of the area

17 Protected Species Survey

Prior to the commencement of each phase of development, a specification for supplementary ecological surveys (including birds, bats, newts and reptiles) on the development site to be carried out by a suitably qualified independent ecologist shall be submitted to and approved in writing by the Local Planning Authority. The specification shall include the methodology and timetable for the checking surveys and submission of a report detailing the results of the surveys. The report shall also identify any additional changes to approved mitigation measures required as a result of the surveys. The specification and mitigation measures shall be implemented as approved.

REASON: To ensure the protection of wildlife during the course of this development and to ensure that there is appropriate mitigation for any ecological interest on the site

18 Archaeology

No demolition/development shall take place/commence until a programme of archaeological work, informed by additional targeted trial trenching and including provision for historic building survey and palaeoenvironmental analysis, has been detailed within a Written Scheme of Investigation, submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

- The programme and methodology of site investigation and recording (including the initial trial trenching, assessment of results and preparation of an appropriate mitigation scheme)

- The programme for post-investigation assessment
- Provision to be made for analysis of the site investigation and recording
- Provision to be made for publication and dissemination of the analysis and records of the site investigation
- Provision to be made for archive deposition of the analysis and records of the site investigation
- Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

Reason: To ensure satisfactory archaeological investigation and recording

19 **Archeaology**

No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (1).

Reason: To ensure satisfactory archaeological investigation and recording

20 **Archeaology**

The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (1) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To ensure satisfactory archaeological investigation and recording

21 **Highways Details**

Save for the formation of the access arrangements, including the connection to the A5, as shown in PBA Drawing No 28903_05 Rev B (or as amended by Road Safety Audit or Detailed Design) no part of the development hereby permitted shall commence on Zone 1 until such time as the access arrangements, including the connection to the A5, as shown on PBA Drawing No 28903_05 Rev B (or as amended by Road Safety Audit or Detailed Design) have been implemented in full.

REASON: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with Paragraph 32 of the National Planning Policy Framework 2012.

22 **Highways Phasing**

No development shall commence until such time as a Site Wide Phasing Plan, in accordance with the Stephen George & Partners LLP drawing reference 13-107_P002_Rev_R has been submitted to and approved in writing by the Local Planning Authority. The Site Wide Phasing Plan shall be updated, submitted and approved by the Local Planning Authority on submission of each reserved matters application. The Phasing Plan will state when each of the following will be delivered:

- Major internal infrastructure including internal spine road, pedestrian and cycle crossings, footpaths and cycleways.
- The delivery of public transport services and accompanying infrastructure, as required by Planning Obligation.

REASON: To provide clarification on how the development will be delivered and to ensure that necessary infrastructure provision and mitigation is provided in time to address the impact and needs of the development.

23 **Offsite Highways Works**

No part of the development shall be occupied until such time as the offsite works shown on Hydrock drawing number C161222-207 Rev P4 (or as amended by Road Safety Audit or Detailed Design) have been implemented in full.

REASON: To mitigate the impact of the development, in the general interests of highway safety and in accordance with Paragraph 32 of the National Planning Policy Framework 2012.

- 24 Public Transport Provision**
No more than 25% of the development shall be occupied until such time that public transport services, as detailed in the Framework Travel Plan Issue 4, and accompanying infrastructure are delivered. All routes for use by public transport shall be made available for use prior to the commencement of services and shall be maintained and be available for use in perpetuity.
REASON: To reduce the need to travel by single occupancy vehicle and to promote the use of sustainable modes of transport in accordance with Chapter 4 of the National Planning Policy Framework 2012.
- 25 Travel Plan**
No part of any phase, in accordance with the approved Site Wide Phasing Plan, hereby permitted shall be first occupied until an amended Travel Plan which sets out actions and measures with quantifiable outputs and outcome targets relevant to the Phase and in accordance with the Framework Travel Plan Issue 4 has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the agreed Travel Plan shall be implemented in accordance with the approved details.
REASON: To reduce the need to travel by single occupancy vehicle and to promote the use of sustainable modes of transport in accordance with Chapter 4 of the National Planning Policy Framework 2012.
- 26 Gatehouses**
Any new gatehouse(s) shall be situated a minimum of 60m (travel distance) from the proposed vehicular access. No gates, barriers, bollards, chains or other such obstructions shall be erected within a distance of 60 metres of the highway boundary, nor shall any be erected within a distance of 60 metres of the highway boundary unless hung to open away from the highway.
REASON: To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic including pedestrians in the public highway in accordance with Paragraph 32 of the National Planning Policy Framework 2012.
- 27 HGV Communications Strategy**
No construction will be undertaken until a Construction Communications Strategy which contains points of contact and details for residents to report HGVs utilising inappropriate routes is submitted and approved in writing by the Planning Authority.
REASON: To mitigate the impact of the development, in the general interests of highway safety and in accordance with Paragraph 32 of the National Planning Policy Framework 2012.
- 28 Gibbet Hill Works**
Prior to first occupation the highway improvement scheme for the A5 / A426 'Gibbet Hill' Junction shall be constructed and laid out and implemented in accordance with drawing number 28903/5516/001 and PBA Drawing No. 28903/5510/005 Rev A or another appropriate scheme, approved by Highways England and Warwickshire County Council and submitted and approved in writing by the Local Planning Authority.
REASON: To mitigate the impact of the development, in the general interests of highway safety and in accordance with Paragraph 32 of the National Planning Policy Framework 2012.
- 29 HGV Routing**
Prior to first occupation a HGV Routing Strategy which identifies clear HGV routing and identifies the routes through the villages of Monks Kirby, Pailton, Street Ashton and Stretton under Fosse as unsuitable shall be submitted and approved in writing by the Local Planning Authority.
REASON: To mitigate the impact of the development, in the general interests of highway safety and in accordance with Paragraph 32 of the National Planning Policy Framework 2012.
- 30 Watercourse Alterations**
Prior to the commencement of any Phase of development (including groundwork's /

infrastructure) within 20m of the existing watercourse and/or which includes the diversion or alteration of the existing watercourse, full details of any proposed changes to the watercourse and/or its corridor (including hydraulic modelling; existing and proposed plans, cross and long sections; hard and soft landscaping proposals; management, maintenance and protection plan during construction and during occupation) and an associated Water Framework Directive assessment in respect of the changes shall be submitted to and approved in writing by the local planning authority (in consultation with the Environment Agency and Leicestershire County Council as the Lead Local Flood Authority). The details for the watercourse changes shall be provided / constructed in accordance with the approved details prior to first use (infrastructure) / occupation of each phase of development;

REASON: To confirm no increase in flood risk as a result of the proposed watercourse changes; to demonstrate that the watercourse scheme may proceed without any deterioration of the existing waterbody; to prevent the increased risk of flooding and protect water quality, improve habitat and amenity.

31 Flood risk and drainage

The development hereby permitted shall not be carried out otherwise than in accordance with the approved Flood Risk Assessment (FRA) ES Appendix i, dated May 2015, Ref: 28903/1004 undertaken by Peter Brett Associates and in accordance with mitigation measures detailed within the ES/FRA. The mitigation measures shall be implemented prior to occupation of each phase of development, or within any other period as may subsequently be agreed, in writing, by the local planning authority (in consultation with the Environment Agency and Leicestershire County Council as the Lead Local Flood Authority).

REASON: To confirm no increase in flooding by ensuring the satisfactory storage of/disposal of surface water from the site; to confirm no increase in flooding elsewhere by ensuring no loss of channel capacity.

32 Emergency Access

Prior to the first occupation of the hereby approved development, highway works at the A5 (known as the A5 emergency access) as shown in PBA Drawings No. 28903/08 Rev A (or as amended by a Road Safety Audit or Detailed Design) must be constructed. The emergency access may only be brought into use under the control of the emergency services if alternative access points are blocked.

33 Surface Water

No development approved by this planning permission shall take place until such time as a surface water drainage scheme has been submitted to, and approved in writing by, the local planning authority.

REASON: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site.

34 Construction Surface Water Management Plan

No development approved by this planning permission shall take place until such time as details in relation to the management of surface water on site during construction of the development has been submitted to, and approved in writing by, the Local Planning Authority.

REASON: To prevent an increase in flood risk, maintain the existing surface water runoff quality, and to prevent damage to the final surface water management systems through the entire development construction phase.

35 SuDS Maintenance Plan & Schedule

No development approved by this planning permission, shall take place until such time as details in relation to the long term maintenance of the sustainable surface water drainage system within the development have been submitted to, and approved in writing by, the Local Planning Authority.

REASON: To establish a suitable maintenance regime, that may be monitored over time; that will ensure the long term performance, both in terms of flood risk and water quality, of the sustainable drainage system within the proposed development.

36 Infiltration Testing

No development approved by this planning permission shall take place until such time as infiltration testing has been carried out to confirm (or otherwise) the suitability of the site for the use of infiltration as a drainage element, and the flood risk assessment (FRA) has been updated accordingly to reflect this in the drainage strategy.

REASON: To demonstrate that the site is suitable (or otherwise) for the use of infiltration techniques as part of the drainage strategy.

37 Drainage Plans

The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

REASON: To ensure that the development is provided with a satisfactory means of drainage as well as reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

38 Landscape, Ecology and Arboricultural Management Plan (LEAMP).

Details submitted pursuant to Condition 2 will include a Landscape, Ecology and Arboricultural Management Plan (LEAMP). No development shall commence in each phase unless there has been submitted to and approved in writing by the Local Planning Authority a Landscape Management Plan for that phase which shall include the specification, the timing of the completion of and the arrangements for the management and maintenance of:

- I. All areas of informal and formal open space to be included within the development
- II. Sustainable Urban Drainage Systems, watercourses and other water bodies
- III. Green Infrastructure linkages including pedestrian and cycle links, public rights of way and bridleways.
- IV. Newly created habitats and existing Valued Ecological Receptors to maximise opportunities for biodiversity enhancement and gain.
- V. The LEAMP shall reflect and enhance upon the details included within the Illustrative Landscape and Ecology Masterplan at Figure 14.5 of the LVA

The LEAMP shall also identify a mechanism for the review and monitoring of the LEAMP's effectiveness. The LEAMP will also cover the post-construction management of arboricultural and landscape elements in order to ensure that a more holistic approach is adopted. The development will thereafter be carried out in accordance with the approved LEAMP. The Landscape Management Plan shall thereafter be complied with at all times.

REASON: To ensure the proper management and maintenance of the approved landscaping in the interests of amenity and the character and appearance of the area and to accord with Core Strategy Policy CS11

39 Ecological Buffers

Details submitted pursuant to Condition 2 shall indicate the provision of a minimum of a 20m buffer to all watercourses.

REASON: To ensure the proper protection of ecological habitats and resources and to accord with Core Strategy Policy CS11

40 Indicative Masterplan

Suggested Informative Notes

1. Severn Trent Water advise that although our statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under The Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and you are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the building. Should you require any further information please contact us on the telephone number or email below.
2. The surface water drainage scheme shall include the utilisation of holding sustainable drainage techniques with the incorporation of sufficient treatment trains to maintain or improve the existing water quality; the limitation of surface water run-off to equivalent greenfield rates; the ability to accommodate
3. Surface water run-off on-site up to the critical 1 in 100 year event plus an appropriate allowance for climate change, based upon the submission of drainage calculations; and the responsibility for the future maintenance of drainage features. Full details for the drainage proposal should be supplied, including but not limited to, headwall details, pipe protection details (e.g. trash screens), long sections and full model scenario's for the 1 in 1, 1 in 30 and 1 in 100 year + climate change. Where discharging to a sewer, this should be modelled as surcharged for all events above the 1 in 30 year, to account for the design standards of the public sewers.
4. Details submitted in relation to the Construction Surface water drainage should demonstrate how surface water will be managed on site to prevent an increase in flood risk during the various construction stages of development from initial site works through to completion. This shall include temporary attenuation, additional treatment, controls, maintenance and protection. Details regarding the protection of any proposed infiltration areas should also be provided.
5. Details of the SuDS Maintenance Plan should include for routine maintenance, remedial actions and monitoring of the separate elements of the system, and should also include procedures that must be implemented in the event of pollution incidents within the development site.
6. The Infiltration Testing results should conform to BRE Digest 365 where trial pits are allowed to drain three times and the calculation of soil infiltration rates is taken from the time taken for the water level to fall from 75% to 25% effective storage depth. The LLFA would accept the proposal of an alternative drainage strategy that could be used should infiltration results support an alternative approach.

Appendix A: LCC Highways Comments



RESPONSE OF THE LOCAL HIGHWAY AUTHORITY TO CONSULTATION BY THE LOCAL PLANNING AUTHORITY

DETAILS OF APPLICATION

Planning Ref No: 2015/0865/03/HCON/REVOBS2

CE/EN Ref: See also, current application 2015/0919/03

Application Address: GLEBE FARM, COVENTRY ROAD, LUTTERWORTH, LE17 4JE

Parish: Lutterworth CP

Applicant: Db Symmetry

Brief Description of Development: Outline application for the erection of up to 278,709sqm of Storage, Distribution buildings (B8) with ancillary B1(a) offices, creation of access onto A4303 & emergency services only access onto A5, formation of a Lorry Park, creation of SuDS facilities & other associated infrastructure & the demolition of Glebe Farmhouse (Means of access only to be considered).

GENERAL INFORMATION

County Council Member: Mrs. R. Page

Road Class: Adopted - Class A

Other Information: District Planning Officer: Mark Patterson
Class A4303.

Substantive Response provided in accordance with article 22(5) of The Town and Country Planning (Development Management Procedure) (England) Order 2015:

The Local Highway Authority advice is that, in its view, the residual cumulative impacts of development can be mitigated and are not considered severe in accordance with Paragraph 32 of the NPPF, subject to the Conditions and Contributions as outlined in this report.

ADVICE TO LOCAL PLANNING AUTHORITY

Background

The County Highway Authority (CHA) understands that this is an outline planning application for the erection of up to 278,709sqm of Storage, Distribution buildings (B8) with ancillary B1(a) offices, creation of access onto A4303 & emergency services only access onto A5, and ancillary facilities to the south of the A4303 Coventry Road, Lutterworth. It is understood that as part of this outline application, details of the site access are also being sought for approval. Further, the CHA understands that there is another planning application (HDC planning application ref: 15/01531/OUT) in the vicinity of the site, on land to the north of Mere Lane, for Outline application for the demolition of existing buildings & erection of up to 426,000 sq m Storage & Distribution (B8) with ancillary offices (B1a), up to 3,700 sq m for a Logistics Institute of Technology (D1), and ancillary facilities. For ease of reference, this current application which is the main subject of this report will be referred to as 'Symmetry Park' and that proposed to the land north of Mere Lane will be referred to as 'Magna Park (hybrid)' for the remainder of this report.

The Application has been supported by a Transport Assessment (TA) and Framework Travel Plan (FTP) which considered the likely impact of the Symmetry Park development alone and through the use of the Leicester and Leicestershire Integrated Transport Model. The CHA provided Highways Observations on 24 February 2016, advising that the impact of the development could be mitigated subject to planning conditions and contributions such that it would not be severe in the context of NPPF Para 32.

However, following the issue of Highways Observations in February 2016, the CHA received specific advice regarding the need to assess the potential cumulative impact of both this current planning

application and that at Magna Park, irrespective of the current planning position for either site within the currently adopted Harborough Core Strategy. The CHA has therefore provided advice to HDC and to both applicants to ensure that transport evidence provided for a cumulative assessment would be robust and appropriate.

On 24 June 2016, the CHA provided Highways Observations which advised that the LLITM assessment undertaken by IDI Gazeley in respect of the hybrid application was acceptable for all scenarios, which included a cumulative assessment scenario including both applications. Accordingly the LLITM assessment undertaken by IDI Gazeley has been adopted by db Symmetry for the purposes of the Supplementary TA.

In addition to the need to consider the cumulative impacts of both developments, since the provision of the CHA's Highways Observations in February 2016, the planning application for 100,844sqm Storage & Distribution centre (B8) with ancillary B1(a) offices on land adjoining & linked to Magna Park (HDC planning application ref: 15/00919/FUL) has been permitted, hereafter referred to as 'DHL'. The Supplementary TA therefore considers this as a committed development instead of as a sensitivity scenario, as was done for the original submission of the TA. It should be noted that the DHL application is included within the Magna Park hybrid proposals.

These highways observations should therefore be read in conjunction with those of February 2016 to understand both the singular and cumulative impact of the proposed development. For ease of reference, key findings/conclusions from the February 2016 Highways Observations are summarised in this report where appropriate.

Road Safety Considerations

The road safety and personal injury collision information presented in the previous TA and the previous conclusions on this matter still stand.

Site Access Strategy

The site access proposals remain as per the previous Highways Observations. This includes a new roundabout on the A4303, as shown in PBA Drawing no. 28903/05 Rev B, and a secondary emergency access on the A5 as shown in PBA Drawing No. 28903/08 Rev A, which is understood would only be used under control of emergency service.

Internal Layout

As per the CHA's previous observations, matters of internal layout are anticipated to be considered in detail at reserved matters stage, including appropriate parking provisions in line with the 6Cs Design Guide.

Trip Generation

In addition to the traffic likely to be generated by the Symmetry Park proposals, the total volume of traffic likely to be generated by the Magna Park hybrid application has also been considered. Table 1 below summarises the overall trip generation from both development proposals.

Table 1: Proposed development trip generation (modelled in LLITM)

	AM Peak		PM Peak	
	Arrivals	Departures	Arrivals	Departures
Symmetry Park (HDC planning application ref 15/00865/OUT)				
Cars	283	80	97	268
HGV/LGVs	59	62	59	59
1 way total	342	142	156	327
2 way total	484		483	
Magna Park hybrid (HDC planning application ref 15/01531/OUT)				
Cars	558	156	187	527

HGV/LGVs	121	109	99	101
1 way total	679	265	286	628
2 way total	944		914	

Committed Development and Growth Considerations

Planning permissions (i.e. committed developments) and assumptions provided by the LPAs across the modelled area have been built into the LLITM Core Scenario (further information on the LLITM is provided below). Additional adjustments were made to the Core Scenario to account for the permissions which have been granted for the DIRFT II and DIRFT III expansions. In addition, given that the DHL application now has a planning permission, this has also been considered as a committed development.

Off-Site Implications

Off-site implications have been investigated through a two-tier approach utilising both LLITM and junction capacity assessment.

LLITM assessment

The LLITM assessment formed the basis of understanding the off-site impacts of the proposed development.

The LLITM, in addition to the highway model, has a land-use model which has been utilised in the assessment scenarios for this Application. The land-use model enables changes to the network as a result of new developments to be considered. In this manner, future year forecasting is different to a 'manual' assessment which does not consider the interactions between land-use (new developments) and travel trends.

In addition to the scenarios which considered the impact of the Symmetry Park proposals in isolation, additional LLITM information has been submitted which considered the cumulative impact of developments should both the Symmetry Park proposals and the Magna Park (hybrid) proposals (which include DHL) be delivered. LLITM meets the requirements set out in WebTAG and is therefore considered to be a robust model suitable for assessing large-scale development proposals.

Previous LLITM results (considering the impact of Symmetry Park alone) show that overall, approximately 60% of traffic from the proposed development is expected to travel along the Strategic Road Network (on the M1 and A5 corridors), reflecting both the heavy-goods nature of the development as well as the major employee origins of Leicester, Rugby and Hinckley as identified through the Census. At the 'Cross in Hand' junction, some development traffic is forecast to use Coal Pit Lane (towards Willey in Warwickshire) and Lutterworth Road (towards Pailton, also in Warwickshire). There is also a small volume of development traffic which is likely to use the A426 in a northbound direction, via Bill Crane Way. Approximately 15% of traffic from the proposed development is expected to use the B4027 (towards Warwickshire) and approximately 6% is expected to use the A426 north of Lutterworth.

One of the benefits of assessing proposed developments through LLITM is the ability to understand potential re-assignment effects due to changing traffic conditions by comparing changes in traffic flows between the 'without development' and 'with development' scenarios, which could not otherwise be considered through a manual assessment. These effects are described in the following paragraphs.

In both the AM and the PM peak, as a result of additional traffic generated from the proposed development (and without any highway mitigation), there is likely to be re-assignment away from the A5 between 'Cross in Hand' (at the A4303) and High Cross. This is reflected by an increase in the use of routes through Ullesthorpe, Claybrooke Magna and Claybrooke Parva via Lutterworth, as well as along Coal Pit Lane and the B4455 in Warwickshire. However, these increases when considered in totality alongside base traffic flows would still be within link capacity.

Appendix D of TA46/97 (Traffic flow ranges for use in the assessment of new rural roads) sets out indicative Congestion Reference Flows (CRF) for various types of rural roads. The CRF is an estimate of the Annual Average Daily Traffic (AADT) at which the carriageway is likely to be 'congested' in the peak periods on an average day. For an 'S2' type road (7.3m wide single carriageway) of a Trunk Road (higher percentage of HGVs), the CRF is approximately 22,000 vehicles AADT. Whilst it is acknowledged that the roads through the villages are of a lower standard than S2 and therefore likely to have lower CRFs, the village roads in the vicinity of the site experience significantly lower volumes of traffic as shown below:

- Mere Lane, east of A5 (<1,300 vehicles two-way AADT)
- High Cross Road, east of A5 (<2,200 vehicles two-way AADT)
- Lutterworth Road, east of The Nook, Bitteswell (<4,700 vehicles two-way AADT)

Therefore the volumes of additional traffic are not considered to require intervention as the roads will remain within operational link capacity.

When the proposed mitigation schemes are included the peak hour traffic is predicted to reroute back onto the M1 J20 and A4303 reducing some of the impact in the surrounding villages. It should be noted that the impacts to the network are less pronounced in the PM peak.

Junction capacity assessment

Based on work undertaken in assessing the impact of Symmetry Park alone, it is considered that the traffic impact of the development is likely to be most pronounced at the following five locations:

- M1J20
- A4303/A426
- A4303/Hunter Boulevard/Coventry Road
- A5/A4303/Lutterworth Road/Coal Pit Lane
- A5/A426/Gibbet Lane

The impact at these locations is considered in greater detail in the following paragraphs.

J5 - M1 J20

An improvement scheme, as shown in PBA drawing no 28903-5510-004 Rev A, was previously submitted. Having reviewed the scheme again in the context of the likely impact and resulting benefit, the CHA considers that the scheme is not necessary and therefore no longer advises on the scheme to be conditioned.

J6 – A4303 / A426

In the previous submission, improvements were proposed as shown on PBA Drawing 28903/5510/001 Rev C that combines increasing the flare length on all arms of the junction and widening the entry width on the A4303 (east) and A4303 (west) arms. These mitigation measures were considered to be acceptable in principle for addressing the impact of Symmetry Park alone and on this basis the CHA had advised securing the scheme through planning condition.

However, as part of the cumulative impact assessment and given that a mitigation scheme is conditioned to the DHL scheme which alters the 'without development' situation, the mitigation scheme proposed as shown on PBA Drawing 28903/5510/001 Rev C would no longer be sufficient for mitigating the impact of the development combined with that of the Magna Park (hybrid) proposals. Another mitigation measure, as shown on Hydrock drawing C161222-207 Rev P4, has been proposed. The CHA has reviewed this mitigation measure and considers it to be suitable for mitigating the impact of the development. The CHA therefore advises for this mitigation scheme to be secured through planning condition.

J8 - A4303/Hunter Boulevard/Coventry Rd

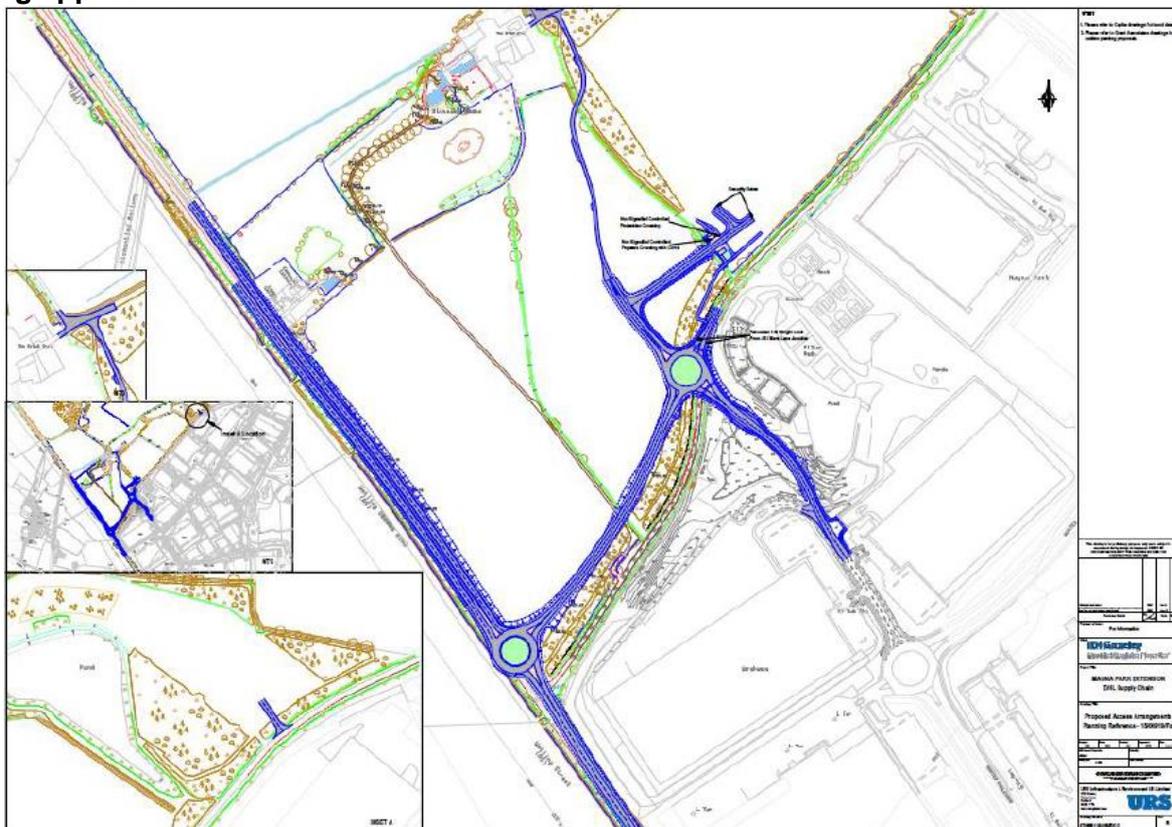
Further analysis of this junction shows the impact of the development is not considered to be severe as the junction would continue to operate within capacity even with the development traffic. No mitigation is therefore required.

J9 – A5/A4303/Lutterworth Rd/Coal Pit Lane

In the previous submission, improvements were proposed as shown on PBA Drawing 28903/5501/003 Rev A which included minor widening of the entry width on both the A5 (north) and A4303 (east) arms. These mitigation measures were considered to be acceptable in principle for addressing the impact of Symmetry Park alone and on this basis the CHA had advised securing the scheme through planning condition.

However, as part of the now committed DHL scheme there will be a new roundabout on the A5 / Mere Lane (see Figure 4 below) which will take some traffic away from the A5 / A4303 junction (Cross in Hand). The resulting impact of this has been considered using LLITM for the cumulative assessment scenario. In light of this, and having reviewed the scheme again in the context of the likely impact and resulting benefit, the CHA considers that the scheme is not necessary and therefore no longer advises on the scheme to be conditioned. It should, however, be noted that the proposed mitigation included works on the A5 which forms part of the Strategic Road Network. Should Highways England continue to advise mitigation at this junction, the CHA would need to be consulted to ensure that any proposed measures which impact on the Leicestershire highway network are acceptable.

Figure 4: Site access strategy (reproduced from URS drawing no. 47066811/A008/SK12 Rev B) – approved as part of planning application ref 15/00919/FUL and does not form part of this planning application.



J11 – A5 / A426 / Gibbet Lane

The Gibbet Hill junction falls outside the Leicestershire County Council highway network. It is understood that a mitigation measure has been proposed, as shown in PBA Drawing No 28903/5516/001, and should this be conditioned by Highways England and/or Warwickshire County Council, the CHA would request consultation on the approved scheme to ensure that any impacts on the Leicestershire highway network are acceptable.

Transport Sustainability

A number of measures to promote travel to the site by sustainable modes have been proposed. These include walking, cycling and public transport initiatives, to be implemented through a Framework Travel Plan of which further details can be found in the CHA's observations of February 2016. Given the location and nature of the development proposals, the CHA considers that public transport and car sharing initiatives have the greatest potential for improving travel by non-single occupancy car journeys. Further details are therefore discussed below.

Further information provided by the Rights of Way officer should also be noted.

Public Transport

Although the Arriva no 8 provides an hourly service it has limited patronage outside office hours due to the current timetable not coinciding with shift patterns. At the same time, it is also understood that there are existing interests from employers and employment agencies in the area to provide commercial services, in particular to and from Leicester, to improve mode choice for employees. It is also understood that this interest is echoed by Arriva. Following their investigations and with the support of various recruitment agencies supplying Magna Park Arriva have introduced a new X45 service which runs from Leicester to Magna Park to fit in with 06.00/14.00/22.00 shift patterns.

Notwithstanding the above, the Applicant has proposed three dedicated routes to serve Symmetry Park, nominally from Rugby, Nuneaton/Hinckley and Leicester, although the exact routes would be agreed upon at the point of commencing the services. These services would be used to target shift workers (6am, 2pm and 10pm) and the traditional office hours i.e. 9am – 5pm and on Sundays / Bank Holidays. The CHA advises that these initial services are required to be operational at 25% occupation and the developer contribution towards these services should extend until 50% occupation + five years. This duration of contribution is advised to balance the risks of running 'ghost services' alongside the lack of a phasing plan at this stage due to the speculative market-driven nature of this application.

Whilst dedicated services would provide public transport services to meet the requirements set out in the 6Cs Design Guide, given the location of the site and the likely levels of patronage, it is highly unlikely that such services would be commercially viable in the long term unless they are integrated as part of a wider strategy.

In view of other development proposals in the area, the CHA is prepared for the Applicant to be given the option that should it become more appropriate to pump prime a potentially commercially viable solution later on, then the funds which would be used to operate the initial services could be transferred instead to an emerging service. Should such a service be fully commercially operated during the period through which the Applicant would be obligated to provide public transport services, the Applicant would not be liable to any additional payments, provided that the commercial service remains operational. Negotiations and liaison functions to realise such aspirations, in collaboration with other businesses / agencies will be one of the main roles of the Travel Plan Co-ordinator, which can be secured through planning obligation. The CHA has sought legal advice on this matter and is content that a suitably worded S106 agreement would secure the required levels of public transport commitment, with potential benefits to the wider area.

Following correspondence the Applicant has received confirmation that a PT operator is willing to serve the site with one point of access. However, the Applicant has been advised that the site must have a high quality internal road with an appropriate bus turning / waiting area and a suitable place to wait between shifts. The CHA therefore advises that this is secured through a planning condition.

Car sharing

Car sharing is proposed to be promoted through the use of the www.ChooseHowYouMove.co.uk/carshare website which provides travel information in Leicester & Leicestershire, which allows employees to consider the different travel options available to them. Although the Applicant has not identified the number of car sharing spaces they are proposing a minimum of 10% of the total car parking spaces will be designated as car share bays to assist in meeting

their future mode share targets (Table 7.2 of the Framework Travel Plan). The CHA advises that regular monitoring is undertaken to assess whether additional dedicated car sharing spaces should be provided. Any additional spaces should be considered as a remedial measure under the Travel Plan.

Other measures proposed to encourage car sharing include a guaranteed ride home in the event of an emergency and investigations into charging points for electric vehicle and provision of some on-site facilities to discourage additional car journeys.

Travel Planning

The CHA welcomes the Applicant's commitment to use the terms of leases to bind occupiers to collaborate over sustainable travel initiatives, as are the sustainable travel measures outlined above with clear commitments to implement these interventions.

The submitted Framework Travel Plan (FTP) is broadly sufficient and consistent with the scale of the proposed development. The CHA is content for the FTP to be appended to the S106 to secure the public transport strategy, in lieu of re-iterating specific details in S106 clauses.

Part of the Framework Travel Plan Co-ordinator (FTPC) and the Individual Travel Plan Co-ordinators (ITPC) role will be to promote and provide information on any new bus services e.g. bus maps and timetables and liaise with the bus operator to discuss opportunities to increase bus patronage amongst employees.

Other Observations that affect the highway network which in the view of the Local Highway Authority cannot be considered "severe" in accordance with Paragraph 32 of the NPPF, but which may impact on the amenity of the local community. The Local Planning Authority is advised to consider if these are material and the relative weight which that they can give in planning terms to these amenity issues in their decision making processes:

Rat running and impact on surrounding villages

The CHA has received correspondence from local residents regarding traffic volumes through the local villages. As discussed in greater detail in the CHA's observations of February 2016, the ANPR survey information submitted identified that the proportion of trips utilising minor roads (as opposed to the A-roads and the M1) is relatively small. Furthermore, the total volume of traffic on these roads is substantially less than network capacity, and on this basis, the CHA does not consider the use of these routes to adversely affect highway network operation.

Environmental Factors

Despite the LLITM assessments showing that the majority of development traffic would use the main highway network it is likely that the amount of traffic on surrounding village roads will experience an increase in traffic (although this will remain well within its capacity). The CHA notes concerns held in relation to noise and air quality issues arising from increases in traffic. The CHA understands that these considerations fall under the responsibility of the District's Environmental Health Officer(s) and would be prepared to work collaboratively to assist in managing concerns where appropriate.

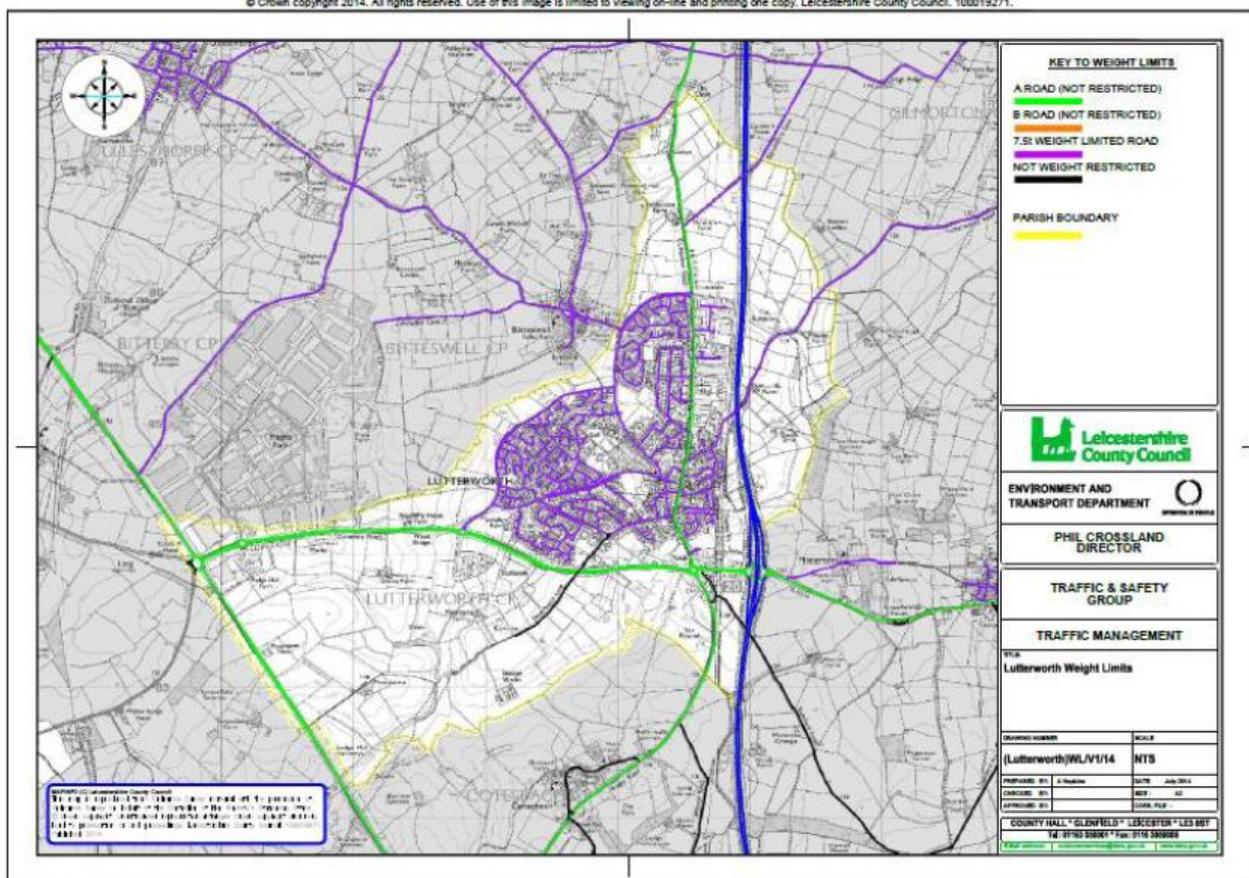
Increase in HGVs

Since the first of the Magna Park applications, the highway network in the area has changed substantially. The Lutterworth southern bypass was built in 1999, and vast majority of the area (with the exception of the A5, M1, A4303, A426 through Lutterworth) is now covered by a weight restriction, as shown in Figure 5 below. These measures mean that it is now not necessary for traffic to go through Lutterworth on unsuitable routes and the neighbouring villages.

Furthermore, it is not legal for HGVs to use the routes covered by the weight restriction (as enforced by the Police), and therefore any routeing agreement for this application would be a redundant measure.

The CHA is satisfied that under current conditions there are sufficient safeguards in place to prevent HGVs from the development using inappropriate routes. However, it is understood that Warwickshire County Council have advised for S106 contributions to review HGVs routing and signing within their network. If such a review is undertaken by WCC, then the CHA would also require a contribution of £200,000 to work in parallel with WCC to ensure that an appropriate scheme is developed, and in particular to ensure that current levels of protection are maintained within Leicestershire.

Figure 5: Lutterworth Weight Limits (reproduced from Leicestershire County Council website)



Conditions

Notwithstanding the conditions requested by Highways England in their response to the LPA on 11 January 2016 the CHA advises the following conditions be included as part of any planning permission to mitigate the impacts of development. Please note that for clarity, the list below presents a full list of conditions advised by the CHA, and should supersede those presented in the observations of February 2016.

1. Save for any works associated with the formation of the access and highway network connections as shown in PBA drawing no 28903_05 Rev B, no development shall commence on the site until

such time as the site access shown in PBA drawing no 28903_05 Rev B has been provided in full and is available for use by vehicular and non-vehicular traffic.

Reason: To provide access to the site for all modes of travel, including construction traffic and in the interests of highway safety.

2. No development shall commence until such time as a Site Wide Phasing Plan in accordance with the Stephen George & Partners LLP drawing reference 13-107_P002_Rev_R has been submitted to and approved in writing by the Local Planning Authority. The Site Wide Phasing Plan shall be updated, submitted and approved by the Local Planning Authority on submission of each reserved matters application. The Phasing Plan will state when each of the following will be delivered:

i. Major internal infrastructure including internal spine road, pedestrian and cycle crossings, footpaths, cycleways, services and Sustainable Urban Drainage Systems (SuDS)

ii. The delivery of public transport services and accompanying infrastructure within the site and external to the development to include but not be limited to: bus stops, bus shelters, Real Time information, raised kerbs, lighting and timetable information.

Reason: To provide clarification on how the development will be delivered to assist determination of reserved matters and to ensure that necessary infrastructure provision and environmental mitigation is provided in time to address the impact and needs of the development

3. No development shall commence on the site until such time as a construction traffic/site traffic management plan, including wheel cleansing facilities and vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and timetable.

Reason: To reduce the possibility of deleterious material (mud, stones etc) being deposited in the highway and becoming a hazard to road users, and to ensure that construction traffic/site traffic associated with the development does not lead to on-street parking problems in the area.

4. No part of the development shall be occupied until such time as improvement works at the A426 / A4303 roundabout are delivered to the satisfaction of the Local Planning Authority in accordance with Hydrock drawing C161222-207 Rev P4.

Reason: To ensure that adequate steps are taken to mitigate the vehicular impact of the development.

5. No more than 25% of the development shall be occupied until such time that public transport services, as detailed in the Framework Travel Plan Issue 4, and accompanying infrastructure within the site are delivered. Bus stop infrastructure must include, but not be limited to: bus stops (within 400m distance of each building within the development); bus shelters, Real Time Information, raised kerbs, lighting and timetable information. All routes for use by public transport shall be made available for use prior to the commencement of services and shall be maintained and be available for use in perpetuity.

Reason: To ensure high quality frequent public transport choice for all new employees in order to encourage modal shift.

6. Notwithstanding the submitted Framework Travel Plan Issue 4 document dated January 2017, a scheme of measures to reduce the amount of single occupancy car journeys to/from the site, including a timetable for their implementation, shall be submitted to and approved in writing by the Local Planning Authority for each phase. The measures shall be implemented in accordance with the submitted details prior to occupation of each phase of the development.

Reason: To ensure that adequate steps are taken to provide a transport choice in mode of travel to/from the site.

7. In accordance with the approved Site Wide Phasing Plan, prior to the occupation of the first unit in each phase of the development an Employment Travel Plan, in accordance with the Framework Travel Plan Issue 4 document dated January 2017, shall be submitted to and agreed in writing by the Local Planning Authority, in consultation with Leicestershire County Council and Warwickshire County Council as appropriate. The measures approved shall thereafter be provided.

Reason: To ensure that adequate steps are taken to provide a transport choice/a choice in mode of travel to/from the site.

Contributions/Obligations

The CHA advises the following Contributions and Obligations to be secured through S106 Agreement. Please note that for clarity, the list below presents a full list of contributions/obligations advised by the CHA, and should supersede those presented in the observations of February 2016.

1. A Construction Traffic Routeing Agreement to be submitted to and approved in writing by the Highway Authority. During the period of construction, all traffic to and from the site shall use the agreed route at all times.

Justification: To ensure that all construction traffic associated with the development does not use unsatisfactory roads to and from the site.

2. Provision of bus services calling at new bus stop(s) within the development site as agreed with the Local Planning Authority. The bus services shall be scheduled to coincide with the 6am, 2pm and 10pm shift changes seven days a week and the 9am and 5pm office hours five days a week. The bus services shall be operational at 25% occupation of the development, unless an alternative date is agreed to in writing by the Highway Authority, and until five years following 50% occupation. Details of the bus services and any amendments are to be submitted to and approved in writing by the Highway Authority. The bus services may be secured through area-wide initiatives provided that the minimum service level provision is met.

Justification: To encourage employees to use bus services as an alternative to the private car.

3. One Travel Pack per employee, to be provided from first occupation. This can be provided through Leicestershire County Council at a cost of £52.85 per pack. If not supplied by LCC, a sample Travel Pack shall be submitted to and approved in writing by LCC which may involve an administration charge.

Justification: To inform new employees from first occupation what sustainable travel choices are available in the surrounding area.

4. One six-month bus pass per employee to be provided on commencement of bus service(s) provision on Symmetry Park; this can be provided through Leicestershire County Council at an average cost of £350.00 per pass (cost to be confirmed at implementation).

Justification: To encourage employees to use bus services as an alternative to the private car.

5. A Framework monitoring fee of £11,600 for Leicestershire County Council's Travel Plan Monitoring System.

Justification: To enable Leicestershire County Council to provide support to the appointed Travel Plan Co-ordinator, audit annual Travel Plan performance reports to ensure that Travel Plan outcomes are being achieved, and to take responsibility for any necessitated planning enforcement.

6. A Site-Wide Travel Plan Co-Ordinator to be funded and employed by the landowners from the commencement of the development until 5 years following full occupation. Specifically, the Site-

Wide Travel Plan Co-ordinator shall undertake tasks in accordance with the Framework Travel Plan Issue 4 for the promotion of public transport services.

Justification: To ensure effective implementation and monitoring of the Framework Travel Plan submitted in support of the Planning Application.

7. A contribution of £200,000.00 prior to first occupation to review Traffic Regulation Orders and HGV signing, in collaboration with Warwickshire County Council.

Justification: To ensure that Heavy Goods Vehicles are directed on to appropriate strategic routes.

Notes to Applicant

1. This planning permission does NOT allow you to carry out access alterations in the highway. Before such work can begin, separate permits or agreements will be required under the Highways Act 1980. For further information, including contact details, you are advised to visit the County Council website as follows:-see Part 6 of the "6Cs Design Guide" at www.leicestershire.gov.uk/environment-and-planning/planning/6cs-design-guide

2. C.B.R. Tests shall be taken and submitted to the County Council's Area Manager prior to development commencing in order to ascertain road construction requirements. No work shall commence on site without prior notice being given to the Highways Manager.

3. If it is the developer's intention to seek either; the adoption of roads which incorporate non-standard features/materials, or the adoption of additional areas beyond that which would normally be considered necessary for the safe functioning of the highway, then commuted sums for future maintenance will be payable. The Applicant should refer to the 6C's Design Guide available at www.leicestershire.gov.uk/environment-and-planning/planning/6cs-design-guide for more information.

4. If the applicants do not wish to seek adoption of the roads, the Highway Authority will serve APCs in respect of all plots served by all the roads within the development in accordance with Section 219 of the Highways Act 1980. Payment of the charge MUST be made before building commences. Please note that the Highway Authority has standards for private roads which will need to be complied with to ensure that the APC may be exempted and the monies returned. Failure to comply with these standards will mean that monies cannot be refunded. For further details see www.leicestershire.gov.uk/environment-and-planning/planning/6cs-design-guide , Appendix J or phone 0116 3057198.

5. All works within the limits of the highway with regard to the access shall be carried out to the satisfaction of the Highways Manager (tel 0116 305 0001).

6. You will be required to enter into a suitable legal Agreement with the Highway Authority for the off-site highway works before development commences and details plans shall be submitted and approved in writing by the Highway Authority. The Agreement must be signed and all fees paid and surety set in place before the highways works are commenced.

7. In order to provide the visibility splays/access shown on the submitted plans, it would be necessary to remove/carry out works to trees and/or vegetation within the limits of the Highway but before any works to such are commenced you must first obtain the separate consent of the Highway Authority. If approval is granted you may be required to provide appropriate replacements.

8. All highway related structures must be designed and constructed in accordance with the current relevant Highways Agency standards, codes of practice and technical memoranda. The design will be subject to the technical approval procedures set out in BD 2/12 "Technical Approval of Highway

Structures” which is part of the ‘Design Manual for Roads and Bridges’ that can be found on www.standardsforhighways.gov.uk. You must employ a chartered civil or structural engineer with experience in highway structures and approved by the County Council to carry out the design and oversee construction. You should start this approval process at an early stage to avoid delays in completing the Section 38 road adoption agreement, which may delay site works.

9. Highway related structures will normally include bridges, retaining walls, reinforced soil and anchored earth structures, environmental barriers (including noise barriers and fencing) and all drains, piped and box culverts, sewers and drainage structures, other than bridges , that have a diameter or clear span of more than 900mm. There should be discussion at an early stage to agree which structures we are to adopt. You will have to pay the additional design checking and inspection fees for any highway structure. You must also pay a commuted sum for future maintenance of any highway structure to be adopted.

10. If you intend to provide temporary directional signing to your proposed development, you must ensure that prior approval is obtained from the County Council’s Highway Manager for the size, design and location of any sign in the highway. It is likely that any sign erected in the Highway without prior approval will be removed. Before you draw up a scheme, the Highway Manager’s staff (tel 0116 305 0001) will be happy to give informal advice concerning the number of signs and the locations where they are likely to be acceptable. This will reduce the amount of abortive sign design work.

11. Highway conditions and contributions/obligations will be sought for the planning permission. For details, please refer to items listed under ‘Advice to Local Planning Authority’.

Date Received	Inspector	Signed Off
15 June 2015	Eri Wong	21 February 2017



REVISED OBSERVATIONS

DETAILS OF APPLICATION

Planning Ref No:	2015/0865/03/HCON/REVOBS3
CE/EN Ref:	See also, current application 2015/0919/03
Application Address:	Glebe Farm, Coventry Road, Lutterworth, LE17 4JE
Parish:	Lutterworth CP
Applicant:	Db Symmetry
Brief Description of Development:	RE-CONSULTATION. Outline application for the erection of up to 278,709sqm of Storage, Distribution buildings (B8) with ancillary B1(a) offices, creation of access onto A4303 & emergency services only access onto A5, formation of a Lorry Park, creation of SuDS facilities & other associated infrastructure & the demolition of Glebe Farmhouse (Means of access only to be considered).

GENERAL INFORMATION

County Council Member: Mrs. R. Page
Road Class: Adopted - Class A
Other Information: District Planning Officer: Mark Patterson
Class A4303.

Substantive Response provided in accordance with article 22(5) of The Town and Country Planning (Development Management Procedure) (England) Order 2015:

Advice: The County Highway Authority advice is that, in its view the residual cumulative impacts of development can be mitigated and are not considered severe in accordance with Paragraph 32 of the NPPF, subject to the Conditions and Contributions as outlined in this report.

ADVICE TO LOCAL PLANNING AUTHORITY

Background

The County Highway Authority (CHA) provided highways observations in February 2017 which considered the impact of the current application cumulatively with the concurrent application at Magna Park (HDC re: 15/01531/OUT).

Since those observations were issued in February 2017, two further applications have been approved in the vicinity of the site. These are:

- 15/01665/OUT – Erection of up to 250 dwellings with associated access, pedestrian links, public open space, car parking, landscaping and drainage (means of access to be considered only) | Land At Coventry Road Lutterworth
- 16/01288/OUT – Outline application for B1 employment uses and 70 full sized allotments including car parking, landscaping and surface water drainage infrastructure | Land South Of Lutterworth Road Lutterworth

Additional information has been submitted by the Applicant on 14 July 2017 to account for these developments. These observations have been prepared in response to HDC's consultation to consider the impact of both the major B8 applications cumulatively with the above two applications.

The CHA advises that these observations are read in conjunction with those of February 2017.

Road Safety Considerations

To ensure the latest Road Safety considerations have been taken into account, the CHA has rechecked the PIC data in the study area of the proposed development. There were a further 7 collisions in the period from 1 November 2016 to 31 July 2017. All of these collisions were classed as slight in severity and do not raise any additional road safety concerns.

Site Access

Site access proposals are as described in the previous observations and includes a new roundabout on the A4303, as shown in PBA Drawing no 28903/05 Rev B, and a secondary emergency access on the A5 as shown in PBA Drawing no 28903/08 Rev A, which is understood would only be used under control of emergency services. The site access proposals remain appropriate with the additional two developments

Off-Site Implications

The two additionally approved applications do not impact on the likely trip generation for the site. For further details please refer to the Highways Observations of February 2017.

Off-site impact was reviewed within the additional submission to assess the likely impact of the development. The cumulative assessment of this application and the Magna Park application was undertaken using the Leicester and Leicestershire Integrated Transport Model. However, due to the scale of the two additional developments which have since been consented, it was not considered appropriate or proportionate to test this additional cumulative impact scenario using LLITM. Instead the assessment was undertaken by manually overlaying the likely traffic generation from the additional developments (based on the respective TAs) on to the previous cumulative impact assessment.

This assessment was undertaken by both this applicant, as well as that of Magna Park. In order to ensure a robust assessment, the CHA has considered the worst case from both assessments at each of the key areas of impact, as follows:

- M1J20
- A4303/A436 (Whittle Roundabout)
- A4303/Hunter Boulevard/Coventry Road
- A5/A4303/Lutterworth Road/Coal Pit Lane (Cross in Hand)
- A5/A426/Gibbet Lane (Gibbet Hill)

The results of the assessment demonstrated that the previous conclusions regarding the severity of impact and requirements for mitigation remain applicable. The specific outcomes of the additional assessment are summarised below.

M1J20

In the without development scenario the junction will operate within capacity. When all developments are included there is additional queuing on the A4304 arm in the AM peak and the A4303 in the PM peak scenario.

An improvement scheme, as shown in PBA drawing no 28903-5510-004 Rev A, was previously submitted. Having reviewed the scheme again in the context of the likely impact, including those of the recently approved developments, and the resulting benefit, the CHA considers that the scheme is not necessary. However, in the context of Paragraph 32 of the NPPF, the impact of development is not considered severe and no mitigation is required.

Nonetheless, it should be noted that Highways England may have additional requirements for operational performance at this junction and their views on this junction should be considered in addition to those of the CHA.

A4303/A436 (Whittle Roundabout)

Previous assessments at this roundabout for the proposed development at Magna Park concluded that the that there would be material and severe impact at the Whittle Roundabout as a result of the proposed developments and a mitigation scheme was therefore proposed, as shown on Hydrock drawing C161222-207 Rev P4.

This mitigation scheme is understood to have been conditioned as part of the DHL application and was brought forward to mitigate the impact of all three major planning applications. The CHA has reviewed the additional assessment taking into consideration the additional permissions which have been granted and advises that the mitigation scheme remains appropriate to mitigate the severe impacts of development.

A4303/Hunter Boulevard/Coventry Road

The additional assessment has demonstrated that based on the impact of all the developments in the area there will be additional queuing on the A4303 arm in the AM peak. This worst case scenario shows that there is a queue of 17 pcu however the additional queues cannot be considered to be severe when compared to the without development scenario. No mitigation is therefore required at this junction.

A5/A4303/Lutterworth Road/Coal Pit Lane (Cross in Hand)

Previous submissions proposed improvements as shown on the PBA Drawing No 28903/5501/003 Rev A, which included minor widening of the entry width on both the A5 (north) and the A4303 (east) arms. These mitigation measures were considered to be acceptable in principle for addressing the impact of Symmetry Park along and on this basis the CHA had advised securing the scheme through planning condition. However, should the Magna Park development also be permitted, as a result of the new access off Mere Lane, some traffic would be able to go through the existing Magna Park development, thereby relieving demand at the Cross in Hand junction such that a mitigation scheme is no longer necessary.

It should further be noted that the A5 arms of the Cross in Hand junction fall with the Strategic Road Network and comments from Highways England should also be considered.

A5/A426/Gibbet Lane (Gibbet Hill)

The Gibbet Hill junction falls outside the Leicestershire County Council highway network. It is understood that a mitigation measure has been proposed and should this be conditioned by Highways England and/or Warwickshire County Council, the CHA would request consultation as part of the detailed design process on the approved scheme to ensure that any impacts on the Leicestershire highway network are acceptable.

Transport Sustainability

Measures to promote travel by sustainable modes are unaffected by the additional developments at Leaders Farm and Coventry Road.

However, a number of clarifications and amendments to the observations of February 2017 are provided in the following paragraphs.

It is recognised that the X45 service is now operational from Thurmaston, via Leicester, to Magna Park and this service largely fits with the 6am/2pm/10pm shift patterns. However, the Application site continues to not be served directly by any public transport service and therefore the CHA advises an obligation to enable the X45 (or other similar service) to be extended into the site. Alternatively, a separate service could be considered provided that it offers a similar level of public transport accessibility with Leicester.

Additionally, as this current application will attract a larger number of employees, it is considered appropriate and necessary to ensure that an adequate level of public transport accessibility can be

achieved from other areas of employee residences (mainly Hinckley and Nuneaton). Therefore the CHA advises a further obligation to ensure that services are available to serve the development at shift changeover times (6am, 2pm and 10pm) to be available on all days (including weekends and bank holidays) and at times to coincide with office hours (9am and 5pm) on all weekdays from Hinckley and/or Nuneaton.

In recognition of the development proposed at Magna Park, the CHA considers that, should both developments be permitted, there may be opportunities for the two Applicants to work collaboratively to achieve a good level of public transport accessibility. However, this would be a private matter for the two Applicants to consider outside the planning arena, provided that the obligations are met.

Contribution towards review of Traffic Regulation Orders

The CHA is satisfied that under current conditions there are sufficient safeguards in place to prevent HGVs from the development using inappropriate routes. However, it is understood that Warwickshire County Council have advised for S106 contributions to review HGV routeing and signing within their network. If such a review is undertaken by WCC, then the CHA would also require a similar contribution of £200,000 to work in parallel with WCC to take a comprehensive review and proactive approach to ensure that any environmental weight limits would continue to be appropriate.

Conditions

Notwithstanding any conditions requested by Highways England or Warwickshire County Council, the CHA advises the following conditions to be included as part of the any planning permission to mitigate the impacts of development.

1. Save for the formation of the access arrangements, including the connection to the A5, as shown in PBA Drawing No 28903_05 Rev B (or as amended by Road Safety Audit or Detailed Design) no part of the development hereby permitted shall commence on Zone 1 until such time as the access arrangements, including the connection to the A5, as shown on PBA Drawing No 28903_05 Rev B (or as amended by Road Safety Audit or Detailed Design) have been implemented in full.

To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with Paragraph 32 of the National Planning Policy Framework 2012.

2. No development shall commence until such time as a Site Wide Phasing Plan, in accordance with the Stephen George & Partners LLP drawing reference 13-107_P002_Rev_R has been submitted to and approved in writing by the Local Planning Authority. The Site Wide Phasing Plan shall be updated, submitted and approved by the Local Planning Authority on submission of each reserved matters application. The Phasing Plan will state when each of the following will be delivered:
 - j. Major internal infrastructure including internal spine road, pedestrian and cycle crossings, footpaths and cycleways.
 - ii. The delivery of public transport services and accompanying infrastructure, as required by Planning Obligation.

To provide clarification on how the development will be delivered and to ensure that necessary infrastructure provision and mitigation is provided in time to address the impact and needs of the development.

3. No part of the development shall be occupied until such time as the offsite works shown on Hydrock drawing number C161222-207 Rev P4 (or as amended by Road Safety Audit or Detailed Design) have been implemented in full.

To mitigate the impact of the development, in the general interests of highway safety and in accordance with Paragraph 32 of the National Planning Policy Framework 2012.

4. No development shall commence on the site until such time as a construction traffic management plan, including as a minimum details of wheel cleansing facilities, vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The construction of the development shall thereafter be carried out in accordance with the approved details and timetable.

To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area.

5. No more than 25% of the development shall be occupied until such time that public transport services, as detailed in the Framework Travel Plan Issue 4, and accompanying infrastructure are delivered. All routes for use by public transport shall be made available for use prior to the commencement of services and shall be maintained and be available for use in perpetuity.

To reduce the need to travel by single occupancy vehicle and to promote the use of sustainable modes of transport in accordance with Chapter 4 of the National Planning Policy Framework 2012.

6. No part of any phase, in accordance with the approved Site Wide Phasing Plan, hereby permitted shall be first occupied until an amended Travel Plan which sets out actions and measures with quantifiable outputs and outcome targets relevant to the Phase and in accordance with the Framework Travel Plan Issue 4 has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the agreed Travel Plan shall be implemented in accordance with the approved details.

To reduce the need to travel by single occupancy vehicle and to promote the use of sustainable modes of transport in accordance with Chapter 4 of the National Planning Policy Framework 2012.

7. Any new gatehouse(s) shall be situated a minimum of 60m (travel distance) from the proposed vehicular access. No gates, barriers, bollards, chains or other such obstructions shall be erected within a distance of 60 metres of the highway boundary, nor shall any be erected within a distance of 60 metres of the highway boundary unless hung to open away from the highway.

To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic including pedestrians in the public highway in accordance with Paragraph 32 of the National Planning Policy Framework 2012.

Contributions

The CHA advises the following Contributions and Obligations to be secured through S106 Agreement.

1. A Construction Traffic Routeing Agreement to be submitted to and approved in writing by the Local Planning Authority. During the period of construction, all traffic to and from the site shall use the agreed route at all times.

To ensure that all construction traffic associated with the development does not use unsatisfactory roads to and from the site.

2. Provision of bus services calling at new bus stop(s) within the development site as agreed with the Local Planning Authority. The bus services shall be scheduled to coincide with the 6am, 2pm

and 10pm shift changes seven days a week (including Bank Holidays) and the 9am and 5pm office hours Monday to Friday. Any new bus stop infrastructure must include, but not be limited to: bus stops (within 400m walking distance of each building within the development), bus shelters, Real Time Information, raised kerbs, lighting and timetable information.

The bus services shall be operation at 25% occupation of the development, unless an alternative date is agreed to in writing by the Local Planning Authority, and until five years following 50% occupation.

All details of the bus services and any amendments are to be submitted to and approved in writing by the Local Planning Authority. The bus services may be secure through area-wide initiatives provided that the minimum service level provision is met.

To encourage employees to use bus services as an alternative to the private car.

3. One Travel Pack per employee, to be provided from first occupation. This can be provided through Leicestershire County Council at a cost of £52.85 per pack. If not supplied by LCC, a sample Travel Pack shall be submitted to and approved in writing by LCC which may involve an administration charge.

To inform new employees from first occupation what sustainable travel choices are available in the surrounding area.

4. One six-month buss pass per employee to be provided on commencement of bus service(s) provision at Magna Park. This can be provided through Leicestershire County Council at an average cost of £360.00 per pass.

To encourage employees to use bus services as an alternative to the private car.

5. A Framework Travel Plan monitoring fee of £11,337.50 for Leicestershire County Council's Travel Plan Monitoring System

To enable Leicestershire County Council to provide support to the appointed Travel Plan Co-ordinator, audit annual Travel Plan performance reports to ensure that Travel Plan outcomes are being achieved, and to take responsibility for any necessitated planning enforcement.

6. A Site-Wide Travel Plan Co-ordinator to be funded and employed by the Applicant from the commencement of development until 5 years following full occupation. Specifically, the Site-Wide Travel Plan Co-ordinator shall undertake tasks in accordance with the Framework Travel Plan for the promotion of public transport services.

To ensure effective implementation and monitoring of the Framework Travel Plan submitted in support of the Planning Application.

7. A contribution of £200,000 prior to first occupation, to review the Traffic Regulation Orders and HGV signing, in collaboration with Warwickshire County Council.

To ensure that Heavy Goods Vehicles are directed on to appropriate strategic routes.

Informatives

1. Planning Permission **does not** give you approval to work on the public highway. To carry out off-site works associated with this planning permission, separate approval must first be obtained from Leicestershire County Council as Local Highway Authority. This will take the form of a major section 184 permit/section 278 agreement. It is strongly recommended that you make contact with Leicestershire County Council at the earliest opportunity to allow time for the process to be

completed. The Local Highway Authority reserve the right to charge commuted sums in respect of ongoing maintenance where the item in question is above and beyond what is required for the safe and satisfactory functioning of the highway. For further information please refer to the 6Cs Design Guide which is available at <https://www.leicestershire.gov.uk/environment-and-planning/planning/6cs-design-guide>

2. Planning permission does not give you approval to work on the public highway. If the proposal requires the permanent removal (“stopping up”) or diversion of highway to enable the development to take place, then you must complete the legal processes required before commencing works. Further information is available at: - <https://www.leicestershire.gov.uk/roads-and-travel/local-authority-searches/highwayextinguishments>. If you are unsure whether your proposal affects public highway, you can establish the Highway Authority’s formal opinion of the adopted highway extent in relation to the proposal. Further information is available at <https://www.leicestershire.gov.uk/hre>
3. Any works to highway trees will require separate consent from Leicestershire County Council as Local Highway Authority (telephone 0116 305 0001). Where trees are proposed to be removed, appropriate replacements will be sought at the cost of the applicant.
4. To erect temporary directional signage you must seek prior approval from the Local Highway Authority in the first instance (telephone 0116 305 0001).
5. All proposed off site highway works, and internal road layouts shall be designed in accordance with Leicestershire County Council’s latest design guidance, as Local Highway Authority. For further information please refer to the 6Cs Design Guide which is available at <https://www.leicestershire.gov.uk/environment-and-planning/planning/6cs-design-guide>.

Date Received	Inspector	Signed Off
17 July 2017	Eri Wong	24 October 2017

Note: Response provided by the Local Highway Authority under the delegated authority of the Director of Environment and Transport

Appendix B: Applicants Statement of Conformity with draft Policy BE2

Chartered Town Planning Consultants



Our Ref: PJF/gp/PF/9061
(Please reply to Banbury office)

peter.frampton@framptons-planning.com

20th October 2017

Mr M Patterson
Special Projects Officer
Development Management
Harborough District Council
The Symington Building
Adam and Eve Street
Market Harborough
Leicestershire
LE16 7AG

Dear Mark

TOWN AND COUNTRY PLANNING ACT 1990
SYMMETRY PARK, LUTTERWORTH
APPLICATION REF: 15/00865/OUT

I write in respect of emerging Policy BE2 'Strategic Distribution' of the Pre-Submission Local Plan that is currently out for public consultation in the context of my Client's proposals for symmetry park, Lutterworth (Application Reference 15/00865/OUT).

The underlying planning objective of Policy BE2, to meet the need for strategic distribution facilities at Magna Park should be given material weight, as this provision is underpinned by a robust evidence base.

I have considered the proposal in the context of the emerging Policy, as follows:

1a: Compliance. Each unit will comprise of at least 9,000m² gross floorspace, and this can be secured via an appropriately worded planning condition if necessary.

1b: Compliance. Each new building will be for Class B8 and ancillary use only, and this can be secured via an appropriately worded planning condition if necessary.

1c: Compliance. An amended wording may be sought to support provision of 'associated development' e.g. for symmetry park, the lorry park and the driver facilities. As the lorry park is to be provided to serve the needs of symmetry park, the scheme complies with the intention of this criterion, with these non-strategic storage and distribution uses being small-scale, proportionate in scale to the strategic storage and distribution use and ancillary to the use of individual plots.

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Frampton Town Planning Ltd Registered Office is Oriel House, Banbury Registered in England No 5579268

2. (floor space) Compliance. My summation of the floor space proposals and commitments is:

15/000865/OUT symmetry park	278,709m ²
15/0153/OUT Gazeley Hybrid	419,800m ²
(Includes the approved floor space of 100,844 sq. m)	698,509m ²

2a. Compliance. symmetry park would form an extension of, or be on a site adjoining, the existing Magna Park development.

2b. Compliance. The Leicester and Leicestershire Strategic Distribution Sector Study (LLSDSS) provides an evidence base as to a substantial need for road and rail based logistics sites. DIRFT is a short road distance from symmetry park, enabling logistics operators to take advantage of rail freight distribution – without being rail connected. Rail connected sites do not suit the locational needs of all logistics operators. It is therefore essential that the market provides choice between rail connected sites and sites that are well located on the strategic road network, such as Magna Park. symmetry park will therefore provide a supporting customer base for the rail freight facilities at DIRFT.

2c. Compliance. The proposals for symmetry park would increase employment opportunities across a range of jobs/skills types for local residents, including training and apprenticeship opportunities. As you are aware, db has completed a Vision Statement with the Sir Frank Whittle Studio School, with the primary objective of improving links between the developers and future occupiers of symmetry park with the School and other schools. These schools are the providers of future employees at symmetry park. I attach this Statement to remind you of the commitment between db symmetry and the Sir Frank Whittle Studio School, which, in my opinion, readily satisfies this criterion.

2d. Compliance. The wording of this criterion is opaque as to its meaning – I anticipate the words ‘other than by the car’ or ‘by a range of means travel’ need to be added. The provisions for symmetry park are in compliance with the purpose of this criterion.

2e. Compliance. The proposals for symmetry park have been assessed by Highways England, Leicestershire County Council Highways and Warwickshire County Council Highways, none of whom consider the proposals would lead to severe traffic congestion anywhere on the nearby strategic and local road network, particularly the A5, whether within Harborough District or outside.

2f. Compliance. Proposals for symmetry park, including detailed strategic landscaping provision and an ancillary lorry parking facility to serve the development will ensure that 24 hour operations do not have an unacceptable environmental, community or landscape impact in the immediate and wider surrounding area.

Conclusions

I conclude that the symmetry park proposals are fully compliant with the underlying planning objective of Policy BE2. With my suggested clarification to the criteria attached to Policy BE2, I submit symmetry park similarly achieves full compliance.

APPENDIX C: SUGGESTED PLANNING OBLIGATIONS (HEAD OF TERMS)

Request By LCC	Obligation for Highways Contributions		
Amount /Detail	Delivery	CIL Justification	Policy Basis
<p>1. A Construction Traffic Routeing Agreement to be submitted to and approved in writing by the Local Planning Authority. During the period of construction, all traffic to and from the site shall use the agreed route at all times.</p> <p>2. Provision of bus services calling at new bus stop(s) within the development site as agreed with the Local Planning Authority. The bus services shall be scheduled to coincide with the 6am, 2pm and 10pm shift changes seven days a week (including Bank Holidays) and the 9am and 5pm office hours Monday to Friday. Any new bus stop infrastructure must include, but not be limited to: bus stops (within 400m walking distance of each building within the development), bus shelters, Real Time Information, raised kerbs, lighting and timetable information.</p> <p>The bus services shall be operation at 25% occupation of the development, unless an alternative date is agreed to in writing by the Local Planning Authority, and until five years following 50% occupation.</p> <p>All details of the bus services and any amendments are to be submitted to and approved in writing by the Local Planning Authority. The bus services may be secure through area-wide initiatives provided that the minimum service level provision is met.</p> <p>3. One Travel Pack per employee, to be provided from first occupation. This can be provided through Leicestershire County Council at a cost of £52.85 per pack. If not supplied by LCC, a sample Travel Pack shall be submitted to and approved in writing by LCC which may involve an administration charge.</p>	<p>1. Prior to the commencement of development</p> <p>2. To be confirmed</p> <p>3. Prior to the commencement of development</p>	<p>1. To ensure that all construction traffic associated with the development does not use unsatisfactory roads to and from the site.</p> <p>2. To encourage employees to use bus services as an alternative to the private car.</p> <p>3. To inform new employees from first occupation what sustainable travel choices are available in the surrounding area.</p>	<p>Core Strategy: Policy CS12, Appendix 2 (Infrastructure Schedule),</p> <p>Leicestershire Planning Obligations Policy Adopted 3rd December 2014.</p>

<p>4. One six-month buss pass per employee to be provided on commencement of bus service(s) provision at Magna Park. This can be provided through Leicestershire County Council at an average cost of £360.00 per pass.</p> <p>5. A Framework Travel Plan monitoring fee of £11,337.50 for Leicestershire County Council's Travel Plan Monitoring System</p> <p>6. A Site-Wide Travel Plan Co-ordinator to be funded and employed by the Applicant from the commencement of development until 5 years following full occupation. Specifically, the Site-Wide Travel Plan Co-ordinator shall undertake tasks in accordance with the Framework Travel Plan for the promotion of public transport services.</p> <p>7. A contribution of £200,000 prior to first occupation, to review the Traffic Regulation Orders and HGV signing, in collaboration with Warwickshire County Council.</p>	<p>4. Prior to first operation of the development</p> <p>5. Prior to first occupation of the development</p> <p>6. Prior to first occupation of the development</p> <p>7. Prior to first occupation of the development</p>	<p>4. To encourage employees to use bus services as an alternative to the private car.</p> <p>5. To enable Leicestershire County Council to provide support to the appointed Travel Plan Co-ordinator, audit annual Travel Plan performance reports to ensure that Travel Plan outcomes are being achieved, and to take responsibility for any necessitated planning enforcement.</p> <p>6. To ensure effective implementation and monitoring of the Framework Travel Plan submitted in support of the Planning Application.</p> <p>7. To ensure that Heavy Goods Vehicles are directed on to appropriate strategic routes.</p>	
Request By LCC	Obligation for Monitoring Fee		
Amount /Detail	Delivery	CIL Justification	Policy Basis
To be agreed	Payment prior to Xth dwelling /To be agreed	To be advised	Core Strategy: Policy CS12, Appendix 2 (Infrastructure Schedule), Leicestershire Planning Obligations Policy Adopted 3rd December 2014.
Request By WCC	Obligation for Highways		

	Contributions		
Amount /Detail	Delivery	CIL Justification	Policy Basis
Prior to first occupation Warwickshire County Council requires the provision of £200,000.00 to enable the following; a. the implementation of measures and traffic regulation orders to prevent HGV traffic routeing through the villages of Monks Kirby, Pailton, Street Ashton and Stretton under Fosse; and, b. the implementation of a clear HGV signage strategy which directs HGVs on suitable and strategic routes.	Prior to first occupation of the development	To ensure that Heavy Goods Vehicles are directed on to appropriate strategic routes.	Core Strategy: Policy CS12, Appendix 2 (Infrastructure Schedule),
Request By HDC	Obligation for Air Quality Monitoring		
Amount /Detail	Delivery	CIL Justification	Policy Basis
To be agreed	To be agreed	To ensure that the development does result in a breach Air Quality Objective levels at properties on the A5	Core Strategy Policy CS14 NPPF Para 124
Offer from Applicant			
Amount /Detail	Delivery	CIL Justification	Policy Basis
Db symmetry will fund a Community Business Liaison Officer (CBLO) role with the aim of increasing the local value of the jobs and procurement of the development.	Prior to commencement	To ensure that the development provides employment benefits to the local community	Core Strategy Policy CS7

DATED

2015

HARBOROUGH DISTRICT COUNCIL

-and-

ROBERT ERIC BOYES

-and-

MARY CUNNINGHAM BOYES

-and-

ROBERT BOYES

-and-

CAROLINE SUSAN BOYES

-and-

DAVID ALAN BROWN

-and-

CAROL ANNE BROWN

PLANNING OBLIGATION BY DEED OF AGREEMENT

**under section 106 of the Town and Country Planning Act 1990 (as amended)
and section 111 of the Local Government Act 1972 and section 1 of the Localism
Act 2011**

relating to land adjacent to Glebe Farm,

Coventry Road,

Lutterworth,

Leicestershire

15/00865/OUT

DATE

2015

PARTIES:

(1) THE DISTRICT COUNCIL OF HARBOROUGH of Council Offices, Adam and Eve Street Market Harborough Leicestershire LE16 7AG ("the Council")

(2) ROBERT ERIC BOYES, MARY CUNNINGHAM BOYES, ROBERT BOYES, CAROLINE SUSAN BOYES of Moorbarns Farm, Watling Street, Lutterworth, LE17 4HU and DAVID ALAN BROWN and CAROL ANNE BROWN of Glebe Farm, Coventry Road, Lutterworth, LE17 4JE (together, "the Landowners").

BACKGROUND:

- (A) For the purposes of the 1990 Act the Council is the local planning authority for the area within which the Site is located and the person who is entitled to enforce the obligations contained in this Agreement
- (B) The Landowners are the freehold owners of the whole of the Site free from encumbrances that would prevent the Landowners entering into this Agreement
- (C) The parties have agreed to enter into this Agreement with the intention that the obligations contained in this Agreement may be enforced by the Council against the Landowners and their successors in title

OPERATIVE PROVISIONS

1. INTERPRETATION

1.1 In this Agreement the following expressions shall have the following meanings:

"1990 Act" **the Town**
and Country Planning Act 1990 (as amended)

"Commencement Date" **the date specified in clause 3.1**

"Development" **the development of the Site pursuant to the**
Planning Permissions

"Planning Application" **the Outline application for the erection of up to 278,709sqm of Storage, Distribution buildings (B8) with ancillary B1(a) offices, creation of access onto A4303 and emergency services only access onto A5, formation of a Lorry Park, creation of SuDS facilities and other associated infrastructure and the demolition of Glebe Farmhouse (Means of access only to be considered) made on the 5th June 2015 and registered under application reference 15/00865/OUT**

"Planning Permissions" **the planning permissions that may be granted in pursuance of the Planning Application**

"Phase" **means a phase or part phase of the**
Development shown in a phasing plan

"Reserved Matters

Approval” means a reserved matters approval issued by the Council pursuant to an application for approval of reserved matters.

“Reserved Matters” means details of any one or more of access, appearance, landscaping, layout and scale reserved under the terms of a Planning Permission for subsequent approval

“Site” the freehold property known as land adjacent to Glebe Farm, Coventry Road, Lutterworth, Leicestershire as identified on a plan attached to this Agreement and registered under title numbers LT283793, LT456951, LT373798 and LT404420

1.2 References to any party in this Agreement include the successors in title of that party. In addition references to the Council include any successor local planning authority exercising planning powers under the 1990 Act

1.3 The parties to this Agreement do not intend that any of its terms will be enforceable by virtue of the Contracts (Rights of Third Parties) Act 1999 by any person not a party to it

2. Effect of this Agreement

2.1 This Agreement is made pursuant to section 106 of the 1990 Act. To the extent that they fall within the terms of section 106 of the 1990 Act, the obligations contained in this Agreement are planning obligations for the purposes of section 106 of the 1990 Act and are enforceable by the Council

2.2 To the extent that any of the obligations contained in this Agreement are not planning obligations within the meaning of the 1990 Act, they are entered into pursuant to the powers contained in section 111 Local Government Act 1972, section 2 Local Government Act 2000 and all other enabling powers in order to deliver community benefits envisaged by the Planning Application

2.3 Nothing in this Agreement restricts or is intended to restrict the proper exercise at any time by the Council of any of their statutory powers functions or discretions in relation to the Site or otherwise

2.4 This Agreement will be registered as a local land charge by the Council

2.5 The obligations in this Agreement will not be enforceable against:

2.5.1 the buyers or occupants of an individual building erected on the Site pursuant to the Planning Permissions; or

2.5.2 a statutory undertaker after the transfer of the statutory apparatus and any land upon or in which the statutory apparatus is situated by the Landowners to that statutory undertake

2.6 Nothing in this Agreement prohibits or limits the right to develop any part of the Site in accordance with a planning permission, other than one relating to the Development as specified in the Planning Application, granted after the date of this Agreement whether or not pursuant to an appeal

2.7 This Deed is conditional upon:

- (i) the grant of Planning Permission; and**
- (ii) implementation**

save for provisions referable to legal costs, change of ownership, jurisdiction and delivery which shall come into effect immediately upon completion of this Deed.

3. Commencement Date

3.1 The obligations contained in clause 4.1 and 4.2 do not come into effect until the date on which the Development commences by the carrying out on the Site pursuant to the Planning Permissions of a material operation as specified in section 56(4) of the 1990 Act (subject to the provisions of clause 3.2)

3.2 The Commencement Date will not be triggered by any of the following operations:

3.2.1 site investigations or surveys;

3.2.2 site decontamination;

3.2.3 construction of access and service roads;

3.2.4 the demolition of any existing buildings or structures;

3.2.5 the clearance or regrading of the Site;

3.2.6 works connected with infilling; or

3.2.7 works for the provision of drainage or mains services to prepare the Site for development

4. Obligations of the parties

4.1 The Council agrees with the Landowners that it will issue the Planning Permission within two working days of the execution of this Agreement

4.2 The Council agree with the Landowners to act reasonably properly and diligently in exercising their discretion and discharging their functions under this Agreement. In particular where any notice consent approval authorisation agreement or other similar affirmation is required under the terms of the Agreement the Council will not unreasonably withhold or delay such notice consent approval authorisation agreement or other similar affirmation

4.3 No person will be liable for any breach of the terms of this Agreement occurring after the date on which they part with their interest in the Site or the part of the Site in respect of which such breach occurs but they will remain liable for any breaches of this Agreement occurring before that date. Neither the reservation of any rights or the inclusion of any covenants or restrictions over the Site in any transfer of the Site will constitute an interest for the purposes of this clause

5. The Landowner's Covenants to the Council

5.1 The Landowners Covenant with the Council to fully perform and observe the covenants set out in **SCHEDULE XXX**

6. The Council's Covenant with the Landowners

The Council **COVENANTS** with the Landowners to fully perform and observe the covenants set out in **XXXXXXX**.

7. Notices

7.1 Any notice consent or approval required to be given under this Deed shall be in writing and shall be delivered personally or sent by prepaid first class post Recorded Delivery post or facsimile transmission.

7.2 The address for service of any such notice consent or approval as aforesaid shall be on all of the parties at the addresses aforesaid or such other address for service as shall have been previously notified in writing by the parties to all the other parties to this Deed save that payments of any monies to the Council shall be addressed specifically for the attention of the s106 Monitoring Officer of the Council and detailing the obligations to which the payment relates.

7.3 A notice consent or approval under this Deed shall be deemed to have been served as follows:

7.3.1 if personally delivered at the time of delivery;

8.3.2 at the expiration of forty eight hours after the envelope containing the same was delivered into the custody of the postal authority within the United Kingdom;

8.3.3 if sent by facsimile transmission at the time of successful transmission.

7.4 In proving such service it shall be sufficient to prove that personal delivery was made or that the envelope containing such notice consent or approval was properly addressed and delivered into the custody of the postal authority in a prepaid first class or Recorded Delivery envelope (if appropriate) or that the facsimile was successfully transmitted as the case may be.

8. Resolution of Disputes

8.1 In the event of any dispute or difference arising between the parties hereto touching or concerning any matter or thing arising out of this Deed, except a dispute as to the amount of any payment due under this Deed or the timing of such payment, such dispute or difference may be referred by any party to an independent and suitable person holding appropriate professional qualifications to be appointed (in the absence of agreement) by and on behalf of the President for the time being of the professional body chiefly concerned in England with such matters as may be in dispute and such person shall act as an expert and his decision shall be final and binding on the parties to the dispute or difference and his costs shall be payable by the parties to the dispute in such proportion as he shall determine and failing such determination shall be borne by the parties to the dispute in equal shares.

8.2 In the absence of agreement between the parties to the dispute or difference as to the suitability of the person to be appointed pursuant to clause 9.1 or as to the appropriateness of the professional body then such question may be referred by any party to a solicitor appointed by or on behalf of the President for the time being of the Law Society of England Wales and such solicitor shall act as an expert and his decision as to the professional qualifications of such person or appropriateness of the professional body shall be final and binding on the parties to the dispute or difference and his costs shall be payable by the parties to the dispute in such proportion as he shall determine and failing such determination shall be borne by the parties to the dispute in equal shares

9. VAT

All consideration given in accordance with the terms of this Deed shall be exclusive of any value added tax properly payable.

10. Jurisdiction

10.1 This Agreement is to be governed and interpreted in accordance with the law of England and Wales

10.2 The courts of England and Wales are to have jurisdiction in relation to any disputes between the parties arising out of or related to this Agreement. This clause operates for the benefit of the Council who retain the right to

sue the Landowners and enforce any judgement against the Landowners in the courts of any competent jurisdiction

11. Execution

The parties have executed this Agreement as a deed and it is delivered on the date set out above

FIRST SCHEDULE

Details of the Landowners' Title, and description of the Site

All that land known adjacent to Glebe Farm, Coventry Road, Lutterworth, shown edged red on Plan 1 registered under title numbers LT283793, LT456951, LT373798 and LT404420 subject to the matters mentioned in the Charges Register of those titles.

SECOND SCHEDULE

Details of the 'Community and Business Liaison Officer' Role and associated schemes

"CBLO"	the Community and Business Liaison Officer funded by the Landowners
"First Occupation"	means when Occupation of a unit first takes place on the Site
"Full Occupancy"	means when all of the units constructed on the Site in accordance with the Reserved Matters Approval are first Occupied
"the CLP"	means the 'Community and Business Liaison Plan – Construction Phase' as set out in the Vision Statement

"the OLP"	means the 'Community and Business Liaison Plan – Occupation Phase' as set out in the Vision Statement
"Occupation", "Occupy", "Occupied" and "Occupier" or "Occupant"	means first occupation of the Site for the purposes permitted by the Planning Permission but for the purposes of this Deed only not including occupation by personnel engaged in construction fitting out or decoration marketing display or security operations
"Occupied Development"	means the total square feet of unit(s) on the Site that have been Occupied
"the School"	means the Sir Frank Whittle Studio School
"Vision Statement"	means the document titled 'A Vision Statement for symmetry park Lutterworth' dated October 2015 and signed by Henry Chapman on behalf of db symmetry Ltd and Paul Hostead on behalf of the School

1. CBLO Role

- 1.1 The CBLO will be funded and employed by the Landowners from the Commencement Date until Full Occupancy of the Site or 7 years from the Commencement Date, whichever event is sooner.
- 1.2 The CBLO will be multi based working from various locations in the local area
- 1.3 The CBLO will report to the Landowners and the School with progress updates from time to time and in any event annually review the role.
- 1.4 The annual review will also allow for the working hours of the CBLO to be increased up to a maximum of a full time position with a maximum annual salary of £35,000.00 if the Landowners and the School agree.
- 1.5 The CBLO job description shall contain the following minimum expectations:
 - 1.5.1 The CBLO shall be contracted to work for up to 4 hours per week during the Construction Phase of the Development until First Occupation when the CBLO shall be contracted to work for up to 7.5 hours per week per

600,000 sq ft of Occupied Development (or pro rata for each part thereof) increasing to up to 37.5 hours per week at Full Occupancy

- 1.5.2 The CBLO shall regularly update the Landowners and the School regarding the progression of the CLP and the OLP as applicable
 - 1.5.3 The CBLO shall act as a principal point of contact between the Occupiers of the Development and the School provided that the School may invite other local education establishments to participate in any opportunities created in conjunction with the CBLO
 - 1.5.4 The CBLO shall foster business links between the Occupiers of the Development, Lutterworth and any businesses within Lutterworth in order to ensure that the role is not limited to a relationship between the Occupiers and the School
 - 1.5.5 The CBLO shall be paid on a pro rata basis with a maximum annual full time salary of £35,000.00
- 1.6 If any dispute arises in relation to the role of the CBLO or the required working hours of the CBLO the Landowners or the School may give to the other written notice requiring the dispute to be determined under clause 8 of this agreement

2. CBLO Budget

- 2.1 The Landowners will provide a budget of up to £10,000.00 per year ("the Budget") for the duration of the CBLO`s role
- 2.2 The Budget shall not be used for the provision of paid work placements
- 2.3 The Budget shall be spent in accordance with the CLP and OLP or any such initiative as agreed between the School and the Landowners
- 2.4 The Budget may be used by the CBLO to cover reasonable expenses incurred during the course of their employment
- 2.5 If any dispute arises in relation to the Budget or its use, the Landowners or the School may give to the other written notice requiring the dispute to be determined under clause 8 of this agreement

3. Construction Liaison Plan

- 3.1 The Landowners shall produce the Construction Liaison Plan in accordance with the Vision Statement with the cooperation of the School prior to the Commencement Date and it shall contain the following minimum provisions:
 - 3.1.1 The Landowners must identify a named point of contact for liaison with the School during the construction process

- 3.1.2 The Landowners shall facilitate visits to the Site for students from the School at various stages during the Development where appropriate and practicable
- 3.1.3 The Landowners shall provide an educational input to the School`s programme and curriculum during the construction phase
- 3.2 The Landowners shall employ the CBLO and evidence the same to the Council prior to the Commencement Date and notify the contact details of that person to the Council and to the School
- 3.3 The Landowners shall implement the CLP on the Commencement Date
- 3.4 The CBLO shall review the progress of the CLP in conjunction with the School and the Landowners on a 6 monthly basis
- 3.5 The CBLO shall implement changes to the CLP as agreed between the CBLO, the Landowners and the School

4. Occupation Liaison Plan

- 4.1 The Landowners shall produce the Occupation Liaison Plan in accordance with the Vision Statement with the cooperation of the School following First Occupation of the Site and it shall contain the following minimum provisions:
 - 4.1.1 The Landowners must promote the role and objectives of the School to Occupiers of the Site
 - 4.1.2 The Landowners shall encourage Occupiers of the Site to foster links with the School for the benefit of the School`s students
 - 4.1.3 The Landowners shall require Occupiers of the Site to offer experience placements, apprenticeships and job opportunities if they arise to the School
- 4.2 The Landowners shall implement the OLP upon First Occupation of the Site
- 4.3 The CBLO shall review the progress of the OLP with the School and the Landowners on an annual basis
- 4.4 The CBLO shall implement changes to the OLP as agreed between the CBLO, the Landowners and the School

APPLICATION REF:

15/01531/OUT

Planning Committee Report

Applicants: IDI Gazeley Ltd

Application Ref: 15/01531/OUT

Location: Land at Mere Lane, Bittesby, Leicestershire

Proposal: Hybrid Planning Application comprising:

1) Outline application for the demolition of Lodge, Emmanuel and Bittesby Cottages and erection of up to 419,800 sq m Storage and Distribution (B8) with ancillary offices (B1a), up to 3,700 sq m for a Logistics Institute of Technology (D1) with associated playing field, up to 9,000 sq m small business space (B1a, B1b), up to 300 sq m estate office with conference facility and exhibition centre (D1), the creation of a Country Park, other open space and landscaping works on land to the north of Mere Lane, formation of access road from Magna Park, creation of roundabouts, partial realignment of Mere Lane, upgrading of A5 to dual carriageway, creation of roundabout access on A5, creation of SuDS facilities and associated infrastructure and landscaping works (siting, extent and use of the defined parcels, the maximum quanta and height of buildings, the restriction on the siting of yards, demolitions and means of access to be considered only); and

2) Detailed application for the creation of a 140 space HGV parking facility, associated gatehouse and HGV Driver Training Centre, vehicle wash and fuelling facilities, and a rail freight shuttle terminal, with associated hardstanding, landscaping works and SUDS facilities on land adjacent to Asda George Headquarters, A4303

Application Validated: 2nd October 2015

Site Visit Dates: 12th October, 30th November 2015; 7th March, 10th August, 23rd November 2016; 14th March, 20th June, 16th November 2017

Case Officer: Mark Patterson

Recommendation

Planning Permission is **APPROVED**, for the reasons set out in the report, subject to:-

- (i) The proposed conditions set out in **Section 8**; and
- (ii) The Applicant's entering into a legal agreement under Section 106 of the Town and Country Planning Act 1990 (and S38/S278 of the Highways Act 1980) to provide for the obligations set out in **Appendix C** and justified in **Section 6c** of this report; and
- (iii) Confirmation from the National Planning Casework Unit that the Secretary of State will not be calling the application in for determination.

1. Site & Surroundings

- 1.1 The application site comprises approximately 239 ha of land in two zones. Zone 1, the subject of the outline element of the planning application, is a c 232 ha triangular parcel of predominantly agricultural land to the north and north west of Magna Park, Lutterworth. Zone 2, the subject of the detailed element of the planning application, is a 6.7 ha parcel of land to the south of the George headquarters building on the A4303 close to the main access to Magna Park (see **Figures 1 & 2**).

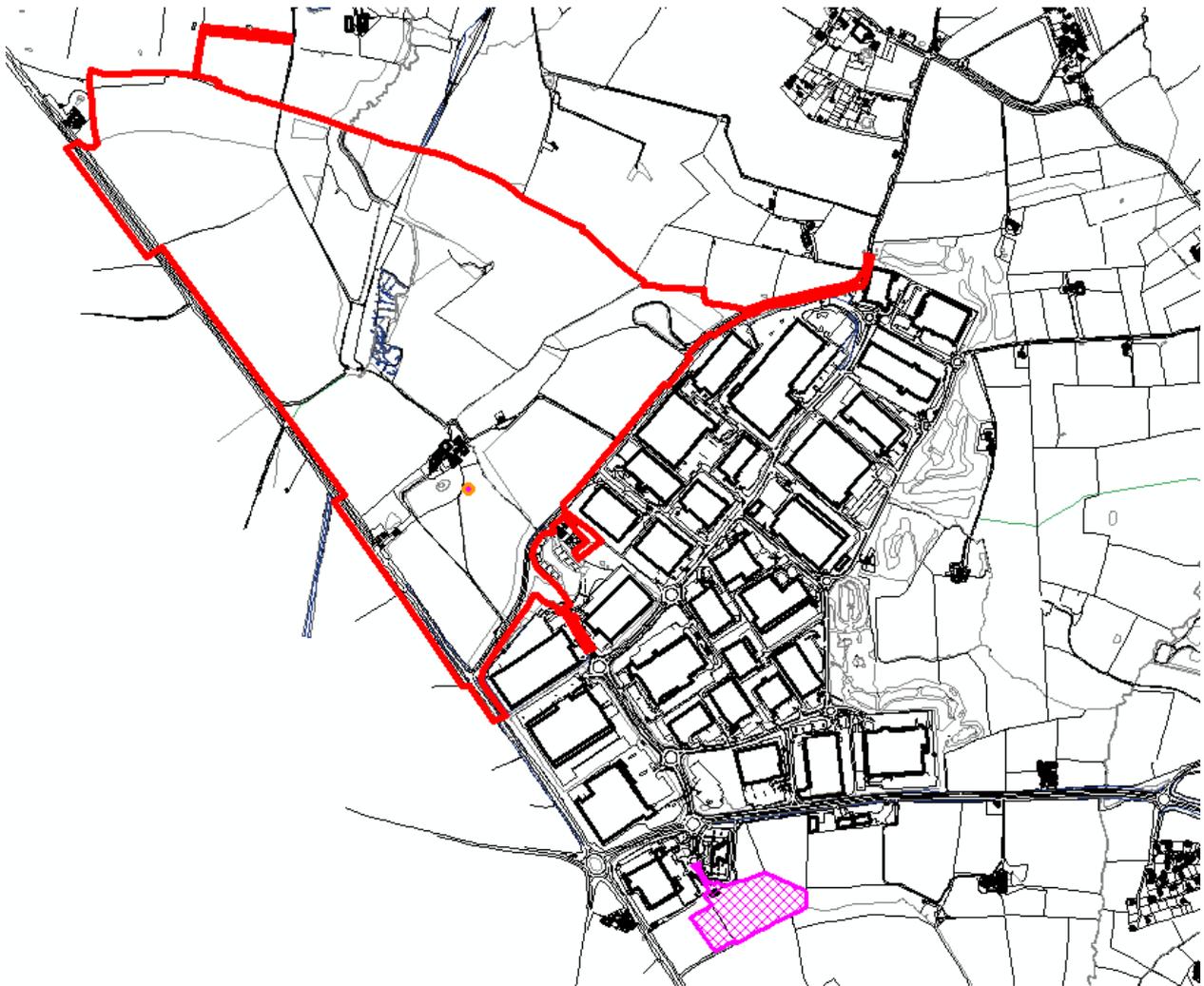


Figure 1: Site Location Plan

- 1.2 Zone 1 is linked to and extends Magna Park. It is bounded by the A5 to the west, Mere Lane and the existing Magna Park to the south east and agricultural land to the north east. The nearest local settlement to Zone 1 is Willey which is 0.85 km away, beyond the A5. To the north and east are the villages of Ullesthorpe and Claybrooke Parva which are located, at the closest point to the site, approximately 1.0 km and 1.3 km (respectively) from the site. Bitteswell is located 2.0 km to the east of the site, and Lutterworth is located 2.2 km to the east.
- 1.3 Zone 1 comprises a mix of large open arable fields, smaller enclosed fields, some mature hedgerow boundaries and mixed native tree belts. Zone 1 slopes away from the high ground at its boundaries towards the Upper Soar Valley that crosses the centre of the site, with a change in levels of more than 20 m across the site from highest ground along the eastern Mere Lane and the northern boundary at circa 125m AOD, to the lowest point of 103m AOD in the valley bottom. From this central valley, the ground rises gently again towards White House Farm at the north-western corner of Zone 1.
- 1.4 Landscape features in Zone 1 include the wooded embankments of the dismantled Midland Counties railway that follows the Upper Soar valley at the centre of the site and the tree lined avenue of Bittesby House. Other built elements of the original Bittesby Estate include Bittesby Cottages (occupied by *Holovis*) and Lodge and Emmanuel cottages on the A5, both residential properties in the control of *IDI Gazeley*. To the east of the site is the existing built environment of Magna Park and the trees and hedgerows along Mere Lane. The Manor Farm Wind Turbine is another built feature that punctuates the skyline to the north-east of the site. In addition to the arable fields, woodland, grazing pasture and habitat zones, game rearing and apiculture (the keeping of honey bees) is also evident on the site.

- 1.5 Public rights of way, bridleways and public footpaths cross the site connecting the village of Willey to Ullesthorpe and Claybrooke Parva and the Lutterworth Road. These rights of way intersect and connect with the permissible routes that currently allow a variety of walking and riding itineraries around the site.
- 1.6 At the eastern corner of the site is the Mere Lane Lagoon which attenuates water draining from Magna Park and feeds a watercourse that runs along a small tributary valley of the River Soar to the northern and western flanks of the site.



Figure 2: Aerial Photo of site

- 1.7 Zone 1 of the site also contains the Scheduled Ancient Monument of Bittesby Deserted Medieval Village. The Village is recorded in the Domesday Survey (1086 AD) and is likely to have been established in the late Saxon period. The Scheduled Monument is located at the centre of the site between the railway embankment and Upper Soar tributary. This open access land comprises visible earthworks maintained by sheep grazing.
- 1.8 Geophysical and fieldwalking surveys of the accessible areas within Zone 1 have been carried out by the Applicants. There is evidence of archaeological assets to the north east and east of the Scheduled Monument which contribute to the significance and setting of the Monument. Geophysical anomalies of archaeological interest have been identified elsewhere in Zone 1, mainly along the A5.
- 1.9 Twenty listed buildings and two conservation areas lie within a 2 km radius of Zone 1. These include listed buildings in Willey, Ullesthorpe and Claybrooke Magna to the north west. The

historic core of Ullesthorpe village is designated as a Conservation Area. Bittesby House, Bittesby Cottages and the former 'lodge' to Bittesby House are considered to be non-designated heritage assets. Bittesby House, formerly a farmhouse and now used as office space, dates from at least the 18th century. Bittesby Cottages, lying to the north-east of Bittesby House, date from the late 19th century. The former 'lodge' to Bittesby House also dates from the late 19th century, and lies to the south-west of Bittesby House.

- 1.10 Zone 1 does not include, nor is it adjacent to or within a 2 km radius of, any statutory designated sites for wildlife. There are four Local Wildlife Sites (LWS) within the search area falling into the County of Leicestershire, the closest being Old Manor Reedbed LWS situated approximately 800m to the north of Zone 1. Within the search area covered by Warwickshire, there are four Eco-sites, the closest being the disused railway line beyond the A5 to the west, which is a continuation of that which bisects Zone 1 north- east to south-west.
- 1.11 Zone 2 forms part of the developed southern edge of Magna Park. Immediately to the north of Zone 2 is a distribution building occupied by Pearson (Plot 7100) and the George House office building. Zone 2 is located approximately 1.6 km from Willey to the north west, 1.6 km from Lutterworth to the east and 2.5 km from Cotesbach to the south east. Access to Zone 2 is via the southern arm of the roundabout on Coventry Road (the A4303), which to the north also provides the main point of vehicular access to Magna Park.
- 1.12 Zone 2 benefits from an extant planning permission (reference 12/00851/FUL) change of use of land to provide HGV and car parking, formation of hard standing, erection of vehicle maintenance unit building, administration building, fuel island and vehicle washing facility and associated landscaping. The pre-commencement conditions have been discharged and implementation has begun (with works confined to those that would be needed to implement the detailed proposals that are the subject of the detailed element of this hybrid application).
- 1.13 Zone 2 consists of two fields, neither of which are currently in agricultural use. Zone 2 slopes from the north to the south, with an overall fall of some 12 metres. Some existing mature trees and hedgerows are located on the northern and southern edges of the zone and there is an existing hedgerow running through it from north to south. A brook runs adjacent to the southern boundary. Beyond Zone 2 to the south and east is open farmland.
- 1.14 Zone 2 has no designated or non-designated heritage assets. A programme of archaeological work was agreed and undertaken in line with the conditions to the extant planning permission.
- 1.15 Zone 2 has no international or domestic statutory wildlife designations and there are none adjacent or within a 2 km radius of its centre. Within the Leicestershire search area, there is a single Potential LWS, Bitteswell Brook, 1.1 km from the eastern site boundary. In accordance with the conditions on the extant planning permission, broad-leaved woodland and replacement badger foraging habitats will be created. Within the search area covered by Warwickshire (west of the A5), there are seven LWSs within a 2 km radius from the site centre. No Public Rights of Way Bridleways or Public Footpaths cross or abut Zone 2.

2. Site History

2.1 Zone 1 of the Site has the following relevant planning history:

Application Number	Decision	Name of Applicant	Nature and Location of Development
52/00005/LRDC	APPROVED		Proposed modernisation of cottage Bittesby House Farm, Bittesby Nr Rugby,

55/00070/LRDC	APPROVED		The erection of one pair of agricultural workers cottages, Land adj Lodge Cottage, Bittesby
55/00113/LRDC	APPROVED		Improvements and repairs to pair of agricultural workers cottages (00113/55) O P No 8 Bittesby House Farm, Bittesby,
62/00203/LRDC	PERMITTED DEVELOPMENT		Proposed four bay steel dutch barn, Bittesby House Farm, Bittesby,
64/00212/LRDC	APPROVED		The erection of a building for use as a potato store, Bittesby House Farm, Willey Gates, Bittesby
80/00848/3M	APPROVED		Erection of steel framed building for storage of agricultural produce Bittesby House, Bittesby Lutterworth,
88/00429/3R	APPROVED	McLagan Investments	Construction of utilities complex, surface water lagoon and 100 ft high radio mast, Magna Park, Lutterworth Land Part Of Leisure Area, Hunter Boulevard, Magna Park
97/01258/FUL	APPROVED	Goodwin Farm Staff Contractors	Change of use of brick barn to light industrial workshop, minor external alterations and associated carparking Bittesby Farm , Watling Street, Bittesby
97/01257/FUL	APPROVED	Goodwin Farm Staff Contractors	Change of use of agricultural building to light industrial workshop unit and associated car parking Bittesby Farm , Watling Street, Bittesby
01/00914/FUL	APPROVED	Gazeley Properties Ltd	Formation of storm water storage lagoon (retrospective) Land At , Mere Lane, Bittesby
03/01417/FUL	APPROVED	CHAPCO	Change of use to offices Bittesby House, Watling Street, Bittesby
04/01479/FUL	APPROVED	Chapco Ltd	External alterations and erection of a single storey extension Bittesby House, Watling Street, Bittesby
15/00919/FUL	APPROVED	I D I Gazeley Ltd	Erection of 100,844sqm Storage and Distribution centre (B8) with ancillary B1(a) offices on land adjoining and linked to Magna Park, including formation of access road from Magna Park, erection of gatehouse, creation of roundabouts, partial realignment of Mere Lane and upgrading of A5 to dual

carriageway, creation of SuDS facilities and associated infrastructure and landscaping works. Land At, Mere Lane, Bittesby

16/00359/FUL	APPROVED	IDI Gazeley Ltd	Extension to existing waste water treatment facility including erection of five rotating biological contractor units and associated infrastructure Sewage Works, Mere Lane, Bittesby
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2.2 Zone 2 of the Site has the following relevant planning history:

Application Number	Decision	Name of Applicant	Nature and Location of Development
88/00565/3O	WITHDRAWN	McLagan Investments	Construction of truckstop including motel, warehousing and vehicle servicing facilities Magna Park, Lutterworth,
88/02388/3P	APPROVED	McLagan Investments Ltd	Demolition of existing buildings and erection of 209,533 sq ft distribution warehouse with associated parking and servicing, south side Magna Park, Coventry Road, Lutterworth
11/01757/FUL	WITHDRAWN	Gazeley UK Ltd	Change of use of land to provide HGV and car parking; formation of hardstanding; erection of vehicle management unit building, administration building, fuel island and vehicle washing facility; associated landscaping. Land South Of And Adjacent To Asda George Headquarters, A4303, Magna Park
12/00851/FUL	APPROVED	Gazeley UK Ltd And Stobart Group	Change of use of land to provide HGV and car parking; formation of hardstanding; erection of vehicle maintenance unit building, administration building, fuel island and vehicle washing facility, associated landscaping (revised scheme of 11/01757/FUL) Land South Of And Adjacent To Asda George Headquarters, A4303, Magna Park
15/01699/PCD	APPROVED	IDI Gazeley UK Limited	Discharge of conditions 18 (Badger Survey) and 21 (Archaeology) of 12/00851/FUL Plot 7300, Watling Street, Magna Park
16/00767/FUL	PENDING	Gasrec Limited	Installation of biomethane refuelling dispensers and ancillary equipment and creation of new site exit Magna Park,

16/00768/ADV	PENDING	Gasrec Limited	Installation of Gasrec logo on gas storage tank Magna Park, Coventry Road, Lutterworth
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3. The Application Submission

a) Summary of Proposals

- 3.1 The application proposals are for two areas within the site, one in outline (zone 1) and one in detail (zone 2), that together total c 239 ha. The development proposals comprise the following uses:
- distribution warehousing and ancillary office space (Use Classes B8 and B1a): up to 419,800sq m (as amended) (including 100,844 sq m previously considered by planning Committee on the 28th January 2016 and now approved) (Zone 1);
 - Logistics Institute of Technology (Use Class D1): up to 3,700sq m together with its campus and playing field (Zone 1);
 - Magna Park estate office, with marketing suite, heritage exhibition centre and conference facility (Use Class D1): up to 300sq m (Zone 1);
 - Innovation Centre (Use Class B1a, B1b): up to 2,325sq m (Zone 1);
 - expansion building for Holovis (Use Class B1a, B1b): up to 7,000sq m (Zone 1);
 - Bittesby Country Park and meadowland: c70 ha (Zone 1);
 - structural landscape on site perimeter and linking to Magna Wood: c 35 ha (Zone 1);
 - access corridor, SUDS systems, bio-discs and reed beds and other landscape works (Zone 1);
 - formation of access road from Magna Park, creation of roundabouts, partial realignment of Mere Lane, upgrading of A5 to dual carriageway, creation of roundabout access on A5 (Zone 1);
 - HGV Driver Training Centre (Zone 2);
 - HGV park with its fuelling and vehicle wash (Zone 2); and
 - Railfreight Shuttle Terminal (Zone 2).
- 3.2 In Zone 1, the applicants are seeking planning permission for the principle of the development, the means of access and the parameters specified by Parameter Plans 1 and 2 (the siting, extent and use(s) proposed in each parcel defined by the Parameter Plans; the maximum floorspace quantum and building heights within parcels with buildings; the orientation of yards within the parcels proposed for warehouse distribution buildings) and the demolition of the existing buildings.
- 3.3 The Parameters Plan for Zone 1 (see **Figure 3**) sets out the maximum development parameters in terms of use, floor area, height and maximum floor plate and finished floor levels for Zone 1. This establishes a framework within which a range of masterplan options can be accommodated. In addition to the B8, a range of other uses are also proposed, these are outlined in more detail below.
- 3.4 The details of the parameters set out in **Figure 3** for Zone 1 are set out in more detail below. (Parcels A – D are to remain undeveloped and will be landscaped in different forms):
- **PARCEL E – MAGNA PARK HUB – 6.58 Ha**
 - Proposed Use: D1 Logistics Institute of Technology, B1(a) & D1 Estate Office and B1(a) & B1(b) Innovation Centre
 - Maximum Floor Area: Logistics Institute of Technology – 3,700sq m; Estate Office – 300sq m; and Innovation Centre – 2,325sq m
 - Proposed Unit Finished Floor Level (FFL): 110.5m AOD (NW) and 113.0m AOD (NE)
 - Maximum Unit Height: 125.00m AOD

- Maximum Unit Ridge Height 14.5m
- PARCEL F – SMALL BUSINESS – 2.68 Ha
 - Proposed Use: B1(a) and B1(b)
 - Maximum Floor Area: 7,000sq m
 - Proposed Unit FFL: 111.5m AOD
 - Maximum Unit Height: 122.5m AOD
 - Maximum Unit Ridge Height 11m
- PARCEL G – DISTRIBUTION UNITS – 21.86 Ha
 - Proposed Use: B8 storage and distribution and ancillary offices (B1)
 - Maximum Floor Area: 100,844sq m
 - Proposed Unit FFL: 119.6m AOD
 - Maximum Unit Height: 142.6m AOD
 - Maximum Unit Ridge Height: 23m
 - Other info:
 - Yards to be positioned on NW and SE sides only
 - Car Parking to SW side
 - Offices to face Principal Access Corridor
- PARCEL H – DISTRIBUTION UNITS – 13.85 Ha
 - Proposed Use: B8 storage and distribution and ancillary offices (B1)
 - Maximum Floor Area 69,850sq m
 - Proposed Unit FFL: 120.5m AOD
 - Maximum Unit Height: 139.00m AOD
 - Maximum Unit Ridge Height; 19.5.
 - Other info:
 - Yards to be positioned on NW and SE sides only
 - Car Parking to NE side
 - Offices to face Principal Access Corridor
 - Where Parcel is subdivided into plots, minimum 10m landscape zone to be introduced between plots
- PARCEL I – DISTRIBUTION UNITS – 4.76 Ha
 - Proposed Use: B8 storage and distribution and ancillary offices (B1)
 - Maximum Floor Area: 23,100sqm
 - Proposed Unit FFL: 119.00m AOD
 - Maximum Unit Height: 135.50m AOD
 - Maximum Unit Ridge Height: 16.5m
 - Other info:
 - Yards to be positioned on SE side only
 - Car Parking to NE side
 - Offices to face Principal Access Corridor
 - Where Parcel is subdivided into plots, minimum 10m landscape zone to be introduced between plots
- PARCEL J – DISTRIBUTION UNITS – 5.19 Ha
 - Proposed Use: B8 storage and distribution and ancillary offices (B1)
 - Maximum Floor Area: 28,000sqm
 - Proposed Unit FFL: 114.20m AOD
 - Maximum Unit Height: 130.70m AOD
 - Maximum Unit Ridge Height: 16.5m
 - Other info:
 - Yards to be positioned on NW side only
 - Car Parking to SW & SE sides
 - Offices only to SW elevation / western end of the unit
 - Where Parcel is subdivided into plots, minimum 10m landscape zone to be introduced between plots
- PARCEL K – DISTRIBUTION UNITS – 28.57 Ha
 - Proposed Use: B8 storage and distribution and ancillary offices (B1)
 - Maximum Floor Area: 163,000sqm

- Proposed Unit FFL: 114.20m AOD
- Maximum Unit Height: 132.7m AOD
- Maximum Unit Ridge Height: 18.5m
- Other info:
 - Yards to be positioned on NW & SE sides only
 - HGV circulation only to NE side
 - Car Parking to SW side
 - Offices to face Principal Access Corridor
 - Where Parcel is subdivided into plots, minimum 10m landscape zone to be introduced between plots
- PARCEL L – DISTRIBUTION UNITS – 8.01 Ha
 - Proposed Use: B8 storage and distribution and ancillary offices (B1)
 - Maximum Floor Area: 35,000sqm
 - Proposed Unit FFL: 115.70m AOD
 - Maximum Unit Height: 132.20m AOD
 - Maximum Unit Ridge Height: 16.5m
 - Other info:
 - Yards to be positioned on SE side only
 - No yard or regularly circulating traffic on NW side
 - Car Parking to SW side
 - Offices to face Principal Access Corridor



Figure 3: Parameters Plan

3.5 The Bittesby Country Park, meadowland and structural landscape components in Zone 1 account for approximately 44% (c 103 ha) of the total Zone site area (232 h). The 44% of the site that will be open space excludes the contribution of the playing field to be provided within the campus

facilities for the Logistics Institute of Technology which it is proposed will be shared with the community out of hours and on weekends.

- 3.6 The development density of the distribution warehousing (Use Class B8) is approximately 18.4% for the Zone 1 site. The industry standard is a 40% site density and compares to the c 35% density of Magna Park as it now is. The six proposed B8 parcels range from 5.2 Ha to 21.9 Ha in area; the smallest three range from 5.2 Ha to 8.0 Ha with a maximum capacity range from 28,000sqm to 35,000sqm; and the largest three range from 13.9 Ha to 28.6 Ha with a maximum capacity range of 69,850sqm (the 13.9 Ha site), 100,844sqm (15/00919/FUL) and 163,000sqm (the largest of the parcels).
- 3.7 The physical and functional integration of the extension with the existing Magna Park to create a single place is intended to be achieved by:
- creating the park-wide hub and focus for the extended Magna Park – with facilities for all occupiers and their employees;
 - linking Magna Wood, with a new foot and cycle path that will connect at the existing Mere Lane Lagoon;
 - extending Argosy Way across Mere Lane (via a new roundabout) to encourage HGV access to the extension through the existing park from the A4303 and to provide functional links for existing operators and their employees;
 - the landscape proposals which “wrap” the whole of the extended park with deep tree planting belts and other landscape features;
- 3.8 The Logistics Institute of Technology will be housed in buildings totalling up to 3,700sqm of laboratories, classrooms and demonstration facilities on a campus that includes a playing field and full-sized pitch. The applicants have stated that “the buildings will be well-designed for visual appeal, environmental sustainability and tucked into the landscape”, however, as this element of the application is only in outline form, the design of the buildings is a matter for future consideration.
- 3.9 It is proposed that The Institute is partnered by IDI Gazeley, Aston University and the Leicestershire Colleges – and will likely include the logistics sector’s professional institute (Chartered Institute of Logistics and Technology). It is also proposed to work closely with industry partners, and cater for up to 400 students, drawn from the same c 45 minute catchment as Magna Park’s workforce, providing a range of bespoke training and qualifications across all NQF levels 2-7 as well as linked professional accreditations.
- 3.10 The Institute would have five broad objectives:
- contributing to the rising skills needs of the industry;
 - raising the awareness of people at school, college and university levels of the career opportunities in logistics;
 - collaborating with the industry to contribute to its needs for applied research to drive innovation, productivity and increased environmental sustainability in the industry;
 - creating new small businesses that will commercially apply the research output of the Institute and its collaborating university and college partners; and
 - providing Harborough District with a flagship further and higher education institution.
- 3.11 The Innovation Centre will provide high quality serviced office space on easy-in, easy-out licenced terms for small businesses – following exactly the model of the Harborough Innovation Centre. The building will be up 2,325sqm in size (broadly the size of the Centre in Harborough).
- 3.12 The extended estate will continue to be managed from the existing site. The new estate office will be a more substantial building, designed to complement the Institute and Innovation Centre – the other main built uses proposed within the Magna Park hub. The estate office will contain a marketing suite; an IT-equipped conferencing facility that will be available for community use; and a “heritage centre” – a living exhibition space that will account the history of the Magna Park site – and exhibit and interpret the Scheduled Monument, the other archaeology, the built

development including the historic record of Bittesby House and the other buildings on the site, and the Bitteswell Aerodrome. It will also include exhibition space.

- 3.13 The mix of uses in Zone 2 includes an HGV Driver Training Centre, an HGV park with fuelling and vehicle wash and a Railfreight Shuttle Terminal. The HGV park will be for Magna Park HGV drivers only – both those for the existing park and for the extension. It is proposed that the HGV park will be equipped with electric charging points and that the fuelling station will include provision for a carbon-free compressed natural gas fuel option (CNG) and, if needed, also, low-carbon, liquid petroleum gas.
- 3.14 IDI Gazeley have stated that they are seeking to assist the growth of railfreight wherever it is practical and feasible to do so and a Railfreight Shuttle is consistent with this approach. Magna Park does not – nor, given railway geography, is it ever likely to – enjoy direct rail connection. The Railfreight Shuttle is proposed to address this and to enable existing and future occupiers to benefit from the economic and environmental advantages of rail-based distribution.
- 3.15 The Railfreight Shuttle Terminal would provide a dedicated Shuttle to DIRFT – where 16% of all rail movements already originate at, or are destined for, Magna Park. The recent opening of new facilities at DIRFT mean that capacity is now available for additional volume and DIRFT offers a wide range of daily services to/from the major ports, Europe via the Channel Tunnel and to UK destinations in England, Wales and Scotland. Scope also exists for IDI Gazeley to create a railhead at Rugby to serve Magna Park and IDI Gazeley is exploring this potential.



Figure 4: Indicative Layout (following revisions)

- 3.16 The Terminal has been designed for a capacity of 88 containers and includes the electric charging points and LPG/CNG fuelling facilities shared with the HGV park. The Applicants do not envisage that significant numbers of refrigerated containers will feature, but provision is being made for electrical plug-in points at the Terminal to obviate the use of on-board refrigeration units whilst such containers are in the Terminal,
- 3.17 In response to concerns raised by officers, comments received through representations and those of Historic England and Leicestershire County Council Archaeology, the applicants have amended the parameters of Parcel I to reduce the maximum size of the proposed building which has enabled the retention of Bittesby House and its principal outbuildings.
- 3.18 Vehicular access to the Site would be taken from a new road extension from Argosy Way across Mere Lane to connect the development site to Magna Park and the realignment of Mere Lane between the proposed A5 roundabout junction and a new roundabout junction with the extension to Argosy Way. These Works have previously been considered and approved as part of 15/00919/FUL. Additionally, a new access point will be formed at the north west end of the application site with a new roundabout to be formed on the A5.
- 3.19 Within the Design and Access Statement, the applicants have set how development could appear on the site using the extents of the parameters set out in the parameters plan. These are indicated on **Figure 4**.

b) Documents submitted in support of the application

i) Plans

- 3.20 Plans have been submitted showing the extent of the site, set parameters for Zone 1 and detailed plans for Zone 2 and details of the proposed accesses and an Illustrative Masterplan of how Zone 1 of the site could be developed within the set Parameters. The submitted plans (as amended) are as follows:
- 3657-30 Rev 05 – Red Line Boundary Plan
 - 3657-31 Rev 01 – Site Location Plan
 - 3657-32 Rev 04 – Blue Line Boundary Plan
 - 3657-33 Rev 11 – Illustrative Masterplan (Zone 1)
 - 3657-34 Rev 18 – Parameters Plan (Zone 1)
 - 3657-36 Rev 06 – Parameters Plan (Building Heights (Zone 1)
 - 3657-37 Rev 01 – Demolition Plan (Zone 1)
 - 3657-41 Rev \$ – Illustrative Masterplan comparison (Zone 1)
 - 3657-90 Rev 01 – Gatehouse and Training Centre Plans (Zone 2)
 - 3657-91 Rev 05 – Proposed Site Layout (Zone 2)
 - 3657-92 Rev 01 – Gatehouse and Training Centre sections (Zone 2)
 - 3657-93 Rev 03 – Fuel Island (Zone 2)
 - 3657-94 Rev 02 – Vehicle Wash (Zone 2)
 - 3657-96 Rev 01 – Gatehouse and Training Centre elevations (Zone 2)
 - 3657-110 Rev 03 – Proposed Fencing Plan (Zone 2)
 - 3657-111 Rev 03 – External Works Finishes (Zone 2)
 - MPL410-AL-A01-CT-0-001
 - MPL410-AL-A01-GE-2-001
 - MPL410-AL-A01-GE-2-002
 - MPL410-AL-A01-GE-2-003
 - MPL410-AL-A01-GE-2-004
 - MPL410-AL-A01-MP-0-001
 - 074680-CA0-GF-DR-S-001-P07
 - 074680-CA0-GF-DR-S-002-P07
 - 074680-CA0-GF-DR-S-010-P00
 - 074680-CA0-GF-DR-S-011-P00

- 074680-CA0-GF-DR-S-012-P00
- 074680-CA0-GF-DR-S-013-P00
- 074680-CA0-GF-DR-S-014-P00
- 074680-CA0-GF-DR-S-015-P00
- 47066811/A008/SK12 Rev C: Proposed Access Arrangements (Zone 1 – South)
- 47066811/A008/SK13: Proposed Access Arrangements (Zone 1 – North)

ii. The Design & Access Statement

- 3.21 The Design and Access Statement (hereafter referred to as DAS) provides information to explain and understand the proposals, demonstrates the decision making process used to help develop them and the reasoning behind key decisions that have shaped the proposed development.
- 3.22 Section 2 of this statement provides an overview of the applicants' vision and objectives for the development; section 3 gives a site analysis; section 4 explores the Design Principles of the development; section 5 explains the evolution of the design of the development; section 6 explains the Masterplan and landscape proposals for the site; Section 7 explains the Proposals for Zone 2; describes the access proposals for the development, and; section 9 sets out the Applicants intended delivery mechanism for the development.

iii. Environmental Statement including non-technical summary

- 3.23 The proposal is Environmental Impact Assessment development under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011. An Environmental Statement (hereafter referred to as 'ES') has been produced to examine and evaluate the likely environmental effects of the development as required by Schedule 2 (Urban Development Projects of over 5 hectares in size) of the Regulations. The ES contains the information necessary to enable a decision to be made for the purpose of assessing the significant environmental effects of the development. The ES includes the following topics:
- Socio-Economics
 - Traffic and Transport
 - Air Quality
 - Noise and Vibration
 - Archaeology and Heritage
 - Ground Conditions
 - Water including Flood Risk
 - Ecology
 - Landscape and Visual Effects including Lighting
 - Agriculture and Soils
- 3.24 For each issue identified the ES sets out the methodology used, including details of the baseline situation and impacts likely to result from the proposed development. All effects direct, indirect, secondary, cumulative, short, medium, long term, permanent, temporary, positive and negative have been analysed within the ES and measures considered such as to mitigate any identified impacts.
- 3.25 The non-technical summary document comprises a summary of the findings which the general public and non-technical experts can understand.

iv. Supporting Statements

- *Planning Statement (prepared by Now Planning, November 2015)*
- 3.26 This Statement sets out the planning policies and guidance of particular relevance to the development proposals. It identifies the extent to which the proposed development complies or conflicts with each of the policies and, where relevant, refers to other documents in the application submission that further explore the consistency of the proposal with the intent of policy.

- *Statement of Community Involvement (prepared by Templar Strategies, September 2015)*
- 3.27 This Statement outlines how the Applicant's have consulted Key Local Stakeholders and the Local Community in formulating the proposals currently before the Local Planning Authority (hereafter referred to as 'LPA').
- *Transport Assessment (prepared by URS, September 2015)*
- 3.28 This Assessment reviews the highway and transport implications of the proposals and identifies measures required to mitigate the impacts of the proposals.
- *Travel Plan (prepared by URS, September 2015)*
- 3.29 This Plan highlights the Travel opportunities presented by the proposals.
- *Flood Risk Assessment (prepared by Capita, September 2015)*
- 3.30 The objectives of this report are to review all sources of flooding which are likely to affect the development site, both now and in the future; to consider the merit and practicability of various Sustainable Drainage Systems (SuDS); to provide an assessment of whether the site development will increase flood risk elsewhere; and to establish whether current measures (where they exist) to mitigate such risks are appropriate.
- *Contaminated Land Assessment (prepared by Delta Symmonds, August 2015)*
- 3.31 This report has been undertaken in order to provide an assessment of the potential for contamination to be present at the site, and was completed in advance of the current planning application for the redevelopment of the site.
- *Arboricultural Report (prepared by Haydens Arboricultural Consultants, September 2015)*
- 3.32 This report is to provide a preliminary consideration of the arboricultural implications created by the proposed development.
- *Agricultural Land Quality Report (prepared by Tim O'Hare Associates, December 2014)*
- 3.33 This report has been prepared to determine the quality of agricultural land for the site. The assessment has been carried out in accordance with the Agricultural Land Classification (ALC) system for England and Wales. In particular, this report considers the quality of agricultural land at the Site in a national, regional and local context, and provides an assessment of likely 'opportunities and constraints' associated with proposed new development in terms of agricultural land quality and soil resources.
- *Economic Case for the Extension to Magna Park (prepared by Now Planning, October 2015)*
- 3.34 This report sets out the economic case for IDI Gazeley's hybrid planning application for the extension of Magna Park.
- *Report on the Logistics Institute of Technology (October 2015)*
- 3.35 This report outlines the proposals for the Logistics Institute of Technology (LIT): the partnership that is promoting LIT; the vision for LIT and its objects; the needs it responds to; the proposed academic and qualifications offer; how it will operate; the value it aims to return to its students, the industry, its partners and to Harborough District; and the next steps that are being taken by the Applicants to secure its delivery at the heart of the extended Magna Park.

c) Amended / Additional Plans / Drawings and Supporting Documents

- *Various – Updated and Supplemental Transport Assessments*
- 3.36 In response to comments from Highways England, Leicestershire County Council and Warwickshire County Council, the applicants have provided a number of updates to their Transport Assessment. These have been submitted to HE, LCC and WCC for consideration and forms the basis of comments received.
- *February 2016 – Update of Environmental Statement and Supplementary Information*
- 3.37 This report introduces the additional information provided in support of IDI Gazeley's hybrid planning application to extend Magna Park. The additional information comprises:

- Landscape and Visual Impact (Chapter 9) to provide, in response to a request by The Landscape Partnership (TLP) on behalf of Harborough District Council (HDC), various clarifications and further information on the cumulative effects with Symmetry Park (App 15/00865/OUT);
 - Heritage (Chapter 11) to take account of the findings of the completed archaeological trenching and geophysical surveys, the updated Desk Based Assessment (DBA) and its new appendices;
 - Ecology (Chapter 12) to take account of the very recently published Chartered Institute of Ecology and Environmental Management (CIEEM) Guidelines on Ecological Impact Assessment: Terrestrial, Freshwater and Coastal (2016);
 - Supplemental Transport Assessment prepared in response to Highways England's request for further information in respect to the trip generation of the Logistics Institute of Technology and the impact upon the Gibbet Hill junction; and
 - Clarification of the planning application's proposals for public footpaths and bridleways and the users' experience of these, provided partly to respond to comments by the Leicestershire County Council rights of way officer and partly to bring together in a single document the parts of the application submission the proposals for the site's footpaths and bridleways.
- *March 2016 – Level 4 Historic Building Survey – Bittesby House*
- 3.38 The application originally proposed the demolition of Bittesby House, the former Lodge to Bittesby House and Bittesby Cottages. Bittesby House and the former Lodge are non-designated heritage assets and lie about 400m at their closest point to the scheduled Bittesby Deserted Medieval Village. The Level 4 Survey was undertaken of the complex of existing buildings, namely Bittesby House, Bittesby Cottages and the former Lodge to Bittesby House, including ancillary and associated (former) farm buildings and gave consideration to such aspects as the integrity of fixtures and fitting, their origins and operation, and historic documentary record and other reasonably accessible records. The survey in addition gave consideration to the relationship between the Bittesby Deserted Medieval Village and the later occupation of Bittesby House. The survey was undertaken to provide a full historic building recording of the non-designated heritage assets as well as to assist with the determination of the planning application.
- *April 2016 – Update of Environmental Statement and Supplementary Information*
- 3.39 This report introduces further additional information provided in support of IDI Gazeley's hybrid planning application to extend Magna Park. The additional information comprises:
- i. In response to comments received from Historic England, LCC Conservation Officer, The Landscape Partnership and the Planning Officer responsible for the application, the applicants have amended application 15/01531/OUT to allow for the retention of Bittesby House as follows:
 - a) Amended application form for the two changes to the development description:
 - "demolition of existing buildings" is amended to read "demolition of Lodge, Emmanuel and Bittesby Cottages"; and
 - the maximum quantum of distribution warehousing is reduced to "up to 419,800sq m" from "up to 427,200sq m".
 - b) Amended submission plans:
 - Parameter Plan 1 (364734-18) which shows the siting, extent and use of each development parcel. The amendment creates a new parcel that retains Bittesby House, the principal outbuildings and grounds; and reduces the area of Parcel I – proposed for distribution warehousing use (B8) – to 4.76 ha (from 6.03 ha) and the quantum of distribution floorspace to a maximum of 23,100 sq m (from 30,500 sq m).
 - Parameter Plan 2 (3657-36-06), which shows the maximum heights of new buildings and the restrictions on the siting of yards, is amended to show the new parcel for Bittesby House and the change in the extent of Parcel I.
 - The amended illustrative masterplan (3657-33-11)
 - The amended landscape plan (MPL 410-AL-A01-MP-0-001)

- Overlay of submitted and amended illustrative masterplans.
 - c) To assist the understanding of the hybrid application (15/01531/OUT), an overlay of the permitted 15/00919/FUL application on the amended Illustrative Masterplan.
 - ii. Updated ES chapters to take account of the amendment to retain Bittesby House and its grounds:
 - a) Chapter 9: Landscape & Visual Effects
 - b) Chapter 11: Heritage & Archaeology
 - iii. The clarification sought by The Landscape Partnership (TLP) on behalf of HDC in the comments on the submitted ES Chapter 9 together with responses to a number of the points made by TLP.
 - iv. A Supplemental Transport Assessment to respond to Highways England's Technical Note 5.
 - v. The Traffic Survey Report which sets out the findings of an Automatic Traffic Count survey in eight locations around Magna Park carried out over the two weeks, 24 hours per day, between 2 March and 15 March. The survey was undertaken to establish whether the shift changeovers at Magna Park coincide with an increase in traffic flows through local villages and Lutterworth town centre.
- *November 2016 – Addendum to Environmental Statement*
- 3.40 The Addendum to the ES was necessitated by, and follows, the grant on 25 October 2016 of detailed (conditional) planning permission for an expansion facility for 15/00919/FUL. The proposals for that now permitted application fall within and are also promoted in outline by the Hybrid planning application. The reasons why this Addendum to the main ES is needed were:
- The grant of planning permission for 15/00919/FUL is a material change in circumstances which Harborough District Council (HDC) is obliged to consider prior to its determination of the Hybrid application. As the permission is extant and capable of implementation, considerable weight should be given to that planning permission. The 15/00919/FUL application was advanced separately so it could be brought forward separately.
 - The grant of planning permission is significant in judging a number of environmental impacts and bears on the cumulative assessment of impacts.
- *July 2017 – Addendum to Environmental Statement*
- 3.41 The Addendum to the ES was necessitated by, and follows, the granting of outline planning permission for additional B1 and B2 development at Leaders Farm, Lutterworth and outline planning permission for up to 250 dwellings at Coventry Road. The result of these additional consents being granted in the locality have resulted in the baseline for data gathering having been altered. The reason why this Addendum to the main ES was needed is that the grant of planning permission is significant in judging a number of environmental impacts and bears on the cumulative assessment of impacts.

d) Pre-application Engagement

i) LPA Engagement

- 3.42 Prior to submitting the planning application, the Applicant's held extensive formal pre-application discussions with officers of the Council which culminated in the signing of a Planning Performance Agreement (hereafter referred to as a 'PPA'). The Applicant's also undertook a stakeholder and community workshop and exhibition.

ii) The PPA

- 3.43 The PPA provides the Council and the Applicant's with an agreed framework for the management of the development proposal at symmetry park. The PPA was a useful project management tool in focusing the consideration of the planning application.

iii) Community & Stakeholder Engagement

- 3.44 IDI Gazeley and Harborough District Council agreed a community engagement strategy at the outset of this process. A thorough programme of local and community engagement was undertaken. Planning consultants Now Planning met with Harborough District Council planning

officers to agree the Consultation Plan's scope in advance of the commencement of the pre-application consultation.

- 3.45 Both HDC and IDI Gazeley agreed the importance of having in place a public document that sets out, for all those with an interest, the opportunities they will have to comment on, influence and shape the planning application proposals as they are prepared.
- 3.46 IDI Gazeley agreed five key strands of community engagement (over and above the formal pre-application meetings with HDC officers) and all have been implemented:
- Open invitation public engagement events, notified in local newspapers and via letter drops to the residents and businesses in the surrounding communities;
 - Meetings with elected Members of the District Council and local Parish and Town Councils (including in the format of a members workshop);
 - Making use of social media to engage with the local community and other stakeholders;
 - Key issue meetings with the public as needed to address and resolve, matters of particular concern (what and how many to be established as the pre-application process unfolds); and
 - Consultation with interested stakeholders and statutory consultees, including as part of the formal pre-application process.

4. Consultations and Representations

- 4.1 The Council has undertaken extensive consultation in respect of this planning application. Technical consultees and the local community were consulted at the initial consultation stage (October 2015) and then following the receipt of additional information / amended plans in throughout 2016. The application was also advertised in the local press (Harborough Mail) and through the posting of Site notices.
- 4.2 Firstly, a summary of the technical consultees responses received is set out below. Where appropriate the responses will be discussed in more detail within the main body of the report. If you wish to view the comments in full, please go to: www.harborough.gov.uk/planning

a) Statutory & Non-Statutory Consultees

1. National Bodies
- 4.1.1 *Historic England*
Bittesby deserted village site lies 400m north of the A5 Watling Street and 4km west of Lutterworth and consists of earthworks to the east of a former railway line. The village earthworks comprise hollow ways and house platforms. A ditch up to 1m deep runs along the north of the area, near to which is some faced stonework indicating the site of a chapel known to have existed there. A north-south flowing stream runs on the eastern side of the site, down to which several hollow ways run, the largest of which is 12m wide and up to 2m deep. Bittesby is listed in Domesday Book and in 1279 the village was made up of 25 families. Enclosure and depopulation is recorded in 1488 and 1494, and by 1536 only the Salisbury family was left. The earthwork and below ground remains are designated as a Scheduled Monument on the basis of their national archaeological importance.
- 4.1.2 The proposed outline element of this hybrid application, has through a process of pre-application discussion and pre-determination archaeological investigation, arrived at a scheme which preserves under grass the rising ground to the east of the medieval village (as visual and archaeological historic landscape setting) and retains views and connectivity along the Claybrook Stream. These measures arguably constrain the harm of the scheme to a level below substantial harm as set out in the National Planning Policy Framework (Para 132). However as set out in paragraphs 132 and 134 all harm must be clearly justified and weighed against public benefits. The proposed full element of this application lies to the other side of the existing Magna Park site and does not present substantive issues in terms of the scheduled monument.
- 4.1.3 The transformation of much of the historic agrarian landscape setting of the scheduled monument to one of large buildings, fences and roadways will represent harm to the significance of the

designated heritage asset and notwithstanding the measures discussed above tend to the site's isolation from its historic context. In considering this application your authority should give great weight to the conservation of the designated heritage asset (NPPF 132) weighing harm against public benefits, and as set out in Para 129, use your assessment of significance as a basis to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal. We draw your particular attention to the impact and necessity to the scheme of the loss of Bittesby House and its grounds (including ridge and furrow earthworks). The present building appears to represent the final point in succession from the medieval village, and the setting contribution made by that undesignated heritage asset to the significance of the Scheduled Monument should therefore be closely considered.

4.1.4 Should your authority be minded to grant consent for the outline element of this application the retention of parcel D in positive management and the optimal natural and historic management of the Scheduled Monument must be secured by the most robust forms of tenure, funds, undertakings and oversight such that further harm or loss in those areas is secured against in perpetuity.

4.1.5 In taking a strategic approach to options for the expansion of Magna Park your authority should give great weight to the conservation of the scheduled monument and consider whether there is clear and convincing justification for this specific option, as required for any harm or loss to a designated heritage asset under National Planning Policy Framework paragraph 132.

4.1.6 *Historic England (further comments)*

We welcome the level 4 survey report on Bittesby House which substantiates our previously expressed view in respect of significance and setting impact upon the significance of the Bittesby Deserted Medieval Village Scheduled Monument. We refer you to the position set out in our previous correspondence in respect of harm, which remains unchanged. Your authority should, we suggest, apply a two part process assessing the balance of harm against public benefits in line with the NPPF Para 132 and 134 in respect of the proposed development as a whole and then in terms of the specific impact upon the significance of the Scheduled Monument deriving from the loss of Bittesby House and its necessity to the scheme. In terms of NPPF Para 132 (clear and convincing justification) we suggest you explore whether this element of harm is necessary to the delivery of the development as a whole and whether (should you be minded to accept its overall need) this part of the design might not be redrawn such that Bittesby House and part at least of its grounds etc. might be retained and reused.

4.1.7 *Historic England (further comments)*

We note the amendments made to the application and supporting documents reflecting revisions made including the retention and reuse of Bittesby House and the consent now granted for the 'DHL Building'. We refer you to the advice set out sequentially in our letters dated 23/10/2015, 18/03/2016 & 28/04/2016.

4.1.8 We would urge you to address the above issues, and recommend that the application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice. Please give particular attention to the advice of the County Council Principle Development Control Archaeologist as regards the exact form and wording of necessary planning conditions should you be minded to grant consent. It is not necessary for us to be consulted again. However, if you would like further advice, please contact us to explain your request.

4.1.9 *Environment Agency*

The proposed development will only meet the National Planning Policy Framework (NPPF) policy to not increase flood risk elsewhere if the recommended planning condition is included.

4.1.10 *Environment Agency (comments in relation to supplemental information)*

We have reviewed the amended plans and they do not alter our previous position on the proposal.

4.1.11 *Highways England*

Recommend that planning permission not be granted until such time that all Strategic Highways concerns have been adequately addressed.

4.1.12 *Highways England (comments in relation to supplemental information)*

Highways England is now in receipt of re-consultation dated 24 July 2017, regarding additional information submitted in support of the proposed development. The re-consultation relates to the submission of the "Environmental Statement Addendum: Response to Regulation 22 Request", which contains additional information in respect of the Environmental Statement (ES) accompanying the planning application.

4.1.13 We understand that the additional information has been provided as Harborough District Council (HDC) has requested the applicant to submit an updated cumulative impact assessment (CIA) to take account of two recently consented developments which include:

- Land at Coventry Road, Lutterworth - 15/01665/0UT - An outline planning consent for the development of 250 dwellings with associated access, pedestrian links, public open space, car parking, landscaping and drainage.
- Land South of Coventry Road, Lutterworth - 16/01288/0UT - An outline planning application consent for the development of 9,500m² of B1 employment uses, and 70 allotments including car parking, landscaping and surface water drainage infrastructure.

In this regard, the applicant has provided the Second Supplementary Transport Assessment dated July 2017 which includes the updated junction capacity assessments to include the above two developments for the following scenarios relevant to Highways England:

- 2026 LLITM Do Minimum Scenario (with committed developments including DHL and the two committed sites;
- 2026 LLITM Do Something (with committed development and the additional two committed sites, with Gazeley Hybrid Application).

4.1.14 Having reviewed the ARCADY junction capacity assessments provided by the applicant, Highways England observed some discrepancies in the geometric parameters used for M1 J20 with those previously submitted. Because of this we have undertaken an ARCADY modelling exercise for this junction using its calculated geometric parameters provided. The testing indicated that the development is expected to have only a minor impact on the operation of M1 J20 slip roads.

4.1.15 We are content that the A5 approaches at A5/ Coal Pit Lane Roundabout experience no material increase in the queue lengths on these approaches following the addition of the two consented developments.

4.1.16 In light of the comments above, Highways England recommends that the following conditions in relation to proposed highway improvement works to A5 Trunk Road should be attached to any planning permission that may be granted.

Condition 1: Prior to the first occupation of the development hereby permitted, improvement works to the A5 as detailed in URS Drawing No. 47066811/A008/SK12Rev E (or as amended by Road Safety Audit or Detailed Design) must be complete and open to traffic. The approved scheme must comply with the requirements of the Design Manual for Roads and Bridges, including those relating to road safety and non-motorised user audits.

Condition 2: No more than 100,844sqm of the development hereby permitted may be occupied until improvement works at A5 / A426 Gibbet Hill roundabout as shown in AECOM drawing No. 60470988/A001/SK32 (or as amended by a Road Safety Audit or Detailed Design) are complete and open to traffic unless otherwise agreed with Highways England. The approved scheme must comply with the requirements of the Design Manual for Roads and Bridges, including those relating to road safety and non-motorised user audits. For the avoidance of doubt, the

100,844sqm unit referenced above relates to the first unit anticipated to be occupied by DHL Supply Chain, for which planning permission (15/00919/FUL) was granted on 25 October 2016. Condition 3: Prior to the occupation of the final 35,000 sqm of the development hereby permitted, improvement works to the A5 as detailed in URS Drawing No.47066811/A008/SK13 (or as amended by Road Safety Audit or Detailed Design) must be complete and open to traffic unless otherwise agreed with Highways England. The approved scheme must comply with the requirements of the Design Manual for Roads and Bridges, including those relating to road safety and non-motorised user audits.

4.1.17 *Natural England*

No objections subject to conditions

2. Regional / Local Bodies

4.2.1 *Severn Trent Water*

Having reviewed our sewer records and the enclosures provided, I can confirm that Severn Trent Water has the following comments to make. Foul is proposed to connect into the public sewer, which would require a section 106 sewer connection approval. Surface water to connect into watercourses, for which we have no comment. Please note, given the scale of the development, any discharge to the public sewer network of either foul or surface water may need sewage modelling to be carried out.

4.2.2 *East Midlands Chamber of Commerce*

East Midlands Chamber (Derbyshire, Nottinghamshire, Leicestershire) would like to offer comment on the planning applications by IDI Gazeley Limited, ref 15/01531/OUT and 15/00919/FUL. The Chamber believes that these two planning applications are progressive and respond well to existing growth and are on the scale needed to accommodate future growth in logistics services. They propose an ambitious and holistic offering for the Magna Park site, which would be beneficial to communities and stakeholders both locally and across a wider area.

4.2.3 In addition to diversifying employment at this site and improving access to and from neighbouring communities, the planned Storage and Distribution Centre addresses the standards of support needed by modern, high value and high productivity business in a global market - vital if the area is to maintain its competitive edge. In addition to this, the applicants are also seeking to enhance support for the needs of the Transport and Logistics sector itself. Specifically, proposals include providing additional off road HGV service capacity and the development of a Logistics Institute of Technology that has the potential to bring together training, research and development within this sector's local cluster spanning the Leicestershire, Northamptonshire and Warwickshire borders. Magna Park is not only a vital asset locally, but forms part of a network of infrastructure that underpins the capacity for surrounding regions to flourish. The proposed developments support the continued emergence of the Midlands as the engine for UK growth - a concept expressed by both the Chancellor and Secretary of State for Business, Innovation and Skills, and backed by the Department for Transport in its recent funding for the development of activity under Midlands Connect.

4.2.4 For the above reasons, the Chamber would like to offer its full support for these planning applications and looks forward to hearing Harborough District Council's decision when it meets later in January.

3. Leicestershire County Council

4.3.1 *Leicestershire County Council Highways*

Further to the County Highway Authority's observations of xxx, Supplementary Transport Assessment 2 (STA2) has been submitted which has now reported on the assessment of the development proposals within Leicester and Leicestershire Integrated Transport Model (LLITM). The scenarios modelled within the LLITM are:

- The validated 2008 Base Year model
- The 2026 forecast without the proposed development

- The 2026 forecast with the proposed development, without any mitigation measures
 - The 2026 forecast with the proposed development, with mitigation measures
 - The 2026 forecast with the proposed development, with mitigation measures and the proposed Symmetry Park development (HDC Planning Application ref: 15/00865/OUT)
- 4.3.2 The LLITM is validated to the Department for Transport requirements across the whole county area. However, to support the assessment of specific development proposals and their impact on the network in the vicinity of the site, an initial validation exercise was undertaken to determine the suitability of the model in the Local Area. Following the initial validation, a number of adjustments were made within the model to improve the fit in the local area, particularly in relation to HGV traffic.
- 4.3.3 One of the benefits of using the LLITM is that it can model potential changes to movements and demand on the highway network as a result in changes to land-use. The LLITM therefore accounts for major developments which would influence traffic patterns. In particular, the following major consented (and hence, committed) developments are included in the LLITM:
- Rugby Gateway
 - Rugby Radio Station
 - DIRFT II
 - DIRFT III
- 4.3.4 In terms of the coding for the proposed Magna Park development, the following parameters/assumptions were included:
- Trip rates (traffic demand) for the B8 element of the proposed development were based on rates previously agreed with the CHA. These were developed through traffic surveys of the existing site over a 4 week period (and were adjusted to take into account any vacant units at the time of the survey).
 - Trip rates (traffic demand) for the Logistics Institute of Technology were based on the DfT's National Trip-End model.
 - Trip distribution for the B8 element of the proposed development was based on the distribution from the existing Magna Park development.
 - Trip distribution for the Logistics Institute of Technology were based on the LLITM built-in gravity model
- 4.3.5 In terms of the coding for the proposed Symmetry Park development, the trip rates were assumed to be the same as the existing Magna Park development.
- 4.3.6 The number of trips modelled has been summarised in Table 2.2 of the LLITM report. The CHA has reviewed the modelling report and can advise that the modelling undertaken is appropriate and robust, both for assessing the proposed Magna Park expansion and the Symmetry Park development proposals.
- 4.3.7 As part of the scoping exercise, the Applicant had proposed not to model the Logistics Institute of Technology with the LLITM, and instead to overlay the trips manually on to the LLITM results. An overlay of the trips associated with the Logistics Institute of Technology has been undertaken within the STA2. Furthermore, due to the nature of the LLITM, which is validated against highway link flows and journey times but not for specific turning movements, it is not advised to rely on turning movement information directly from LLITM. Instead, to identify the impact of development, it is necessary to apply the change in traffic resulting from development (taking the higher of either the absolute or proportionate change) to the surveyed flows to assess junction operation.
- 4.3.8 *Leicestershire County Council Highways (Comments in relation to Supplemental Information)*
Observations appended in full at **Appendix A**
- 4.3.9 *Leicestershire County Council Principal Planning Archaeologist*

The Senior Archaeologist is satisfied with the recent Assessments, however it is requested that any permission is conditioned to include archaeological monitoring and recording during groundwork. Whilst there is no direct physical impact upon the Bittesby DMV, the presence of the distribution centre and the loss of Bittesby House and its outbuildings would have a significant impact upon the setting of the Bittesby DMV and therefore is significant.

4.3.10 Leicestershire County Council Principal Planning Archaeologist (Comments in relation Retention of Bittesby House)

I am writing to update our previous advice in respect of the above scheme following a recent meeting with the Magna Park development team, Historic England and HDC Planning colleagues. The focus of the meeting was the impact of development upon the scheduled monument and the submission of appropriate documentation to inform the up-coming decision making process. Issues that were touched upon included the recent approach to HE regarding designation of the scheduled monument and its relationship to Bittesby House. As you will be aware the latter (Bittesby House) was considered for listing earlier in the process and deemed ineligible. This was re-examined as part of the current submission and HE have taken the view that the evidence presented did not conflict with their original decision. They also considered the potential for extending the scheduled area of the designated monument, this too was dismissed.

4.3.11 Archaeologically, if HE's decision had accepted the designation of Bittesby House, or had considered it appropriate to extend the scheduling of the monument, I feel there would have been a significant new consideration to take into account in assessing the impact of the Hybrid proposals upon the historic environment. In the absence of a change in this respect, and also the further acceptance by the developer that Bittesby House and associated farm buildings can be integrated into the scheme, I feel HE's advice is entirely consistent with the policy framework provided by the NPPF and its supporting guidance. My understanding in that respect is that the whilst the scheme is harmful to the setting of the scheduled monument, the level of harm has been deemed to be *less than substantial*. On that basis the LPA will have to balance the overarching public benefit of the scheme against the harm caused to the scheduled monument, in the latter context giving *great weight* to the harm caused. I would strongly recommend that if you have any queries as to the issues surrounding the scheduled monument you should approach Tim Allen (Historic England), respectively in terms of the planning issues involved and the archaeological issues raised by the development.

4.3.12 In the context of the wider historic environment, the site investigation (previous fieldwalking, geophysical survey and trial trenching) has identified a range of other non-designated heritage assets (archaeological sites of local and wider significance, but not of such a quality/significance to warrant scheduling). None of these either individually or collectively constitute a reason for refusal of the application. They do, however, warrant an appropriate programme of suitable mitigation (archaeological excavation), much as has been undertaken so far on the DHL site. This requirement can be adequately addressed by conditions for this work being attached to any future planning approval.

4.3.13 Looking at the wider historic landscape, this has been extensively addressed by the exceptionally thorough and detailed appraisal of the historical and landscape setting of the parish prepared by Dr Susan Tebby. It has also been addressed in the Bittesby House survey report prepared by the developer. As mentioned previously, the quality and character of the present day historic landscape has been detrimentally impacted upon by the post-War ploughing up of the former ridge and furrow landscapes. Given what we now understand about these former earthwork remains, they clearly date from no later than the late 15th century clearance of the landscape attributable to the Earl of Shrewsbury. Had these remains survived to anything like their former extent, I feel the impacts of the Hybrid scheme, and indeed the DHL proposals would have been much more of a fundamental concern in relation to the setting of the scheduled village. Unfortunately the only surviving fragment within the parish is now beneath the tree avenue to the south west of Bittesby House. Its vestigial survival and detachment from close association with the parent monument (the village earthworks) mean these remains have no more than incidental interest in relation to the scheduled site, and negligible significance in the

context of the planning process. Had HE considered the listing of Bittesby House to be viable, I think there may well have been a contextual argument for retaining these features in association with the approach avenue to the house.

- 4.3.14 Considering the more 'recent' landscape - i.e. that formed after the late 15th century clearance of the village – Dr Tebby has prepared a very useful correlation of the existing and former (as marked on the 1842/3 Tithe Map) enclosure field boundaries. This indicates that a number of the surviving hedgerows are significant in terms of the contribution they make to an understanding of the landscape history. Most obviously these include the parish boundaries with Ullesthorpe and the county boundary along the A5/Watling Street. As landscape features these are likely to have a very significant time depth to them, potentially originating in the early medieval period, possibly prior to the Norman Conquest. In my opinion, the clearest impact in this respect is the loss of the visual prominence of the southern parish boundary, defined by the former Roman road (the A5). This boundary has significant historic legibility at a landscape scale, visible from the villages of Ullesthorpe and Claybrooke, and is also important to the setting of the scheduled monument. Its prominence against the ridge line will be significantly diminished should the current scheme be permitted.
- 4.3.15 The documentary history uncovered by Dr Tebby, indicates that within the township, the process of enclosure commence during the later 15th century. This is likely to have taken the form of the reversion of arable strip fields to sheep-grazed pasture, resulting in the landscapes of ridge and furrow earthworks still evident, particularly around the former village site, up to the 1980s. The formation of an extensive landscape of sheep pasture dominated the following century, perhaps most closely associated with the tenancy of the Salisbury family, whose residency at Bittesby following eviction of the villagers, ended at some point after 1524. The subsequent landscape history at Bittesby witnessed an initial phase of extensive sheep pasturing, replaced during the later 16th and 17th centuries, by a more complex landscape of individually tenanted landholdings farmed as separate units, with varying proportions of pasture and arable land. These gradually amalgamated into the three main holdings noted in the tenancies described in a sequence of leases dated to the early 19th century, culminating in that recording the arrival of John Bond at Bittesby House in 1828. By this date the landscapes recorded on the tithe mapping are likely to have been fully in existence. It is likely that most if not all of the existing field boundaries date from at least that point, it is however difficult to establish when any of the specific boundaries came into being, although I would strongly anticipate that most of those at the western end of the parish (west of the old railway), and the spine of hedges that run north-east from Bittesby House to the northern parish boundary, originate from that process of enclosure following the 15th century conversion of the landscape to sheep farming. It remains the case however, that the surviving landscape character has also been detrimentally affected by the process of 20th century hedgerow removal and field reorganisation, particularly around Bittesby House and to the east of the scheduled monument. I would recommend that existing historic field boundaries are retained, and landscaping proposals are designed around the retention of historic landscape character.
- 4.3.16 It remains unfortunate that no earlier detailed mapping than the 1842/3 Tithe Map has survived, most especially in relation to the early occupation of the Bittesby House site. However, both the archaeological evidence and the documentary sources, point to occupation of the site no later than the mid-18th century, and possibly as early as the 17th century (perhaps the message and garden referenced in the fine of 1640, or the later new-built house of William Almy mentioned in 1680/1). It is welcomed that the significance of the house and site to the landscape history of the parish has been recognised by the developer, in their intention to integrate the surviving buildings into any future development of the site. I feel that a failure to recognise the contribution this site offers to the wider history of the landscape and specifically the landscape setting of the scheduled monument, would have tipped the scales in relation to the level of harm caused to the designated asset.
- 4.3.17 It is therefore my considered opinion that whilst the development will cause harm, both directly and indirectly, to the non-designated historic environment - including the buried remains of a series of later prehistoric and Roman-British farmsteads, the historic buildings (specifically the

complex around and including Bittesby House) and the wider landscape - that harm can be offset by a combination of archaeological excavation and recording, protection of remains *in situ*, retention and integration of the historic buildings, enhanced landscape management and improved access and interpretation. In that context we are recommending approval of the current scheme with the above provisions secured by conditions on any planning approval.

- 4.3.18 In line with the National Planning Policy Framework (NPPF), para. 129, the planning authority is required to consider the impact of the development upon any heritage assets, taking into account their particular archaeological and historic significance. This understanding should be used to avoid or minimise conflict between conservation of the historic environment and the archaeological impact of the proposals.
- 4.3.19 Paragraph 141 states that where loss of the whole or a material part of the heritage asset's significance is justified, local planning authorities should require the developer to record and advance understanding of the significance of the affected resource prior to its loss. The archaeological obligations of the developer, including publication of the results and deposition of the archive, must be proportionate to the impact of the proposals upon the significance of the historic environment.
- 4.3.20 As a consequence, it is recommended that prior to the impact of development upon the identified heritage asset(s), as detailed in the developer's archaeological evaluation of the Hybrid Site (Environmental Statement Chapter 11 and Appendices 6, 7 & 10; ArchaeoPhysica ref.: LTL141; Albion Archaeology ref.: 2016/20; Rackham J 2015), the applicant must make arrangements for the implementation of an appropriate Programme of Archaeological Mitigation. The Programme should be submitted to and approved in writing by the planning authority, and will make provision for either the protection of archaeological remains *in situ* or their targeted archaeological excavation. In each case separate Written Schemes for each stage of archaeological mitigation will be issued to the planning authority for approval in line with the overarching Programme. The Historic & Natural Environment Team (HNET) will provide a formal Brief for this work at the applicant's request.
- 4.3.21 If planning permission is granted, the Programme and subsequent Written Schemes must be obtained from an archaeological organisation acceptable to the planning authority, and be submitted for approval to both the LPA and HNET as archaeological advisers to your authority, before the implementation of the archaeological programme and in advance of the start of development.
- 4.3.22 The Programme and Written Schemes should comply with the above mentioned Brief and with relevant Chartered Institute for Archaeologists' (CIfA) "Standards" and "Code of Practice". It should include a suitable indication of arrangements for the implementation of the archaeological work, and the proposed timetable for the development.
- 4.3.23 We therefore recommend that any planning permission be granted subject to planning conditions (informed by paragraph 37 of Historic England's Managing Significance in Decision-Taking in the Historic Environment GPA 2), to safeguard any important archaeological remains potentially present.
- 4.3.24 *Leicestershire County Council Planning Ecologist*
Given that this application covers sites that are currently being considered as part of an application our comments for applications 15/00919/FUL and 12/00851/FUL should also be taken into account.
- 4.3.24 Existing Habitats:
The Phase 1 survey submitted in support of the application indicates that the majority of the application site is currently arable grassland. The most important areas for biodiversity on the site at the present time include the watercourses, hedgerows and the dismantled railway corridor.

4.3.25 Protected Species:

Badgers:

The 2015 survey identified 4 setts within the main boundary of the site, but these were not considered to be active. However, recent evidence of badgers using the site (dung pits, snuffle holes etc.) was recorded across the application site. An additional active sett was recorded in the vicinity of the existing sewage treatment works for the site. This sett is not directly impacted by the proposals, although works are within the vicinity. The recommendations within the report require a pre-construction badger survey, along with precautionary working measures and maintenance of habitats. We are happy with these recommendations in principle, as the landscaping plan shows a significant area of open space that provided it is planted and managed appropriately, will provide a suitable foraging resource for the local badger population. Active badger setts have been recorded close to this boundary and whilst no setts are likely to be directly impacted by the development, updated surveys and a mitigation plan will be required.

Great Crested Newts (GCN):

GCN were recorded in a number of ponds within the existing Magna Park complex and within a number of ponds to the north of the application site. We are in agreement with the recommendations in the GCN report in that an EPS licence will be required for the development. We are pleased to see that a receptor site has been identified and agree that the proposed habitats on site will increase the amount of suitable GCN habitat available long-term. Detailed mitigation plans should be submitted with each phase of the reserved matters application, should planning permission be granted.

Bats:

We note that a Pipistrelle and Brown Long-eared bat roost has been recorded in Lodge Cottage, a Pipistrelle roost has been recorded within the Reception building in the Bittesby House complex and 2 trees on site have confirmed bat roosts, whilst a further 3 have suspected bat roosts. Mitigation will be required for the loss of these roosts. I note that this is described in section 12.4.26 of the report and the mitigation should be followed by the applicant. Bat surveys indicate that low levels of activity by common species of bats have been recorded around the site. The proposed layout retains the majority of the boundary and linear features which will provide the majority of the bat foraging routes. We appreciate that there will be lighting proposed with the development. However, sensitive lighting should be designed to ensure that the site boundaries are not subject to excessive light spill. Current research indicates that some species of bat are sensitive to light levels as low as 1 lux. We would therefore recommend that lighting of the ecological and boundary features is kept below this level. Increased lighting in the area, if not controlled, may have a significant impact on the local bat population.

Birds:

The surveys completed indicate that the species recorded on site are typical of this type of habitat. The recommendations in the report should be followed.

Reptiles:

We note that no reptiles were recorded in the surveys this year and no further action is required.

Water Voles:

We note that no water voles were recorded in the surveys and no further action is required.

Otters:

Old otter spraints were recorded in drain 5 on the site boundaries, indicating that at some stage otters have been close to the application site. No significant use of the site by otters was recorded and therefore, provided that the existing ditches are buffered from the development (for example by a 5m buffer of semi-natural vegetation), otters should not be adversely impacted by the development. We would recommend that the recommendations in section 5.2 of the Riparian Mammal Survey are forwarded as a condition.

4.3.26 Habitat Enhancement:

The Illustrative Masterplan (MLP410-AL-A01-MP-0-001Rev 01) indicates that there is an opportunity for this development to enhance the biodiversity of the local area. The proposed Country Park should be designed to increase biodiversity, with a range of habitats created using locally native species. We would be pleased to view and comment on the detailed plans for this area. Should permission be granted we would request that the area allocated for the Country Park is not reduced.

4.3.27 As mentioned above the existing dismantled railway through the site should be seen as an important corridor, especially as it continues into a locally designated site to the south of the A5. We are pleased to see that this is being retained, but would request that the site layout in the area of the proposed Logistics Academy is reconsidered. The addition of a number of trees in the area of open space, or the swapping of the open space with the area of scrub shown on the plans would help to recreate this corridor and should be seen as a biodiversity enhancement. In order for the biodiversity enhancements to be implemented effectively we would request that a condition is forwarded requiring the proposed development to be in general accordance with the illustrative masterplan. The proposed area for the Country Park and landscaping to the site perimeter must be carried forward to the reserved matters applications and final site layouts. It is important that, should this development be phased, an overall strategy for the site is designed to ensure that the biodiversity (both mitigation for existing species and potential habitat enhancements) are considered for the site as a whole rather than for individual developments.

4.3.28 Recommendations:

Should planning permission be granted, we would recommend that the following be incorporated into condition(s) of the development:

- Development to be in accordance with the Illustrative Masterplan (MLP410-AL-A01-MP-0-001Rev 01).
- Protected Species mitigation should be in accordance with the recommendations in the individual reports and section 12 of the ES Chapter 12 unless otherwise agreed. Detailed mitigation plans to be submitted with the reserved matters applications.
- Updated Ecological surveys will be required after 2 years of the initial surveys (updates due 2017 onwards). Updated surveys will be required to be submitted in support of each reserved matters application, particularly if the developments will be phased.
- An overall lighting strategy for the site must be submitted. An isolux plan should be submitted to demonstrate how light spill onto ecological features is minimised. Lightspill of features should not exceed 1 lux.
- Overall biodiversity strategy for the site to be produced, including time scales for mitigation requirements and habitat creation. A biodiversity management plan for the whole of the application area will also be required.
- Areas of habitat creation in and around the Country Park and on the site boundaries should be planted with locally native species, to be agreed when detailed landscaping plans are produced.

4.3.29 *Leicestershire County Council Planning Ecologist (comments in relation to Supplementary Information)*

We have no additional comments on the revised documentation, as consulted on in your letter dated 24th February 2016

4.3.30 *Leicestershire County Council Lead Local Flood Authority*

The development of site 1 will be acceptable subject to the imposition of conditions. The development of Site 2 requires clarification of Micro Drainage calculations.

4.3.31 *Leicestershire County Council Lead Local Flood Authority (Comments in relation to supplementary information)*

The proposed development will be acceptable if the following planning conditions are attached to any permission granted.

4.3.32 *Leicestershire Senior Access and Development Officer (Rights of Way)*

Leicestershire County Council has a statutory duty as Highway Authority and Surveying Authority to protect and assert the public's right to the use and enjoyment of public rights of way. Rights of Way are material consideration when considering planning applications.

4.3.33 The proposed development will have a significant detrimental impact on the use and enjoyment of the public paths in the area both directly in terms of requiring several paths to be re-aligned and less directly by completely changing the amenity value of all the paths in the neighbourhood as a consequence of transforming the landscape through which they pass. The enormous scale of the development means that no mitigating measures would be possible as the landscape will be totally transformed from one of open rural character offering wide vistas of rural countryside to one of urban commercial/industrial character.

4.3.34 *Leicestershire Senior Access and Development Officer (Rights of Way)(Further comments)*
In the light of our meeting in March 2016 with the applicant, and having read the Public Footpaths and Bridleways report submitted I would like to modify my original comments.

4.3.35 The proposed development will have a significant impact on the public paths in the area both directly in terms of requiring several paths to be re-aligned and less directly by changing much of the landscape through which they pass irrevocably from an open agriculture character to suburban character.

4.3.36 However, if the landscape is re-created and managed as outlined in the applicants' Public Footpaths and Bridleways report then this will act to mitigate against the potential negative effects of the development on public rights of way. I recognise that in some locations the proposed landscaping may indeed provide an improved experience for horse riders cyclists and pedestrians.

4.3.37 In the event of the development being granted planning permission I would look forward to further consultations on the detail relating to proposed diversions and landscaping, including routes, widths construction and surface materials.

4. Harborough District Council

4.4.1 *Harborough District Council Contaminated Land and Air Quality Officer*

The impact this development will have on air quality will depend on the rate of development. If the site is developed too quickly the likelihood of exceedences of the air quality objective for NO₂ being exceeded is high on the short-term. Again in the longer term improvements in vehicle emissions mean it is unlikely that air quality objectives will be exceeded

4.4.2 *Harborough District Council Contaminated Land and Air Quality Officer (Comments on further information)*

The air quality assessment is acceptable assuming the application is subject to a similar s106 requirement of 15/00919/FUL to ensure HGV traffic avoids the centre of Lutterworth

4.4.3 *Harborough District Council Environmental Health Officer (Contamination)*

No Comments

4.4.4 *Harborough District Council Environmental Health Officer (Noise)*

No comments

4.4.5 *Harborough District Council Business Support Manager*

The proposal is for the erection of 427,350 sqm of B8 (warehousing) with ancillary B1 (office). Included within the proposal is also a Logistics institute of Technology (LIT) (3300 sq m) and Innovation Centre (MPIC) (2325 sq m).

4.4.6 During the construction phase it is expected that the development in whole will provide around 1634 jobs and once operational the site is expected to provide 5800 jobs to the local area. Based on current leakage rates approximately 1000 of these jobs are likely to go to residents in the Harborough district. It is predicted that 25-30% of these would be within the Standard Occupational Classification 1-3 (higher value jobs roles). Whilst not all job opportunities will be fulfilled by residents of Harborough it will provide employment, training and career opportunities to residents both here and to our neighbouring areas for both skilled and unskilled workers. An

additional benefit of the development is that it is likely to provide job opportunities closer to home for the residents of Harborough district and thus reduce the high level of out commuting currently experienced from the district

- 4.4.7 Within the Construction Job and Business Strategy (CJBS) it has been there is a commitment to providing apprenticeships within this construction and operational phases of the site. This means it is likely that a range of opportunities will be provided within such a development for people off all skills levels thus diversifying the employment, training and career opportunities available to Harborough Districts residents.
- 4.4.8 There is currently no further/ higher education facility in the Harborough district and the magna park proposal provides a unique opportunity to provide a facility to the area that focuses on a key sector for Harborough district. It is envisaged that the LIT will enable businesses to retain skilled graduates in the district and also upskill their current workforce where necessary. This aspect of the development takes on national significance when considered against the backdrop of the well-publicised skills shortages and skills gaps within the logistics sector.
- 4.4.9 The inclusion of the MPIC and its co-location with the LIT demonstrates how the proposal plans to exploit the synergies between the two uses in regards to the commercial application of innovation and best practice within the logistics sector. This will serve to strengthen and add-value to the businesses on site and within the MPIC and create higher-value added jobs and businesses within this aspect of the development.
- 4.4.10 The development at Magna Park is also likely to be wider benefits to local traders and businesses through the supply chain both in the construction and operational phase which, whilst not easily quantified, will likely bring additional significant indirect benefits and prosperity to the local economy.
- 4.4.11 The inclusion of the LIT and MPIC and how the procurement of the development identified in the CJBS is to take place demonstrates there is a commitment to increase the added value of the development and counter the perception that employment in the logistics sector is largely unskilled and low value. It has been identified that a range of skills levels will be catered for within the Magna park extension proposal and in total in both the construction and operational phase over 7400 jobs

5. Members of Parliament, Councillors and Parish Councils

4.5.1 *Cllr Rosita Page*

I made a request for the Secretary of State to call-in the above planning applications under Section 77 of the Town and Country Planning Act 1990 in accordance with the revised rules of the Planning Inspectorate Procedural Guide "Called-in planning applications England" published 10 July 2015.

- 4.5.2 The reason for the Call-in request is because I consider that planning issues of more than local importance are involved. I am moved to make this request because the above are three piecemeal planning applications for a comprehensive development to expand the existing Magna Park by adding 5.7 million sqft B8 warehousing to create a 13.4 million sqft road based B8 warehousing distribution centre. The piecemeal approach to expand what is already the largest road based warehousing distribution centre in the UK is contrary to good planning principals for a major development that will have national significance.
- 4.5.3 The cumulative impact of these separate applications undermine the government's national policies against the development of such road based HGV distribution schemes and compromises the approval decisions made by the Secretary of State in respect of the nearby rail freight terminals at the warehousing distribution centres of DIRFT, and East Midlands Gateway. These three applications are to be determined by Harborough District Council separately and at different forthcoming dates. The council has published on it's website that application

15/00919/FUL will be the first to be determined by the committee at a meeting on 28th January 2016 and the council is recommending this application be approved.

4.5.4 Grounds to ask the SoS to call-in the Application and my objection to 15/01531/OUT

I consider the subject planning applications satisfy the call-in criteria on the following grounds:-

1. The piecemeal applications propose a comprehensive development that is in conflict with the Government's national policy of prioritising distribution and warehousing serviced by rail - because Magna Park has no rail link and no rail link is proposed.
2. The proposal is in conflict with the Government's national sustainable and rail freight policy. National policy gives priority to rail related proposed warehousing distribution developments to deliver these objectives. Accordingly in the subject situation (Magna Park) where non-rail related warehouse distribution scheme is proposed close to the (DIRFT) and East Midlands Gateway both with rail linkage priority should be given to rail related schemes.
3. The proposal will have significant effects beyond the immediate locality because it undermines the Secretary of State's recent grant of consent (July 2014) under the Major Infrastructure Planning Regime (Planning Act 2008) for expansion of the Daventry International Rail Freight Terminal (DIRFT) and to build the nationally significant Strategic Rail Freight Interchange (SRFI) at DIRFT III. (The DIRFT development is some 15 km South of Magna Park on the A5).
4. The proposal will have significant effects beyond the immediate locality because it undermines the Secretary of State's recent grant of consent (January 2016) under the Major Infrastructure Planning Regime (Planning Act 2008) for the East Midlands Gateway Rail Freight Terminal
5. The proposal could have significant economic effects beyond the immediate locality because it compromises the Government's decision granting approval by a Development Consent Order (DCO) allowing expansion of the DIRFT site with an additional 7.8 million sqft of rail serviced warehouse distribution floorspace and a new 15.5 ha rail port.
6. The proposal could have significant effects beyond the immediate locality because it would undermine the Secretary of State's recent decision to refuse permission for the Coventry A45/A46 Gateway scheme.
7. The proposal is in conflict with the Planning Inspectorate's HDC Core Strategy DPD report (November 2011) on the HDC's adopted Development Plan (Core Strategy). This specifically seeks to prevent any such extension of road served warehousing facility (CS7(h)). The report says that future expansion of Magna Park is not required noting at ISI09 -Si 141 - it's links to DIRFT some 15 km away stating 'because *Magna Park has no rail connection*' Further the East Midlands Regional Plan (March 2009) and its evidence base does not identify Magna Park as a priority area for regeneration.
8. The proposal will impact on a medieval site of national significance.

I believe these proposals being road based HGV served all conflict with national policies, would undermine public confidence in a plan led planning system and will have significant long-term economic impacts on two major rail-serviced distribution warehousing developments being supported by the government at DIRFT and the East Midlands Gateway both of which the SoS has supported and approved. Accordingly I consider the above grounds meet the criteria for the SoS to be asked to consider this request to call-in the subject applications for determination in the national interest.

4.5.5 *Lutterworth Town Council*

At its meeting of the Planning and Grants Committee held on 3 November 2015, members RESOLVED to OBJECT to the following planning application on the grounds that it was contrary to:-

Highways Safety Considerations (as per Core Strategy Policy CS5, CS11, CS17)

- There is concern as to the capacity of the local road infrastructure to carry both Heavy Goods Traffic and the passenger vehicle traffic that the developments will generate.
- The possible restriction for vehicles accessing and egressing the Town together with the detrimental effect on the local road infrastructure, including the A5, the A426 and A4303.
- The effect the proposed development will have on the A426 entering into Bill Crane

Way, the A426 Whittle Island and also the A4303 Southern Bypass roundabout that meets Coventry Road.

Neighbouring Site Amenity Considerations (as per Core Strategy Policy CS11)

- The resultant deterioration in air quality within the immediate vicinity.
- The impact of noise pollution owing to the increase in traffic movement, particularly HGV traffic.
- The impact of light pollution in view of the character and appearance of the proposed development

Economic Considerations (as per Core Strategy Policies CS6 and CS7)

- The lack of direct benefit to the local community in terms of employment.

Principle of Development Considerations (as per Core Strategy Policies CS1, CS2, CS5, CS9 and CS17)

- The lack of a strategic overview that the proposed development would have on Lutterworth and the surrounding area.

4.5.6 *Lutterworth Town Council (Further Comments)*

Following the Planning & Grants Committee held at Lutterworth Town Council on 5 April 2016, Members RESOLVED to continue to OBJECT to planning application 15/01531/OUT as the additional information in terms of Travel Plan and Transport Assessment did not address the concerns previously raised when the matter was considered by the Planning & Grants Committee on 1 November 2015. The planning application was therefore contrary to:-

- 1) There is concern as to the capacity of the local road infrastructure to carry both Heavy Goods Traffic and the passenger vehicle traffic that the developments will generate. The possible restriction for vehicles accessing and egressing the Town together with the detrimental effect on the local road infrastructure, including the A5, the A426 and A4303. The effect the proposed development will have on the A426 entering into Bill Crane Way, the A426 Whittle Island and also the A4303 Southern Bypass roundabout that meets Coventry Road.
- 2) The resultant deterioration in air quality within the immediate vicinity. The impact of noise pollution owing to the increase in traffic movement, particularly HGV traffic. The impact of light pollution in view of the character and appearance of the proposed development
- 3) The lack of direct benefit to the local community in terms of employment.
- 4) The lack of a strategic overview that the proposed development would have on Lutterworth and the surrounding area.

4.5.7 *Lutterworth Town Council (Further Comments)*

At the Planning and Grants Committee meeting held on 3 May 2016 members RESOLVED to continue to OBJECT to the following planning application as it was considered contrary to:-

- Highways Safety Considerations (as per Core Strategy Policy CS5, CS11, CS17)
There is concern as to the capacity of the local road infrastructure to carry both Heavy Goods Traffic and the passenger vehicle traffic that the developments will generate. The possible restriction for vehicles accessing and egressing the Town together with the detrimental effect on the local road infrastructure, including the A5, the A426 and A4303. The effect the proposed development will have on the A426 entering into Bill Crane Way, the A426 Whittle Island and also the A4303 Southern Bypass roundabout that meets Coventry Road.
- Neighbouring Site Amenity Considerations (as per Core Strategy Policy CS11)
- The resultant deterioration in air quality within the immediate vicinity.
- The impact of noise pollution owing to the increase in traffic movement, particularly HGV traffic.
- The impact of light pollution in view of the character and appearance of the proposed development.
- Economic Considerations (as per Core Strategy Policies CS6 and CS7)
- The lack of direct benefit to the local community in terms of employment.

- Principle of Development Considerations (as per Core Strategy Policies CS1, CS2, CS5, CS9 and CS17)
- The lack of a strategic overview that the proposed development would have on Lutterworth and the surrounding area.

4.5.8 *Ullesthorpe Parish Council*

Ullesthorpe Parish Council wishes to register its objection to this Application. The grounds for our objection are given below.

1.0 Background

In recognition of the establishment of Magna Park in the late 1980's the Harborough District Local Plan included several policies specifically related to the development. For example: a policy that limited the total floor space to 717,030m² (Policy EM/12); another that prohibited buildings having a floor space of less than 9300m² (Policy EM/13). In the event, each of these policies has been breached. In the case of the floor space limitation by a large factor, resulting in the existing floor space value at Magna Park grossly exceeding the limit set by the then Statutory Development Plan. That the floor space limit was permitted to be repeatedly exceeded over many years may call into question the effectiveness of the development control exercised by the District Planning Authority.

2.0 Need

To lend perspective to the issue of need, it is relevant to note that at present there is some 2.25 million m² of floor space in Leicestershire, a large fraction of which is at Magna Park. As the adopted Core Strategy makes plain, the development at Magna Park serves a regional or strategic, rather than a local, need. It makes equally clear that:

'There are more suitable locations and sites (both rail and non-rail linked) than Magna Park within the region and sub-region to meet forecast need for strategic distribution to 2026'.

(This date was subsequently revised to 2028.)

The most recent estimates of the requirement for strategic distribution are presented in the Leicester and Leicestershire Distribution Sector Study issued in November 2014. This Study contains much detail, but fails to identify any substantive need for additional floor space. To the extent there is reference to need, this appears to be little more than speculative forecasts of demand that seem to have their foundation in a defence of the present position, including a preoccupation with concerns for the loss of the claimed 'competitive advantage' of the so-called 'Golden Triangle'. Measures that may moderate this loss are suggested. One such measure is the proposal to establish a 'Strategic Distribution Sites Selection Task Group'. It is further proposed that the remit of the Task Group will include:

'to foster a collaborative approach to planning for the strategic logistics sector across Leicestershire and beyond.'

On the basis of the asserted desire to: 'maintain and enhance Leicestershire's competitive position', the Study claims that there is a requirement for 153 ha of land at non rail-served sites in the period to 2036. In this context it is relevant to note that the Consultant acting for Prologis UK Ltd, part developers of the extension of the Daventry international Freight Terminal (DIRFT III) claims that the value of 153ha conflicts with the findings of the Leicester and Leicestershire HMA Employment Land Study of 2013, which concludes that much less land is required. However, in consideration of any forecasts contained in the most recent Study, in should be borne in mind that at least one of the consultants involved has worked closely with IDI Gazeley and its forerunners over several years. It follows that the potential for a conflict of interests must exist and that any forecasts from this source of future requirements for strategic storage and distribution capacity cannot be regarded as wholly impartial or 'objectively assessed'.

3.0 Policy

3.1 National Planning Policy Framework (NPPF)

The NPPF at paragraph 30 encourages transport solutions which support reductions in greenhouse gas emissions. To this end, the Government advocates the transport of freight by rail

to reduce the trip mileage of freight movements using the road network, the longer term objective being to facilitate the progressive transfer of freight from road to rail. With regard to greenhouse gas emissions generated by motor vehicles, it is apt to note that Lutterworth experiences high levels of air pollution and has been declared an Air Quality Management Area.

3.2 Harborough District Development Plan

At this time the Statutory Development Plan for the Harborough District comprises the Harborough District Local Development Framework Core Strategy, adopted in November 2011 and the 'Saved Policies' identified therein. In due course, the Core Strategy and the 'Saved Policies' will form part of the new Local Plan.

3.2.1 Core Strategy Policy CS 7(h)

This Policy specifically addresses the issue of the expansion of Magna Park. It states:

'No further phase of development or large scale expansion of the site, beyond the existing development footprint (to be defined in the Allocations DPD) will be supported.'

Although the Allocations DPD has not been produced it is considered that the definition of the phrase: 'existing development footprint' is self-evident and beyond reasonable dispute. In our letter to the District Council of 17 November 2014 we set out the reasoning for this view.

It is clear that the Application is contrary to this Policy of the Development Plan and this is acknowledged by the Applicant at paragraph 5.102 of the submitted Planning Statement. However, due to the inconvenient obstacle this Policy presents to the proposed development, the Applicant's Planning Statement endeavours to disparage Policy CS7(h) by claiming that it is at odds with the NPPF. In making this claim the Applicant appears to overlook the overriding fact that planning law requires applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The NPPF is, of course, a material consideration.

3.2.2 Core Strategy Policy CS 8

This Policy is directed to securing a high quality accessible and multi-functional green infrastructure network across both rural and urban areas of the Harborough District. In seeking to address this Policy, the Applicant at paragraph 6.44 of the Planning Statement claims:

'In turn, and in line with development plan policy CS 8, therefore, the application proposals contribute to the district's accessible high quality and multi-functional green infrastructure network-contributing accordingly to healthy lifestyles and a rich, diverse natural environment.'

Unfortunately, it is not made clear how this desirable, if fanciful, outcome is to derive from the insinuation in the countryside of an immense building of some 100,000 m², with a height of 23m, along with its attendant facilities.

3.2.3 Core Strategy Policy CS 17

The basic purpose of this Policy is to secure the protection and enhancement of the countryside by the strict control of development and ensuring such developments meet local needs and retain local services. The proposed development is contrary to this Policy as it represents development in the countryside which falls outside the purposes permitted by the Policy. Once again, the departure of the Application from the Development Plan is recognized by the Applicant, in this case at paragraph 6.27 of the submitted Planning Statement.

4.0 Employment Opportunities

The companies presently operating at Magna Park represent the largest concentration of employment within the Harborough District. However, although there are some 9,300 people employed at the Site less than 20% reside in the Harborough District. It is not clear that any additional employment opportunities arising from the proposed development would alter significantly this ratio. Moreover, although additional employment opportunities are to be generally welcomed, the jobs at the complex tend to be limited in the range of skills. There already exists a significant mismatch between the local need for skilled employment and the type and calibre of employment opportunities likely to arise from the enterprises located at Magna

Park, now and in the future. To further increase the size of the workforce pool possessing a restricted range of skills will only cause this mismatch to become more pronounced.

5.0 Traffic Generation

As indicated in the previous paragraph, the great majority of the Magna Park workforce commutes to the Site from outside the District. For several years a significant fraction of this traffic has passed through Ullesthorpe. This experience is similar to that of other settlements local to Magna Park. Traffic surveys conducted by this Council clearly identify parity between the density of such commuting traffic and the shift patterns of the Magna Park workforce. In other words, there is little doubt as to the source of the traffic.

6.0 External Lighting

For many years the nocturnal glow from Magna Park has been an indelible feature of this development in south Leicestershire. Over the years there have been many representations made regarding the problem of light pollution at the Site. We understand these include objections from the British Astronomical Association in support of their Campaign for Dark Skies. Despite undertakings by IDI Gazeley UK Limited and its predecessors to tackle the problem, the issue of light pollution arising from Magna Park stubbornly persists. At paragraph 6.38 of the Planning Statement the Applicant outlines the intentions for the design of the artificial lighting installation for the proposed development and claims that this will:

‘... reduce very significantly, compared to the existing park, the visual effects on the night sky.’

At paragraph 6.39 of the Planning Statement the Applicant expresses a commitment to:

‘...make provision for a reduction in the light pollution caused by the existing park.’

Both of these statements are welcomed. However, they will only be meaningful in effect if the magnitude of the light pollution arising from the Magna Park Site, following completion of the proposed development, is materially less than it is at this time. Should it be the case that, notwithstanding representations, the Application is approved it is recommended that the District Planning Authority requires the Applicant to give a written undertaking that appropriate tests will be performed to verify whether or not this is the case and, if the level of light pollution is not materially less, corrective action will be taken.

7.0 Community Engagement

The public exhibitions and other initiatives arranged by the Applicant mainly to inform the communities resident in the settlements surrounding Magna Park and likely to be affected by the proposed development, are described in the section of the Planning Statement, commencing at paragraph 4.9. The views of the people attending the exhibitions were canvassed. Of these, some 20% provided written comments; a summary of these comments is given in the Planning Statement. In the Parish of Ullesthorpe it is the case that the development proposed has precipitated reactions that are generally hostile. This result has prompted more written representations being submitted to the District Planning Authority than have been tendered for any preceding planning application affecting the Parish. It is understood that this is an outcome similar to that experienced in other nearby settlements. In essence, it would appear that residents who live near to Magna Park are simply weary of what has been almost uninterrupted development at the Site over many years. On the face of it, the District Planning Authority looks to be either unable or unwilling to exercise control of developments proposed by the powerful and influential commercial organization that operates the Site. It is, perhaps, not surprising that this experience has caused many in the affected communities to become disillusioned and frustrated.

8.0 Surface Water

Since the last expansion at the site the additional surface water run-off into the water course to the north of Magna Park, (between the A5 and the Ullesthorpe / Claybrooke Parva boundary), there have been increased incidences of flooding to the public highway and the allotment land. As identified in the Applicants proposals and documentation this water course is the main drainage for Magna Park surface water. As a consequence, some of the local residents are now classified as living in a flood zone. Local residents have noticed a dramatic increase in regular flooding.

9.0 Bittesby Medieval Village

Although it may be screened, the deserted mediaeval village of Bittesby could lose its relationship with farming land and landscape, the DHL building will be visually obtrusive. If the application is successful there is potential for the entire parish of Bittesby to be obliterated thereby losing a site of historical significance.

10.0 Loss of Agricultural Land

One of the defining characteristics of the area proposed for development is the agricultural land, many people have chosen to live in this area for this reason. If the application is successful the very nature of our surroundings will be irrevocably altered and agricultural land lost forever. The existing Magna Park site is out of keeping with the historic nature of our environment and causes significant intrusion into what should be a rural landscape. In view of the matters expressed in this letter, this Council urges refusal of the subject Application.

4.5.7 *Claybrooke Parva Parish Council*

A Hybrid application is ambiguous and not acceptable. This will be over intensification in the open countryside. An increase in traffic flow through adjacent villages, which are already having difficulty in coping with existing volumes of traffic. Loss of valuable agricultural land which cannot and will not ever be replaced. There are already adequate unoccupied units in Magna Park any increase is not necessary and is only designed to increase the financial income of the developers and will not benefit local villages, their inhabitants or the community as a whole.

4.5.8 *Claybrooke Parva Parish Council (Further comments)*

The Claybrooke Parish Council are against this application. There are more suitable locations both with and without rail access to meet the demand forecast up to 2026. The application goes against the NPPF policies on gas emissions. We consider that this application is contrary to HDC Core Strategy "No further phase of development or large expansion of the site, beyond the existing development footprint will be supported.

4.5.9 We consider there will be an increase of traffic generated through Lutterworth and the villages surrounding Magna Park. A positive loss of agricultural land. The disturbance of the Bittesby Medieval village. Although not a planning consideration the uninterrupted view across open countryside will be destroyed by unsightly warehouse buildings.

4.5.10 *Shawell Parish Meeting*

While strongly supporting all of the points made by Ashby Parva of very particular concern to Shawell residents is the already terrible traffic congestion at the Gibbet Hill roundabout at peak commuting times.

4.5.11 *Monks Kirby Parish Council*

Monks Kirby Parish Council objects to this further application by IDI Gazeley because of the lack of a satisfactory developed plan for infra structure to support the development with regard to the A5 corridor in this area. Without sufficient traffic mitigation the negative effect of the considerable traffic increase will be unacceptable to the local villages and everyone using the A5. The Parish Cllrs urge Harborough District Council to lobby all highway agencies with responsibility for the A5 to create and implement a strategy to effectively address the problem.

4.5.12 *Wibtoft Parish Council*

Wibtoft Parish object to this planning application following a unanimous vote at their Meeting against further development at Magna Park. This formal objection is lodged on behalf of the village residents and businesses operating from and around Wibtoft. Points of objection raised were:

- The infrastructure would not be able to cope with such a distribution centre being developed adjacent to Magna Park. The A5 is already blighted by road accidents and

increased volume of traffic would only add to the problem. Frequently, main roads are forced to shut leading to local lanes used as rat runs.

- The rural nature of the area would be further eroded.
- Such development would be a blot on the landscape in the close proximity of Lutterworth.
- Farm land and countryside would be lost forever under concrete.

We urge the Council to REFUSE this development in the interests of local inhabitants, wildlife and the safety and well-being of road users.

6. Other Interested Bodies

4.6.1 *A5 Transport Partnership*

The A5 Transport Partnership comprises 18 local authorities and is supported by four LEPs, Highways England and Midlands Connect and covers a geography stretching from Towcester in the south to Cannock in the north of the A5 corridor. The Partnership was formed five years ago with the aim of securing major and coordinated improvements to the A5, which is fast becoming a major growth corridor in the Midlands. A Strategy has been developed which identifies a range of key improvements required along the corridor.

4.6.2 The key issues that member partners requested that I raise can be summarised as follows:-

- Need for a comprehensive upgrade of the A5 to the M1 to provide greater connectivity for HGV traffic between Magna Park and the major motorway network.
- More effective route management of HGVs to ensure appropriate-route choice by drivers, thus avoiding local communities near to Magna Park being adversely impacted.
- Inappropriate use of formal and informal vehicle laybys, side roads and non-designated HGV routes near Magna Park, which are increasingly becoming littered with human and other waste when drivers park up waiting for delivery slots and for overnight parking. .
- Lack of strategically located and managed truck stops to accommodate the increasing demand for such facilities along the corridor.
- More effective engagement and liaison with local communities through the establishment of a Magna Park Liaison Group.
- The need for sustainable travel initiatives including safe travel to work routes for cyclists, and bespoke bus services for local people in surrounding towns and villages to access jobs at Magna Park.
- Better policing of laybys in the vicinity of Magna Park and along the A5 corridor generally to address the inappropriate use.

4.6.3 *Coventry Airport*

Coventry Airport has safeguarded the hybrid planning application and has concluded that there are no aviation safety issues raised by any part of this application that might affect operations into, or out of, Coventry Airport.

4.6.4 *Western Power*

Existing infrastructure would need to be diverted

4.6.5 *Woodhall Planning and Conservation (on behalf of Mr M G Stringer)*

As a result of the above review of the three documents that contain heritage impact assessments, we consider that their scope is generally appropriate, although the Watling Street Roman Road should not have been scoped out of Chapter 11 of the Environmental Statement.

4.6.6 We have major concerns regarding the failure to make use of the methodology suggested in the Good Practice Advice Note 3: The Setting of Heritage Assets (English Heritage 2015) or its equivalent. This has led to a failure to properly assess the contribution of setting to the significance of a number of heritage assets and the impact that the proposed development would have on those settings. We therefore consider that the methodology adopted within these three documents is not appropriate and, as a result, their conclusions should not be considered to be reasonable.

- 4.6.7 In particular, we consider that the impacts of the proposed development upon Bittesby Deserted Medieval Village (a scheduled ancient monument), Ullesthorpe Mill (a Grade II listed building), the Watling Street Roman Road, Bittesby House, its former Lodge, and Bittesby Cottages (non-designated heritage assets) have been significantly underplayed.
- 4.6.8 In addition, there are a number of inconsistencies within the Archaeological Desk-Based Assessment and Chapter 11 of the Environmental Statement. As a result of our assessment, we consider that the harm to the significance of Bittesby Deserted Medieval Village (a scheduled ancient monument) would be considerable. In relation to the definitions in the National Planning Policy Framework, we consider this to be very close to being “substantial harm”. This level of harm to the significance of a designated heritage asset would need to be assessed in relation to paragraph 134 of that document, together with some consideration of paragraph 135 (as the harm is so close to being “substantial harm”).
- 4.6.9 The harm that has been identified to the significance of various listed buildings around the site would be “less than substantial” and would therefore need to be considered against paragraph 134 of the National Planning Policy Framework. The harm to the setting of these listed building would also need to be considered in relation to the statutory duty set out in Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires that special regard be given to the desirability of preserving the setting of listed buildings.
- 4.6.10 We also consider that there is the potential for some direct harm to the Watling Street Roman Road, and considerable harm to Bittesby House, its former Lodge, and Bittesby Cottages. The harm to the significance of these non-designated heritage assets would need to be assessed in relation to paragraph 135 of the National Planning Policy Framework.
- 4.6.11 *Notts Sports Ltd*
On behalf of Notts Sport, I am writing in support of the above planning application. Notts Sport is a leading specialist in the design and supply of synthetic surfacing systems for sport, play and leisure. The company has over 32 years' experience in providing artificial turf for cricket, hockey, tennis and football as well as children's play and multi-use games areas.
- 4.6.12 The company has built a world-class reputation and is the preferred synthetic surfacing supplier for many schools, clubs and regional, national and international sports bodies, as well as local authorities in the UK and Europe. The company also works with national and international bodies to ensure the development of sport and play opportunities for all.
- 4.6.13 Based at Magna Park opposite the Lidl distribution centre we benefit from a strategic location and excellent access to the UK market. Magna Park is a well-established business destination and provides valuable local employment and investment opportunities within an attractive landscaped setting. We are very supportive of the proposals and vision for the expansion of Magna Park as submitted by IDI Gazeley. It is a truly exceptional opportunity for the local area and we applaud the provision of the proposed Logistics Institute of Technology and the associated sports facilities. IDI Gazeley have recently helped to facilitate improved public transport services to Magna Park and this is welcomed. As a local business we will also benefit from the committed road improvements to dualling the A5 and the new junction to Mere Lane.
- 4.6.14 *John G Russell transport*
On behalf of John G Russell Transport, I am writing in support of the above planning application. John G Russell is a large transportation company located nationally with locations across mainland UK and a rail freight terminal at Crick. We operate several trains a day from Crick to Scotland and are evaluating a number of other new rail services. We work for some of the largest multi-national businesses and have been established for over 45 years, specialising in HGV transportation of goods by road and rail.
- 4.6.15 Magna Park is a strategic location for distribution and a key location where we wish to grow our business both for road and rail connectivity, increasing our sustainability offer as a business. We

see the merits of Magna Park as a location nationally and locally with the on site Management providing a supporting hand for businesses such as ourselves. The proposed shuttle from Magna Park to Crick would provide customers with a low carbon link to rail services, effectively extending the sustainability benefits of rail to Magna Park.

4.6.16 We are very supportive of the proposals for expansion of Magna Park Lutterworth submitted by IDI Gazeley and the vision for a dedicated and economically efficient logistics destination. It is a truly exceptional opportunity for the local area and the authority to embrace and to be a part of.

4.6.17 *Nissan Motor Parts*

On behalf of Nissan, I am writing in support of the above planning application. Nissan currently occupy a 465,000 ft² distribution unit at Magna Park which employs 114 people and welcomes IDI Gazeley's proposals for an extended Magna Park. You may be aware through recent media coverage that Nissan has reinforced its commitment to the UK by confirming that we will build the new Qashqai and XTrail SUV in Sunderland. We need to be able to provide industry-leading logistics in order to support growth and therefore help the UK economy.

4.6.18 *Nissan Motor Parts*

On behalf of Syncreon, I am writing in support of the above planning application. Syncreon currently occupy a 213,500 ft² distribution unit at Magna Park. IDI Gazeley's proposals for an extended Magna Park are most welcome. Having reviewed the proposals there is much to support from an operational, economic, social and environmental perspective. As a business we are already benefitting from recent initiatives like car sharing and new bus services. Should these and other planned initiatives continue to expand and serve an extended Magna Park then this is most welcome. The potential of a dedicated rail shuttle to DIRFT is an attractive and innovative initiative. Should Magna Park be permitted to continue to evolve, then this can only be beneficial to the existing and future businesses as well as the local economy and community.

4.6.19 *XPO Logistics*

On behalf of XPO Logistics, I am writing in support of the above planning application by IDI Gazeley. As a logistic business we welcome and support the proposed expansion of Magna Park XPO Logistics is a top ten global logistics company. We run our business as one, highly integrated network of people, technology and physical assets in 34 countries, with over 86,000 employees and 1,425 locations. We use our network to help customers manage their goods more efficiently throughout their supply chains.

4.6.20 Logistics is a major sector that is vital to the economic health and employment prospects of the national and local Harborough economy. Logistics operations are intrinsic to the wider economy, supporting sectors to embrace new ways of working such as the growth of e-commerce, as well as enabling day to day business and social needs to be met.

4.6.21 The proposed extension of Magna Park, in the heart of the Golden Triangle, has the potential to provide vital land for logistics development, which will enable customers to be served and industry to operate efficiently and effectively. Provision of the right quantity and quality of space in the right locations is essential and should be supported by the planning system. An expansion of logistics activities at Magna Park will deliver operational efficiencies for logistics companies such as ourselves; create employment opportunities at each skill level to attract a diversely skilled and economically active population; and meet current and projected demand for new Grade A logistics space.

4.6.22 As a business we are very interested and supportive of the proposed logistics institute and its potential to provide specialist, sector-focused training and skills in a growing, increasingly knowledge based-sector. Such a facility will help meet the needs of both the local labour force and also of the logistics industry's requirement for skilled workers.

4.6.23 GasRec Limited

On behalf of Gasrec Limited, I am writing in support of the above planning application. Gasrec is the largest supplier of gas to the transport industry in the UK, with 13 operational stations and the UK's largest open access station in OIRFT, Northampton. Gasrec has a fully integrated supply chain, from manufacture and gas trading to distribution and supply of natural gas. Gasrec's gas supply includes biomethane, a fuel which can substitute natural gas and offer further carbon savings.

4.6.24 Gasrec Ltd have recently secured planning permission for the installation of biomethane and liquid natural gas (LNG) refuelling equipment, on Unit 7000, Magna Park (application reference 16/00767/FUL). This provides us with a vested interest and a future operational presence at Magna Park. As a consequence and based on the nature of our future operations at Magna Park, we fully support the proposed expansion of Magna Park by IDI Gazeley. The provision of a biomethane and LNG refuelling facility at Magna Park is key to encouraging the uptake of alternatively fuelled HGVs, with associated climate change and air pollution benefits. We are aware that several existing Magna Park businesses are investing in alternatively fuelled HGV cabs (Argos and ASDA in particular), and the proposed facility will accelerate the take-up. IDI Gazeley has been fully supportive of our proposals and we are working closely together to help make Magna Park a more environmentally sustainable location. The proposals to expand Magna Park include for a 140 bay HGV truck park, the facility would be ideally positioned to benefit from the supply and take up of LNG.

7. Other Local Authorities

4.7.1 Warwickshire County Council (Highways)

Warwickshire Highway Authority has the concerns for the safe and efficient operation of the highway network in Warwickshire.

1. The key strategic corridor is focused on the A5 through the area. The modelling identifies that there are substantial constraints on this highway corridor. Whilst it is acknowledged that this is under the remit of Highways England, Warwickshire Highway Authority is concerned about the timescales to implement the required improvements accepted by Highways England.

If delays occur then the delay and congestion experienced at these junctions will be exacerbated which will lead to significant re-routing on the surrounding highway network. Warwickshire Highway Authority is already aware of concerns from residents about existing traffic routing through the villages of Pailton, Monks Kirby and Stretton under Fosse. Especially with vehicles accessing the B4455 Fosse Way as an alternative strategic route within the county.

Warwickshire Highway Authority requests that any improvement schemes on the A5 corridor are completed prior to first occupation of any units on the development site. However Warwickshire Highway Authority acknowledges that this requires the on-going discussion and agreement with Highways England, Leicestershire County Council and the applicants. Until a clear programme and timeframe has been agreed Warwickshire Highway Authority will maintain its objection.

2. Warwickshire Highway Authority also has concerns about the routing of Heavy Goods Vehicles on the highway network. Whilst the modelling has identified that the majority will utilise strategic routes in practice this may not be the case, especially when satellite navigation devices are utilised. Warwickshire Highway Authority has been made aware of repeat instances of HGV's utilising rural roads in Warwickshire to access the B4455 Fosse Way.

Warwickshire Highway Authority is aware that when area was first developed mitigation measures included a clear strategic and set of restrictions to prevent HGV movements on unsuitable routes on Leicestershire County Councils highway network.

Warwickshire Highway Authority requires that the same measures and strategy be implemented for its network to enable the expansion to take place. Warwickshire Highway Authority requests that the applicants provide a clear HGV routing strategy and provide funding to support the implementation of weight restrictions to prevent HGV movements on Warwickshire's surrounding network most notably through the villages of Pailton, Monks Kirby and Streeton under Fosse.

4.7.2 Until these matters are resolved the Highway Authority will maintain an objection against the planning application.

4.7.3 *Warwickshire County Council (Highways) (comments in relation to additional information)*

Warwickshire Highway Authority has undertaken a robust assessment of the planning application and additional information provided. Warwickshire Highway Authority has also considered the responses of Leicestershire County Council, Highways England, Rugby Borough Council and other third parties. Having considered the highway matters, Warwickshire Highway Authority concludes that through suitable mitigation and strategies, that the development proposals will not have a detrimental impact upon the safe and efficient operation of the highway network. Therefore based on this analysis Warwickshire Highway Authority revises its response to one of no objection subject to the following conditions and planning obligations.

4.7.4 *Northamptonshire County Council (Highways)*

No comments

4.7.5 *Northampton Borough Council*

No comments

4.7.6 *Melton Borough Council*

Melton Borough Council has no objection to these proposals subject to Harborough DC giving due regard to the findings of the Leicester and Leicestershire Strategic Distribution Study (November 2014).

4.7.7 *Hinckley and Bosworth Borough Council*

No Comments

4.7.8 *Kettering Borough Council*

No Comments, but the application has been referred to the North Northamptonshire Joint Planning Unit.

4.7.9 *Rugby Borough Council*

Following additional information received from the agents working on behalf of Magna Park I can confirm that I have received revised comments from our Landscaping Officer and he has confirmed the following:

"There will undoubtedly be a huge impact and change upon the local landscape character of this predominately rural/agricultural area which could potentially detract from the quality of the north eastern extent of the Rugby Green belt area. The Rugby green belt at this location does serve its purpose well with the rural landscape remaining largely intact. However, significant soft landscaping is proposed to mitigate for the hard landscape impact. Buildings are set back approx. 100m from the A5 and planting belts 20m are suggested. A similar approach has already been implemented within the existing Magna Park. I believe this does serve its purpose well offering a large degree of green screening using native species which also serve as visual amenity and biodiversity feature. Similarly the light tapered facades also work quite well for the tops of the buildings which are still visible. The landscaping proposals will lessen the impact over time (will take time to mature). There is also a high degree of existing green screening along the Rugby side of the A5 e.g. near to Willey. Therefore the proposed landscaping will minimise the local landscape impact albeit changing the local landscape character."

Our Landscape Officer did raise concerns over the Green Belt and whether it would result in development within the boundaries our borough and encroachment into the Green Belt which I advised that we would still have a presumption against development in this area. As such there is no objections from Rugby Borough Council.

4.7.10 North West Leicestershire

No objections subject to the LPA having appropriate regard to the findings of the Leicester and Leicestershire Strategic Distribution Sector Study (November 2014)

4.7.11 East Northants District Council

No Comments

4.7.12 Wellingborough District Council

No objections

4.7.13 Warwick District Council

No comments

b) Local Community

1. Objections

- 4.3 2832 letters were distributed to individual properties within the Lutterworth, Bitteswell and Cotesbach areas. 575 objections received have been received. The majority of these are from the locally affected areas, however, letters have been received from a far wider area, including overseas. There are also a very significant number of properties from which more than one letter has been received. Officers note that several of the representations are very detailed and whilst regard has been had to these in assessing this application, it is impractical to copy these verbatim and therefore a summary of the key points is provided below.

Traffic issues raised through representations:

- There is already far too much HGV traffic coming from Magna Park.
- The Gibbet roundabout on the A5 is clogged almost every day!
- Further expansion should not even be considered in this location, which has no rail link and is unlikely ever to get one.
- There is also no mention of contributing towards the improvement of the traffic through the town with its inherent noise and pollution
- At peak times it is already difficult to exit Mere Lane onto the A5 because the queue of traffic from the A4303/A5 island already backs up well beyond Mere lane. Islands do not work when the traffic is stationary!
- At present, the vehicles slow down as they leave the dual carriageway which will not be the case if it is extended.
- Having lived in Wibtoft for 67 years it is my belief that a bypass should be constructed around Wibtoft as some 40 or 50 years ago was proposed but never carried out and that the applicants should be made to pay for this. Otherwise the extra traffic through Wibtoft would be snarled up and cause serious congestion.
- The A5 is not fit for use and proposed roundabouts and SHORT ADDITIONAL dual carriageways will not alleviate the congestion. This particularly applies to traffic trying to join the M6. The A426 to Rugby being a black spot now before any further vehicle movements are involved, particularly working 24/7.
- If the planning does get passed I'd like to make a few suggestions, there needs to be traffic lights on the Fairacres roundabout or at least a public bridge crossing at the A4303 at Fairacres roundabout.
- The entrance on the A5 for emergency vehicles only needs to be made into a secondary entrance for all vehicles to accommodate the traffic from the M6 easing the traffic on the A4303.
- the east European drivers always go in the left lane when turning right it's a wonder there aren't more serious accidents.

- I think it also worth mentioning that quotes in respect of the A5 Study are conveniently taken out of context. The TIA states the A5 is not fit for purpose but neglects to mention the study extends from Rugeley to Stoney Stratford. It also states no infrastructure works are intended in HDC presumably indicating it is fit for purpose here and disproportionate burdens would be imposed by the proposed development?
- There has been too many deaths on the A5. This will be adding to the number annually
- The Midlands Connect Strategy plan, endorsed by the government, to upgrade the A5 between the A38 at Lichfield and the M1 will not be completed until 2030. Until the A5 upgrade is complete, applications for major logistics warehouses should be discouraged.

Public transport issues raised through representations

- The proposals will not bring any new public transport to the area

Residential Amenity issues raised through representations

- The substantial increase in CO2 emissions from HGVs and increased commuter traffic will pose a detrimental risk to the public health of residents living in the area of the proposed development.
- The development exemption under the 1998 Act, where disturbance is justifiable if for “the economic well-being of the country”, would be better adhered to if IDI Gazeley Ltd were to consider a brownfield site for this expansion as was the case with the original Magna Park development which took place on a pre-existing airfield site.
- The excessive disturbance to local residents from the proposed site would be unlikely to satisfy the proportionality requirements of the 1998 Act, even if the economic well-being of the country exemption was successfully argued.

Noise issues raised through representations

- There is already far too much HGV traffic coming from Magna Park.
- The proposed development will lead to significant increase in noise, air and light-at-night pollution. The 24-hour nature of the business, which will operate from the proposed development, is inconsistent with a predominantly rural area and would seriously disturb local residents.

Air Quality issues raised through representations

- There has to be a major concern for pollution levels of all kinds for this side of Lutterworth
- The 2013 Lutterworth Air Quality Management Area Action Plan Framework for Harborough District Council describes the 24 hour operation of Magna Park as resulting in 'a great deal of traffic' affecting Lutterworth.
- As far back as 2001 it was realised that in Lutterworth levels of nitrogen dioxide (NO₂), a major contributor to asthma and other respiratory problems, were dangerously high, as a result of which the town centre was declared an Air Quality Management Area (AQMA).
- Road transport is the largest cause of NO₂ emissions and while modern petrol and diesel engines are less polluting than those in older vehicles, a significant increase in traffic, as would result from this development going ahead, will undo any gains such technical improvements offer.
- According to Leicester City's Air Quality Action Plan 2011 – 2016, the city suffers at least 750 premature deaths per year as a result of poor air quality, the vast majority of which is caused by road traffic. In order to protect the health of the public, the European Commission has the right to impose fines on Local Authorities who fail to bring emissions down to acceptable levels. The scale of such penalties is not yet clear, but precedent suggests that they are likely to be severe enough to bankrupt any Local Authority at one fell swoop.

Visual Impact issues raised through representations

- There is too much light pollution already coming from Magna Park
- There is an important boundary between Lutterworth and the already huge Magna Park which is going to be diminished further by this development.

- The illuminated sky around the park will clearly be severely worsened by such a large development and brings the light intrusion closer to nearby villages. The mitigation by “High Tech lighting is not convincing because if it were considered to be effective it should have been done already.
- The light pollution from the current Magna Park is an obscenity and further pollution in that direction is unacceptable
- The Magna Park plans together are immense in scale. If both plans were approved, it would be the equivalent of building 63 Fosse Park Shopping Centres on farmland in rural South Leicestershire. One single warehouse could house 16 full-sized football pitches!

Flooding issues raised through representations

- What about flooding issues as our climate changes probably due to so many vehicle emissions when so much green space is concreted over - we do not want to end up like the Somerset Levels
- Disposal of excess water, this will contain water tainted by diesel and other substances. Therefore cannot be diverted into streams, lakes and wetlands as this will have an enormous effect on wildlife.
- The excessive dimensions of the proposed warehouses will cause a huge runoff of rainwater with no extra provision for this in an area already blighted by large areas of concrete.

Heritage issues raised through representations

- We own 3 Grade 2 listed buildings - Claybrooke Mill Claybrooke Magna - one of which is a working watermill and sustaining a business milling flour which is sold locally. Should the water levels fluctuate to much then this will no longer be usable and will then unfortunately fall in to disrepair
- The proposal will impinge on the landscape, Bittesby House and the DMV. Already the proximity of the warehouses to the DMV at certain points is shockingly disruptive to the historical setting. The recently approved DHL building will hang even closer and appear far higher, on the crest of the hill, overbearing and destroying any sense of retaining the historical context of the DMV, which totally depended for its existence on the surrounding landscape astride the stream. This application will exacerbate this.
- The inhabitants of Bittesby Village, whose husbandry saw that the local landscape was maintained for centuries, were famously evicted by their landlord in 1494. This was so that he could change the use of the land to what he saw as a far more profitable use for himself. This had happened once before and was to happen again the following century. The current fields are lush and productive. Are we to be evicted a fourth time from enjoying our local lands by IDI Gazeley, for a gigantic warehouse?
- I would like to suggest that a detailed survey of all the affected water course is carried out before permission is granted, you may not be aware that Claybrooke Mill is currently one of a few remaining commercially operating water mills left in the country. It's existence depends upon a regular flow of water to maintain production and to keep this listed building in operation.
- Substantial harm will come to the Bittesby Deserted village and alteration of a scheduled monument should surely have a negative impact.

Issues of principle raised through representations

- Lutterworth is being dwarfed by these developments.
- I am now minded to object to 15/00865/OUT, although initially I wasn't going to - time to make a stand!
- This tiny village (Cotesbach) of c. 80 residents and 184 dwellings will be completely dominated by these developments
- We do not deserve the pressure placed on residents by requests for further developments at Magna Park, and more requests for planning consent for wind turbines (in large numbers) – all of which encroach on open countryside and good agricultural land.

- It is the duty of the planning authority (the District Council) to take the whole picture into account and the cumulative effect on the village of all these proposed developments before making any decision about any one request in isolation.
- The expansion of Magna Park would be unsustainable not only in its use of open countryside but in its reliance on road communications.
- In the absence of a Local Plan by Harborough District Council one major aspect was retained from the Core Strategy, namely, that the footprint of Magna Park would not be extended.
- There appears to be no evidence that Lutterworth and the surrounding villages need such a development, now or in the next quarter of a century.
- Magna Park is already the largest purpose built warehouse development in Europe and is already the same size as Lutterworth.
- We significantly object to having such a significant development of this size so close to a residential area, that is not in keeping with the local area and will destroy what is special about Lutterworth. Other developments in nearby towns are significantly separated and out of town, such as DIRFT in Rugby and the lorry park on the A5 (close to Rugby).
- I do not want this development to go ahead and cannot think of one good reason for it. There are better alternative sites such as DIRFT, and in Rugby near the truckstop.
- I do not want the worlds largest distribution centre on my doorstep.
- I bet the owners/directors of this proposal do not live locally? Would they want it where they live? No....but happy to take the money from the development as they're not directly affected, as we are. I hope 'money doesn't talk' in this instance and the vast majority of people objecting to this are listened to.
- We have a brand new Logistics pathway academy supported by Lutterworth College. We do not need another logistics academy. Is the need actually there for more places than Lutterworth College can supply?
- It would be a loss of green belt land.
- The gross to net site ratio is grossly out of kilter with good development criteria, when compared with other similar developments.
- According to Harborough's proposed Local Plan, HDC seems minded to give permission for both the IDI Gazeley and the Symmetry applications. How does HDC justify this level of development when the Leicester and Leicestershire Strategic Distribution Study update suggests that even by 2036 this will still be likely to produce an oversupply of non rail-served land for Leicestershire, therefore surely impacting adversely on other areas' development potential and opportunities for employment.
- The thousands of dwellings which would need to be built and the many thousands of people who would therefore be using local services would stretch local capacities still further. Class numbers in schools are already higher than they were 10 years ago and with an ageing population GP services as another example would suffer in the time they can allocate. Additional schools and GP services would NOT be provided in conjunction with this increase in dwellings to the commensurate level.
- The Technology facility could have a negative impact in Sir Frank Whittle school
- I would add that that as DIRFT 111 are already planning a logistics skills and innovation centre, Gazeley's proposed college is irrelevant and not needed.

General issues raised through representations

- This application must be read in conjunction with Application 15/00865/OUT.
- There are plenty of warehouses at Crick and Rugby why expand here and ruin our beautiful countryside
- I want to live in the countryside., not side-by-side with a logistic park
- The first action should be to compensate (& I mean with actual money) the people of Ullesthorpe for living next to rows of oversize lego boxes., rather than open fields after all the only reason they want to expand the site is to make money for themselves
- Several extensions to Magna Park have already been approved. Each one promised to be the final extension to the site. A halt must be called as the local infrastructure is already unable to cope.

- A development of this size will almost certainly have to automate many of its procedures and processes, including - but not limited to - forklift drivers, pickers, stackers and movers, jobs most likely to be available to local workforces. Such jobs will be controlled by one person sitting at a keyboard.
- We do not need another logistics academy. Is the need actually there for more places than Lutterworth College can supply? Of the 30 new Technical Academies in the UK which cater for a path in logistics - set up and approved by the Government - the first of these, at Walsall, will be closing at the end of this month due to lack of uptake, amongst other criteria.
- The increase in the number of people employed at Magna Park, particularly those in lower paid jobs, would increase the demand for housing. There is already a lack of affordable housing for young people and those on limited incomes in the area. This development would exacerbate the shortage of such accommodation.
- Same as objections on other Magna Park application
- Some people might think it could be quite a useful thing; but not when it ruins the countryside me and my friends live in; Think of the trees and the buzzy bees where will they all go; The crops and flowers will not be able to grow; Big big lorries carrying heavy loads; There'll be more and more traffic jams filling up the roads; What about all those fumes polluting the air; Ruining our environment and they don't even care; When those fields have gone forever and there is nothing we can do; When all we can see is lorries we have lost our lovely view
- Lutterworth already has more than its fair share of noise, pollution and other disagreeable issues. Pointless windfarms sprouting up in our faces, Magna Park as it stands now, so-called 'Traveller' sites getting bigger by the week (if only they WOULD travel) and new housing built on the green fields around us.
- Everything hinges on growth and consumption to the point of lunacy and Magna Park will be the stockroom for all the imported goods that will fill tomorrows landfill site.
- This objection is pointless of course as money is all that matters and its money that will decide the outcome....nothing else.
- More factual detail is needed with such a major development and its impact on the local community otherwise HDC will be making a decision on incomplete information. That would be unsafe.
- Please reconsider. Or go to the Isle of Sheppy where it is run down empty and in need of an economic boost there isn't any work and great transport links to Europe. ???
- As Harborough Council only have a blinkered view on this, meaning they are only interested in what goes into their coffers, I think this decision should be taken out of their hands and given to an independent body to decide and by that I don't mean the government.
- HDC have selected Lutterworth as a key growth area with the potential for 2,000 new homes. Analysis for this has demonstrated that additional residents' vehicles would take roads up to capacity, without further massive increases in HGV traffic and business commuters. Some HGVs do not follow approved routes, travelling through small villages on minor rural roads. This dangerous problem would become even worse if these plans were approved.
- Nearly three years ago I moved to the quiet little village of Ullesthorpe and now I am absolutely disgusted to learn that Harborough council would even consider this application
- The tragic deaths at Grenfell Towers would be exceeded in number and long felt pain if Harborough District Council adopts its planned selfish attitude to the expansion of Magna Park, of which this application is just one element. It is clear that legally binding air quality standards set by EU legislation will be breached if plans are carried through. Any income from council tax would be cancelled out, and more, by the inevitable fines government would exact.
- Expanding DRIFT would make much more sense on every level yet my children will have to suffer the consequences of Market Harborough based politicians greed and incompetence.
- There are currently a number of empty warehouses on Magna Park as well as developments taking place at Daventry, Milton Keynes, Castle Donnington just as a start.
- This is too large for the local area and will alter the landscape irreversibly and impact the lives of the local communities

- Now that planning permission has been granted regarding application 15/00919/FUL for a massive storage and distribution centre on Mere Lane, adjacent to the existing Magna Park, to be built on green-field land and hugely expanding the area already taken by logistics warehousing, there is even more reason to reject further applications that expand the warehousing still further.
- We do not need a country park - it is already unspoilt land which should be left as is.
- Having sat through the Great Glen planning hearing a few weeks back and seen how the planning committee listened to the extremely well put series of objections, any ONE of which was sufficient for them to decide to refuse permission for 170 houses to be built, I was gob-smacked that they APPROVED the 2nd application put by Miller Homes so as to avoid the appeal scheduled for October. For those reading this DO NOT think for one minute that you can stand by and see the Magna Park applications turned down by sensible people on the planning committee. There was only one chap with a normal outlook on the committee. The others were all away with the fairies. That's what happens when lay people get elected to positions of "power."

4.4 40 letters of support received The majority of these are from the wider Leicestershire, Warwickshire, Northamptonshire areas however, some letters have been received from the locally affected area. Officers note that several of the representations are very detailed and whilst regard has been had to these in assessing this application, it is impractical to copy these verbatim and therefore a summary of the key points is provided below.

- New facilities would be great to be able to use at lunch time
- Could do with a restaurant or shop
- Hotel on site would be ideal
- Could benefit from a Lorry Park
- Improved public transport
- Improved parking for recreation area
- Would like to see childcare facility
- Sports facilities will be great
- More jobs
- Increased access to A5

4.5 6 letters of comment (neither supporting or objecting to the proposal) have been received.

5. Planning Policy Considerations

5.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 provides that planning applications must be determined in accordance with the provisions of the development plan (this is the statutory presumption) (hereafter referred to as the 'DP'), unless material considerations indicate otherwise.

5.2 An explanation of the development plan policies; material considerations, evidence base and other documents referred to can be found **Section 4 of the Overview Report** at the beginning of this Agenda under 'Policies and Considerations common to the proposals'

5.3 Ullesthorpe Neighbourhood Plan Group have submitted to the LPA for their consideration a proposed NDA which includes the application site, which falls within the Bitteswell Parish Council area. Concerns have been raised regarding the site's designation on the basis that it falls within a Parish who have already designated their area and discounted from their NDA, and also it designates land that is of strategic significance to the District.

5.4 On the first matter, the Planning Practice Guidance states that a single parish or town council (as a relevant body) can apply for a multi-parished neighbourhood area to be designated as long as that multi-parished area includes all or part of that parish or town council's administrative area. But when the parish or town council begins to develop a neighbourhood plan or Order (as a qualifying body) it needs to secure the consents of the other parish councils to undertake neighbourhood planning activities. Gaining this consent is important if the pre-submission

publicity and consultation and subsequently the submission to the local planning authority are to be valid. Ullesthorpe Neighbourhood Plan Group have gained the consent of Bitteswell PC to include the site within their NDA, and as such, this concern has been addressed.

- 5.5 On the second matter, the Planning Practice Guidance states that a neighbourhood area can include land allocated in a Local Plan as a strategic site. Where a proposed neighbourhood area includes such a site, those wishing to produce a neighbourhood plan or Order should discuss with the local planning authority the particular planning context and circumstances that may inform the local planning authority's decision on the area it will designate. As such, it is considered that it is possible for a Neighbourhood Area to include a site that is a strategic site. Notwithstanding this, due to the current status of the draft Local Plan, the application site is not yet considered to be a Strategic Site. The Ullesthorpe Neighbourhood Plan Group have confirmed that the Ullesthorpe Neighbourhood Plan will not be used to influence the size and nature of any proposed extension of Magna Park as this is considered to be a strategic policy. Officers will advise and guide the Ullesthorpe Neighbourhood Plan Group through the Plan preparation, and seek to ensure that a meaningful dialogue between the Ullesthorpe Neighbourhood Plan Group and other stakeholders is maintained to ensure that satisfactory outcomes are achieved in those policy areas where the Ullesthorpe Neighbourhood Plan can have influence.

6. Officer Assessment

a) Principle of Development

- 6.1 Having assessed the quantitative and qualitative needs (see **Section 5 of the Overview Report**), the SDS sets out a suggested sequential approach for identifying the additional land the growth of the logistics sector needs in the county, and places the extension of existing sites at the top of the sequential hierarchy. The first, and sequentially most important of these tests, is that new sites should be brought forward via the extension of existing strategic distribution sites, both rail-served and road-only connected. Site extensions should only be permitted where there is adequate road capacity serving the site and at adjacent motorway/dual carriageway junctions or capacity can be enhanced as part of any extension. The second tier within the sequential test is satellite sites. Whilst this predominantly relates to rail based sites, the principles can also be applied to road based provision. Clarification was sought of MDS Transmodal with regards to what they considered to constitute the 'extension of an existing strategic distribution site'. Their definition is set out in **Para 4.120 of the Overview Report**. In summary, an extension to an existing site would be defined as follows:

- Where at least one of the proposed new plots directly faces or forms a boundary with the existing strategic distribution site;
- The new plot(s) can be accessed via the existing strategic distribution site's connections to the public road network and internal estate roads; and
- Where feasible and practical, some or all of the utilities currently connected to and serving the existing strategic distribution site can be extended to serve the new plot(s).

On the basis of the definition from MDS transmodal, the current application is considered to be an extension of the existing Magna Park as it shares a boundary (albeit across Mere Lane) with the existing park, the existing estate roads will be extended to serve the new development, and part of the site will share the existing utility and services provision for Magna Park. As set out in **Para 4.112 of the Overview Report**, the SDS identifies the area around the M1, M6 and A5 as a Key Area of Opportunity for Strategic road-based B8 development. Furthermore, the SDS goes on to state that extensions to existing sites and development of satellite sites around existing sites are the preferred locations for further strategic B8 development. This locational ethos has also been reflected within the draft New Local Plan Policy BE2.

- 6.2 Furthermore, as will be discussed in more detail later in the report, it is not considered that the proposal will have a significant and demonstrable impact upon the immediate road network or the junction capacity at J21 of the M1 or J1 of the M6. It is not considered that the application site is, in terms of the SDS, a sequentially preferable location. But the SDS is an evidential report and

not policy. Whilst it is considered to provide a reasonable platform for assessing locational requirements for distribution sites within the study area, because it is not policy or a supplementary planning document, only limited weight can be given to its view on sequential approach.

- 6.3 The SDS sets out 6 criteria for the identification of new sites around which the identification of new road based sites should be based. The application meets 5 of the 6 criteria recommended by the SDS for the selection of new road based sites. It has
- Good highway connectivity
 - It is sufficiently large and flexible in configuration to accommodate the size of distribution centre warehouse units now required by the market
 - It is accessible to labour,
 - It is located away from incompatible land-uses – as set out later in the report, the proposed building is located immediately adjacent to the existing Magna Park and is approximately 50m from the nearest non-financially involved dwelling
- 6.4 The SDS identifies “Key Areas of Opportunity” (KAO) for the provision of warehousing land across the County and establishes a hierarchy of those key areas of opportunity. Only those sub-regions meeting each of the four criteria to the highest level (i.e. offering both road and rail connected opportunities, central golden triangle location and close to available labour) have been considered for inclusion in the top category (termed the ‘best key areas of opportunity’). Three ‘best key areas of opportunity’ were subsequently identified. A further three sub-regional areas meet the criteria, albeit to a lower level. These have been termed ‘good key areas of opportunity’. The application site falls within “KAO D” the lower level category of a ‘good key area of opportunity’. The reason that “KAO D” is good rather than best is that it does not offer a rail connected opportunity. However, whilst the SDS recommends that the ‘best’ KAO’s should be brought forwards before the ‘good’ KAO’s, the pressing need to provide road based only NDC’s is such that officers consider that significant weight should be given to the benefits of releasing sites now which meet the three criteria that are relevant to road based NDC’s i.e. it offers road connected opportunities, a central Golden Triangle location and is close to available labour.
- 6.5 The proposed development would have the additional advantage of providing a substantial amount of extra land to the north west of the existing site. This would potentially enable the expansion of existing occupiers and facilitate the ‘recycling’ of existing plots to help retain and support the growth of existing companies.
- 6.6 The emerging Local Plan acknowledges that Storage and Distribution and Logistics is an important sector for the District. As such, a specific Policy dealing with the development of this sector has been proposed. Draft Policy BE2 has been developed on the basis that the area in the vicinity of M1 J20 and the A5 is the key area of opportunity for this type of development within the District. As set out of **Para’s 5.2.5 – 5.2.6 of the Overview Report**, it **is acknowledged that there are no** suitable and available alternatives for the quantum of provision identified within the locality other than two current applications. On the basis of this, draft Policy BE2 establishes that up to 700,000sqm of B8 floorspace on an extended site would be acceptable in principle.
- 6.7 There is a compelling quantitative and qualitative need for additional road based warehousing provision within the District which cannot be met other than on greenfield sites in the countryside.
- 6.8 The proposal will result in the loss of 3 residential properties. Whilst this would result in 3 additional properties having to be provided across the plan period (up until 2031), the loss would not count against the 5 year supply of available housing land. Furthermore, the loss of two of these properties has already been allowed and accounted for as a result of the grant of planning permission for 15/00919/FUL, and therefore the current application only results in one further dwelling being lost. It is therefore considered that, in the context of the proposals, the loss of these 3 properties does not carry significant weight.

b) Planning Considerations

6.9 The detail of the proposed development will be considered under the following headings:

1. Heritage and Archaeology	Page 48
2. Landscape and Visual Impact	Page 63
3. Highways	Page 82
4. Socio-Economics	Page 90
5. Air Quality	Page 103
6. Noise and Vibration	Page 105
7. Ecology and Biodiversity	Page 107
8. Drainage and Hydrology	Page 113
9. Residential Amenities	Page 117
10. Footpaths	Page 129
11. Design	Page 130
12. Agriculture and Soils	Page 136
13. Contamination	Page 137
14. Other matters	Page 138

1. Heritage and Archaeology

6.1.1 The ES contains a chapter (Chapter 11) on Heritage and Archaeology which was prepared by CgMs.

o Heritage Legislation / Policy

6.1.2 Section 66 of the Planning (Listed Buildings & Conservation Areas) Act 1990 places a duty on a local planning authority, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting, or any features of architectural or historic interest it possesses. Likewise, Section 72 of the same Act places a requirement on a local planning authority in relation to development in a conservation area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

6.1.3 When making a decision on all listed building consent applications or any decision on a planning application for development that affects a listed building or its setting, a local planning authority must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Preservation in this context means not harming the interest in the building, as opposed to keeping it utterly unchanged. This obligation, found in sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, applies to all decisions concerning listed buildings. The Court of Appeal decision in the case of *Barnwell vs East Northamptonshire DC 2014* made it clear that in enacting section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 Parliament's intention was that 'decision makers should give "considerable importance and weight" to the desirability of preserving the setting of listed buildings' when carrying out the balancing exercise'. Decision-making policies in the NPPF and in the local development plan are also to be applied, but they cannot conflict with or avoid the obligatory consideration in these statutory provisions.

6.1.4 The Ancient Monuments and Archaeological Areas Act 1979 provides for a consenting regime in respect of works to SAMs but it does not provide any statutory protection for their setting. SAM's are however designated heritage assets for the purposes of the NPPF and the protection of their significance is governed by its policies.

6.1.5 CS Policies CS1(o) and CS11 are the relevant DP policies. Protecting and enhancing the historic environment is an important component of the Framework's drive to achieve sustainable development. The appropriate conservation of heritage assets in a manner appropriate to their significance forms one of the 'Core Planning Principles' (Core Principle 10) that underpin the planning system. This is expanded upon principally in Paragraphs 126-141.

6.1.6 Officers are aware of the 2016 *FDDC* High Court decision which ruled that, in applying the NPPF paragraph 134 balance, the presumption in favour of sustainable development is disapplied; i.e. the balance is not weighted in favour of the development. This is because paragraph 134 is dealing with those instances where development causes harm to a designated heritage asset and paragraph 134 of the NPPF is a policy which indicates that development should be restricted. NPPF Paragraph 14 states:

*At the heart of the National Planning Policy Framework is a **presumption in favour of sustainable development**, which should be seen as a golden thread running through both plan-making and decision-taking.*

*For **plan-making** this means that:*

- *local planning authorities should positively seek opportunities to meet the development needs of their area;*
- *Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:*
 - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
 - *specific policies in this Framework indicate development should be restricted¹*

*For **decision-taking** this means:²*

- *approving development proposals that accord with the development plan without delay; and*
- *where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*
 - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
 - *specific policies in this Framework indicate development should be restricted¹*

As such, it is recognised that any harm to Designated Heritage assets must be significantly outweighed by any identified benefits of the proposal.

6.1.7 Chapter 12 of the NPPF outlines how LPA's should determine applications that affect the historic environment. Paragraphs 126 and 131 state that LPAs should take account of the desirability of new development making a positive contribution to local character and distinctiveness, as well as opportunities to draw on the contribution made by the historic environment to the character of a place. The positive contribution that conservation of heritage assets can make to sustainable communities, including their economic vitality, should be taken into account in decision taking.

6.1.8 Paragraph 128 states that LPAs should require applicants for planning permission to describe the significance of any affected assets (including their setting), providing a level of detail appropriate to their significance using appropriate expertise to do so where necessary.

6.1.9 Para 129 states that Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

6.1.10 Paragraph 131 states in determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

¹ For example, those policies relating to sites protected under the Birds and Habitats Directives (see paragraph 119) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, Heritage Coast or within a National Park (or the Broads Authority); designated heritage assets; and locations at risk of flooding or coastal erosion.

² Unless material considerations indicate otherwise.

- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

6.1.11 Paragraph 132 advises that great weight should be given to the asset's conservation when considering the impact of a proposed development on the significance of a designated heritage asset. The more important the designated asset, the greater the weight should be. It goes on to advise, that significance can be harmed or lost through alteration or destruction of the designated heritage asset or development within its setting and as heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

6.1.12 Paragraph 133 states that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site; and
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back into use.

Paragraph 134 advises 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 securing its optimum viable use

6.1.13 Paragraph 135 refers specifically to non designated heritage and requires a balanced judgement to be made. Paragraph 136 provides that local planning authorities should not permit the loss of the whole or part of a heritage asset without taking reasonable steps to ensure that the new development will proceed after the loss has occurred.

6.1.14 Paragraph 137 states that LPAs should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets "to enhance or better reveal their significance"; and states that proposals that "preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably".

6.1.15 Paragraph 141 states that Local planning authorities should make information about the significance of the historic environment gathered as part of plan-making or development management publicly accessible. They should also require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible

6.1.16 The PPG states:

- the significance of a heritage asset derives not only from the asset's physical presence, but also from its setting.
- the harm to a heritage asset's significance may arise from development within its setting.
- that public benefits could be anything that delivers economic, social or environmental progress and they may include heritage benefits, such as: sustaining or enhancing the significance of a heritage asset and the contribution of its setting.

○ *Designated Heritage Assets*

6.1.17 There are two Scheduled Monuments within the 1.5km search area. The first is Bittesby Deserted Medieval Village (DMV), located centrally within the Site. This has been considered in detail as part of the Archaeological Desk-Based Assessment and Chapter 11 of the ES which has been

submitted in support of the application. The second is a Moat, fishponds and village earthworks at Ullesthorpe, approximately 700m to the north of the site. Due to the location of this monument away from the Site the proposed development is not considered to have an impact on the setting of this monument. There are eight Listed Buildings within the search area. The Conservation Areas of Ullesthorpe and Claybrooke Parva are both approximately 1km north of the application site. **Figure 5** maps the locations of both designated and non-designated heritage assets.

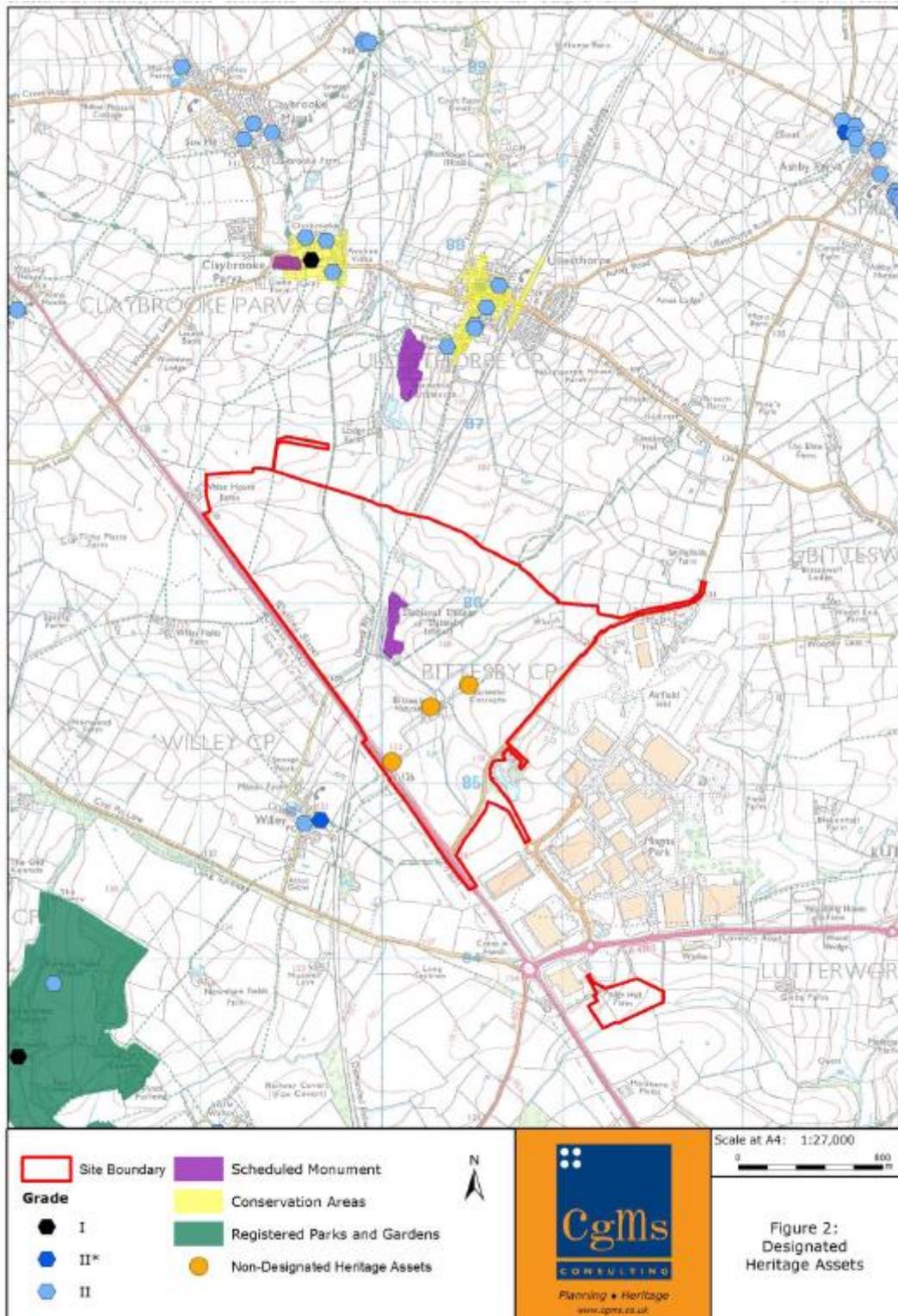


Figure 5: Location of Heritage Assets

- *Impact of the development on the Ullesthorpe Conservation Area (Designated Heritage Asset)*
- 6.1.18 Ullesthorpe Conservation Area is located to the north of the application site and is elevated above the surrounding landscape. Due to the close knit pattern of development within the village, and in particular the historic core element of it, there are only glimpsed views of the surrounding landscape from within the Conservation Area itself. Due to relatively modern development on the fringes of the village, particularly to the east of the railway line as well as to the north and south of the centre of the village, the Conservation Area is not clearly perceptible from the wider landscape and therefore there would be no harm to the Conservation Area.
- *Impact of the development on the Claybrooke Parva Conservation Area (Designated Heritage Asset)*
- 6.1.19 Claybrooke Parva Conservation Area is located to the north west of the main element of the application site and is at approximately the same elevation as the application site. Due to the nature of the village, in particular the historic core element of it, there are only glimpsed views of the surrounding landscape from within the Conservation Area itself and therefore there would be no harm to the Conservation Area.
- *Impact of the development on the setting of Listed Buildings(Designated Heritage Asset)*
- 6.1.20 The Church of St Leonard in Willey dates from the late 14th/15th century. Its immediate setting is predominantly defined by the graveyard to the north-west. This building shares a historic and spatial relationship with the historic core of Willey which forms the wider setting of the Church. Cottage Nurseries – also in Willey - is a thatched cottage which dates from the 17th century. This building’s setting is relatively confined to the immediate streetscene. Willey village is surrounded by open fields to the west and north-west, the A5 to the north and the former Midlands Counties Leicester to Rugby railway to the east. Given the distance and topography between the two, the settings of the church and cottage will not be affected by the proposal. Similarly, for the same reasons, the setting of Claybrooke House, Claybrooke Parva, and St Peters Church is not considered to be affected by the proposed development. Furthermore, due to the topography of the surrounding area and intervening development it is considered that settings of the Congregational Chapel, Home Farm House, The Manse and 5 Station Road will not be affected by the proposed development.



Figure 6: View towards Ullesthorpe from North East

- 6.1.21 Ullesthorpe Windmill (Grade II) is located in the northern part of the village, and is predominantly surrounded by residential development. There are also a number of older buildings within the immediate vicinity of the windmill which add to its value. The sails of the windmill have been removed at some stage in the past, however, consent has previously been granted for their reinstatement. Whilst this consent has lapsed, it is feasible that a similar application for the reinstatement of the sails could be granted. The Windmill sits on the highest ground in the village, and is particularly prominent when looking north from Main Street and is a key focal point in the surrounding landscape (See **Figure 6**). The main significance of the building lies in its architectural and historic interest, as well as its social contribution to the development of the village. Given the relationship and distance between the proposal and the Windmill, it is not considered that the proposed building will have any impact upon the setting or significance of the Windmill.
- 6.1.22 Claybrooke Mill lies approximately 1.2km to the north of the proposed site. The Mill is a functioning water mill, and its operation relies upon a consistent flow of water through the mill run. The water feeding into this predominantly comes from the south, and therefore potentially watercourses which may be affected by the application. As outlined in the later Hydrology section of the report, the proposed development will not involve significant change to run off rates into the river, nor will it create significant changes to soil chemistry or hydrology. Consequently, it is not considered that the construction and operation phases of the development will affect the hydrology of the Scheduled Monument or the Listed Buildings at Claybrooke Mill.
- *Impacts upon the setting of Bittesby Deserted Mediaeval Village (Designated Heritage Asset)*
- 6.1.23 The proposal will not cause any direct physical impact upon the DMV of Bittesby by virtue of the fact that all of the proposed development is outside the designated extent of the SM. The setting of the DMV is made up of the wider historic landscape surrounding the SM, and includes Bittesby House, which the applicants have stated is evidence of the continuous settlement of the Bittesby parish since the desertion of the scheduled medieval village. Directly to the west of the DMV there is a significant railway embankment which truncates the setting of the SM in this direction. The retention of Bittesby House, and direct visual links between it and the DMV maintain the visual relationship between the two asset helps to maintain some of the setting of the SM, and reduces the impact upon the significance of the setting of the SM. Furthermore, the increased accessibility to and across the application site as set out in **Section 6.10** will enable better access to, and therefore better appreciation of, the DMV.
- 6.1.24 The application was originally supported by an Archaeological Desk Based Assessment (CgMS) as well as geophysical and fieldwalking surveys and targeted trial trenching across the site. The results of this work, including an additional area of archaeological interest, are considered to be non-designated heritage assets. In addition to these three further areas containing anomalies of archaeological interest have been identified in the zone immediately to the east of the SM, these too should fall to be assessed as non-designated heritage assets.
- 6.1.25 Evidence of Roman and Mediaeval trackways and ditches were found within the application site, predominantly within the area between the SM and the approved site of 15/00919/FUL. There is evidence that some of the trackways connect an enclosure within the to the north-eastern boundary of the Scheduled Monument of Bittesby Village. The trackway ditches, together with another parallel ditch were excavated, but no dating evidence was recovered. The trackway clearly leads to an Archaeological Asset (A9), which has been investigated through trial trenching and is early Romano-British in date. This trackway is therefore considered to be Romano-British in date, significant for its evidential value and its contribution to the significance of the Scheduled Monument.
- 6.1.26 Geophysical anomalies interpreted as Medieval enclosures and trackways (A7) were identified extending from the south-eastern boundary of the SM, up the slope and onto the ridge. These features have been investigated through trial trenching and are, where dated, of early Roman date, together with the trackway (A5) and enclosure to the north (A9). These anomalies are

considered to be significant for their evidential value and for their contribution to the significance and setting of the Bittesby Deserted Medieval Village Scheduled Monument.

- 6.1.27 Geophysical anomalies interpreted as multi-phase Roman enclosures (A7, A8 and A9) were identified predominantly along the ridge located between the approved site of 15/00919/FUL and the Scheduled Monument to the west. The long, ladder-type settlement arrangement has been dated to the Romano-British period following the results of the trenching, although there are Iron Age elements within it. The bulk of the Roman pottery recovered from the fieldwalking undertaken in support of the current application and for future planning application is from this area. In addition to this over 300 shards of Roman pottery and c.20 fragments of Roman tile, including tegulae and imbrices (roof tile) were recovered during fieldwalking (MLE21337 and ELE8535) c.50 m west of the site. On the basis of the available evidence it is therefore likely that there is a Roman settlement and associated enclosures located just off the top (to the north-west) of the ridge, above the Scheduled Monument. These features have been investigated by trial trenching and metal detector survey. There was only a very limited amount of metalwork recovered, but the excavated features have produced relatively significant quantities of Roman pottery, animal bone and fuel ash, together with limited evidence for Iron Age activity. There is currently no evidence for a Medieval component to these anomalies. These features are typical of late Iron Age/Romano-British rural settlement and are significant for their evidential value and for their contribution to an understanding of the historical development and landscape setting of the Bittesby Deserted Medieval Village Scheduled Monument.
- 6.1.28 The CgMS assessment submitted in support of the application has identified that, unmitigated, the proposed development is likely to have a Moderate impact upon the setting of the SM. The applicants assert that the proposed planting, once mature, will mitigate the visual intrusion on the SM from the proposed development. There is mitigation proposed, by way of planting and bunding, to mitigate the impact upon the setting of the buried archaeological features occupying the ridge between Parcels F and G and the SM. Furthermore, as part of the formulation of the application, the area between Parcel G and the SM was omitted as a development parcel and it is now proposed to maintain this area as a landscape feature of the site and will therefore no longer be used for intensive agricultural purposes, and as such, the land will no longer be ploughed therefore reducing potential opportunities to damage buried remains. The effect of development will be to increase the visual intrusion into the setting of these features, which, in themselves, are non designated assets, albeit, they do contribute to the setting of a designated asset (the SM) (NPPF Para 132). The impact of the development has been assessed by the applicants as being Moderate even with the proposed planting. Officers agree with that assessment; with mitigation the effect of the proposed development would be less than substantial harm of moderate magnitude on the significance of the Scheduled Monument.
- 6.1.29 As a result of this, the development will not result in physical harm to the SM, but will result in less than substantial harm to its setting (NPPF Para 134), and therefore the significance of the Designated Heritage Asset. In light of para 129 of the Framework, the harm to the significance of the heritage asset must be taken into account during the consideration of the application. Such harm must be given considerable importance and weight and requires clear and convincing justification. Furthermore, in light of Para 141 of The Framework, where harm to the significance of the asset is justified, the developer should be obliged to record and advance the understanding of the significance of the asset. This can be secured by condition (see recommended **Condition 20**).
- 6.1.30 Trial trenching, in accordance with a Written Scheme of Investigation submitted to and approved by LCC Archaeology has been undertaken across the application area, targeting known anomalies/areas of potential and blank areas. This work will allow the formulation of programme of limited conditioned mitigation works, which can be secured by archaeological condition (see recommended **Condition 20**). With appropriate mitigation the impact of the development upon these assets is assessed as Minor.

6.1.31 The Senior Archaeologist is satisfied with the recent Assessment, however has requested any permission is conditioned to include archaeological monitoring and recording during groundwork (see recommended **Condition 20**).

○ *Non-Designated Heritage Assets*

6.1.32 **Figure 5** maps the locations of both designated and non-designated heritage assets. Bittesby House (see **Figure 7**) and Bittesby Cottages – located to the west of the main section of the application site – and the former lodge to Bittesby House, to the south-west of Bittesby House, have some historic merit and as such are considered to be non-designated heritage assets. This view is shared by the applicants for the purposes of their assessment. Local parties have recently applied to English Heritage (now Historic England) to have Bittesby House added to the National Heritage List for England, and also to re-designate the extent of coverage of the area of the DMV of Bittesby, however the applications have been turned down on the basis that mid-late C19 houses of this type survive in very considerable quantities in both urban and rural contexts throughout England, and only examples of architectural distinction merit designation in a national context. In terms of the DMV, the application was refused as it was not considered that there was sufficient grounds to extend this beyond the current extents. Notwithstanding this, in the context of the NPPF, it is considered Bittesby House and its associated properties should be considered as a non-designated heritage asset, as identified by the applicants. Furthermore, Bittesby House also forms part of the setting of the DMV. The area around the DMV which was considered for re-designation would also be considered as part of the setting of the DMV.



Figure 7: View of Bittesby House

6.1.33 The applicants claim that Bittesby House has only limited architectural interest and that the overall incoherent design of the property is a result of the rather eclectic and visually uneasy mix of different architectural elements. During the Listing application process, Historic England (formerly English Heritage) determined that there is little of national importance in the building's construction, craftsmanship and decoration. It is considered that the evolution of the building in the 19th century is of local interest, due to the social history and the fact that the productivity of the farm is reflected in the architectural aspirations of the building's occupiers.

6.1.34 The former 'lodge' to Bittesby House lies to the south-west of the site. The demolition of these properties was approved as part of 15/00919/FUL. This lodge originally served Bittesby House, which was accessed past this lodge and along a tree lined avenue. Entrance lodges were placed for security and to give the passer-by or visitor a hint of the quality of the principal house beyond. However, this particular lodge has no significant architectural or historic interest, and is devoid of distinguishing features or aesthetics. The building has been significantly altered over time and the loss of original features such as windows further damages its character and appearance. The former lodge has also lost its spatial and functional relationship with Bittesby House through the reconfiguration of the principal access and changes in ownership. Therefore, the former lodge whilst being considered as a non designated heritage asset, it is considered to have limited importance.

6.1.35 The semi-detached cottages to the north-east of Bittesby House - Bittesby Cottages – have also been judged by the applicants to be non-designated heritage assets, a view also shared by the LPA. The cottages are of limited architectural significance, and, as with Lodge Cottage, they have been much altered with their original windows having been removed. They do however have a historical association with Bittesby House, potentially having housed farm workers employed by the occupants of the House. The setting of Bittesby House has changed over time. It was originally accessed from the north, however, by 1886 the principal entrance had been relocated to the south-west. The 'lodge' was built adjacent to Watling Street (itself a Roman Road and non-designated heritage asset), and a tree lined avenue planted between it and the house. C.1838 the railway was constructed to the west of Bittesby House, and was laid on an embankment, thus detracting from this previously open aspect. The approach to Bittesby House has now changed again with the access being off Mere Lane, but the tree lined avenue remains. Despite these changes, the avenue continues to contribute positively to the significance of the setting of Bittesby House

- *Impact of the development on Bittesby House and associated properties (non designated Heritage Assets)*

6.1.36 Bittesby House was originally described in the Heritage Statement as merely 'of limited architectural and historic significance, being of local interest only'. It was contended that, whilst the house may be of insufficient, rather than limited, special architectural or historic interest to meet the statutory listing criteria, it is considered to be one of the higher quality, unlisted buildings in the county. Its many attributes include much original historic fabric and several interesting architectural features from a series of identifiable phases of development that provide a clear visual reminder of the expansion of the farm during the C19. When LCC's Principal Historic Buildings Officer (HBO) and HDC's Conservation Officer (CO) visited the House in January 2015 it was considered to be in good condition and active use. As a result of these concerns, the Applicants commissioned a Level 4 Heritage Survey of the property. This established that Bittesby House is evidence of the continuous settlement of the Bittesby parish since the desertion of the scheduled medieval village, and therefore it contributes to the significance of the SM. Concurrent to the commissioning of this Survey, Officers requested that the applicants investigate the opportunities to amend the layout of the scheme to retain and, if possible, re-use Bittesby House and its principal outbuildings. Consequently, amended plans were submitted indicating Bittesby House and its principal outbuildings to be retained by virtue of a reduced building footprint in Parcel I (see **Figures 8, 9 & 10**). It is now proposed that Bittesby House would function as a Heritage Centre providing interpretative information re the DMV and its historic landscape.



Figure 8: Indicative Layout with Bittesby House retained

6.1.37 The proposed new distribution park, by virtue of its use, location and size, is considered to have a considerable visual and environmental impact on the setting of the non-designated heritage assets in the area. Given the scale and location of the buildings it is unlikely that new planting would substantially reduce the visual intrusion into the landscape. It is clear from national planning policy and Historic England guidance that the setting of heritage assets can be an important factor in their significance and setting extends to the environment in which a place or building is experienced, their local context, embracing present and past relationships to the adjacent land or buildings.



Figure 9: Indicative Layout with Bittesby House retained

6.1.38 LCC HBO considers that the original Heritage Statement submitted in support of the application underplayed the contribution made by the setting of Bittesby House to its significance. As with virtually all such historic farms a fundamental functional association exists between the house and the surrounding agricultural land. In addition to this, the development of Bittesby House during the C19, including a tree lined avenue (which, notwithstanding the amended plans, would still be lost to the development) and new outward looking formal facades, suggest that the wider rural landscape was a significant feature to be exploited and enhanced as the status of the farmstead increased.

6.1.39 It is acknowledged that the existing Magna Park development has compromised this setting however, it is considered that the proposed development will, by encroaching much closer to the house and associated buildings, cause further harm to their significance. The new distribution centre will be larger than the non-designated heritage assets and dominate Bittesby House as the building of prominence in the landscape.

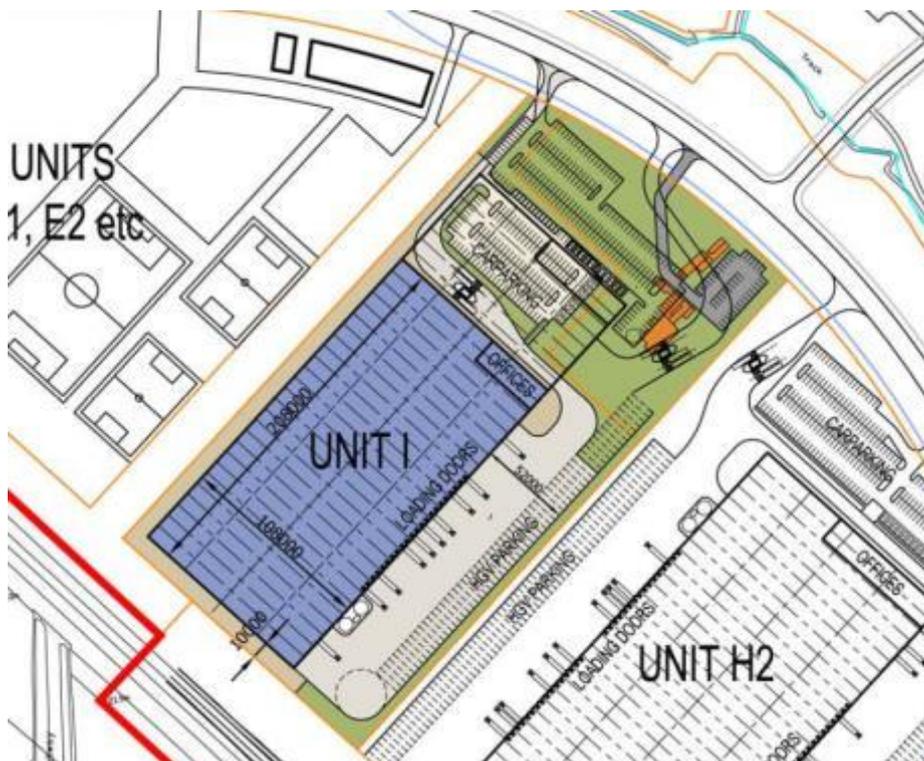


Figure 10: Comparison of original layout with amendment to retain Bittesby House

- *Impact of the development on Watling Street (non designated Heritage Asset)*
- 6.1.40 The A5 to the western boundary of the site runs along the route of Watling Street, one of England's primary Roman Roads. Along its route, there are stretches of Watling Street which are designated as Scheduled Monuments, and as such, would be designated heritage assets. The section of Watling Street which passes along the boundary of Harborough District does not feature any scheduled sections, and as such, would be considered to be a non-designated heritage asset. The closest section of Watling Street which is scheduled is located to the south near Crick in Northamptonshire. The reason this section is scheduled is that it is one of the few sections that escaped use as a Turnpike road or development as a modern paved road, and it survives as a green lane and public byway. The same can not be said of the A5 in the vicinity of the site. Its main feature as a heritage asset is that it is very straight, maintaining the original Roman line. The proposed development will not alter this despite the introduction of two new roundabouts. It is therefore considered that there will be no harm the setting of Watling Street.
- 6.1.41 As noted above The Framework requires that LPA's consider the effect of the application on the significance of all the non-designated heritage assets in the area when determining the application. The retention of Bittesby House is considered to be a welcome amendment to the

scheme. As a result, there is no harm to the fabric of this non-designated heritage asset. Whilst it is acknowledged that the development will undoubtedly be harmful to the setting of the non-designated heritage asset, the actual harm to the significance of the non-designated heritage asset is considered to be “less than substantial” in terms of para’s 135 and 137 of The Framework.

6.1.42 Para 136 of The Framework states that Local planning authorities should not permit loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred. HDC have no reason to believe that, if consent is granted, the development will not proceed, and as such, it is not considered that a condition be imposed so as to control the timing of the demolition of the cottages.

6.1.43 In light of the above, and in accordance with Para 135 of The Framework, the impact of the proposals on undesignated built heritage assets should be taken into account in a balanced judgement. It is considered that the proposal results in less than substantial harm to the setting of a non-designated heritage asset which should be accorded limited weight in the overall balance

○ *Site Optioneering*

6.1.44 After consideration of the optimum access solution proving connectivity with the existing Magna Park, determination of the extent and alignment of road infrastructure within the development led to consideration of the retention of Bittesby House within the proposal. Essentially four situations were analysed as follows:

- i. Bittesby House, garden and environs wholly retained (outbuildings generally removed)
- ii. Bittesby House incorporated into new facilities focus with logistics centre, Logistics Institute and Estate Office
- iii. Bittesby House retained but surrounding gardens remodelled
- iv. Bittesby House to be removed

○ Option 1

6.1.45 Bittesby House presents both an initial visual barrier, and prompts a decision on the road to take a Northern route A or Southern route B. Route A, with the loss of some outbuildings places Bittesby House immediately next to the primary access route. Route B alignment challenges safe highways geometry and severely restricts access points to the irregular and commercially inefficient red hatched area. The introduction of a further roundabout to direct traffic past the front aspect of Bittesby House introduces a very unsatisfactory traffic pattern. In all cases, particularly as the area immediately North West of Bittesby House is unsuited to all but small scale development, the retention of the house and grounds serves to disassociate development to the East of the site from that to the West. (See **Figure 11**)



Figure 11: Option 1 sketch plan

- Option 2

6.1.46 As the previous option, Bittesby House presents both an initial visual barrier, and prompts a decision on the road to take a Northern route A only. Access to the red hatched development area limits the developments options. The use of Bittesby House as a focal point for the proposed central facilities creates a disjointed plan where there is no obvious connection to the Scheduled of Ancient Monument, and an opportunity to put this at the heart of the recreational and educational use of the development is lost. (see **Figure 12**)

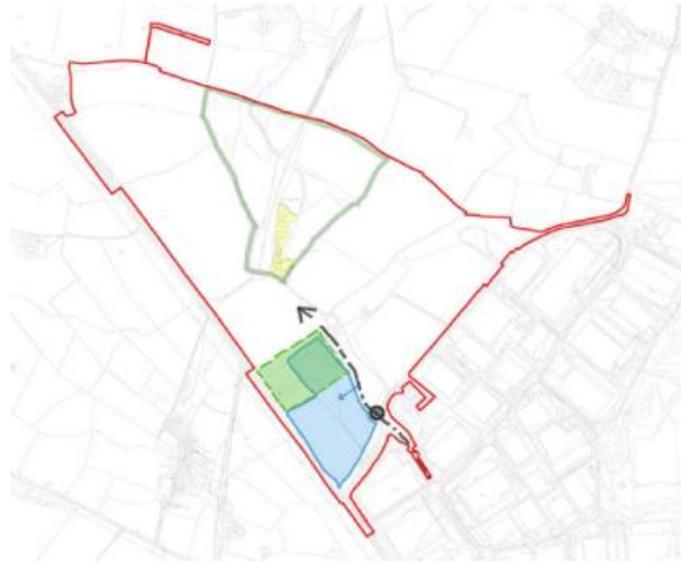


Figure 12: Option 2 sketch plan

- Option 3

6.1.47 Retention of Bittesby House on a smaller scale leaves it isolated, but restricting development in its immediate environs Route A is the only viable route to avoid the loss / or restriction of large area of development land. Bittesby House would be disassociated from the logical centrally located public access facilities, further weakening any commercial viability. (See **Figure 13**)

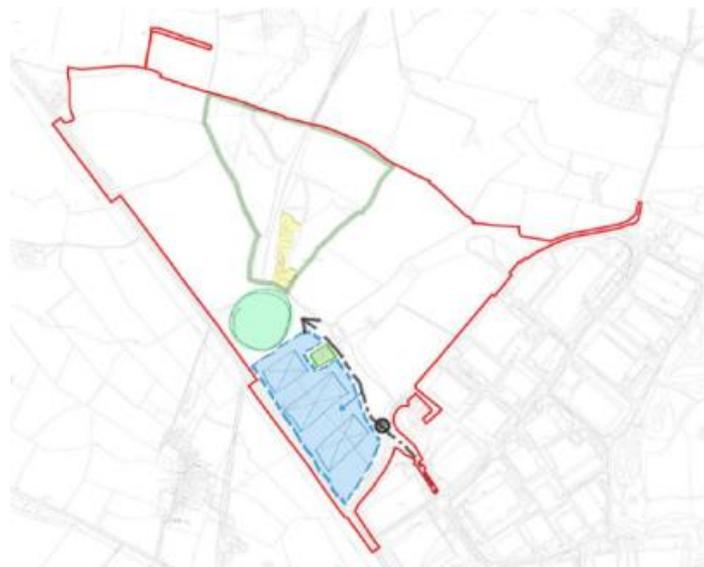


Figure 13: Option 3 sketch plan

- Option 4

6.1.48 Retention of Bittesby House entirely, or in part, has – in the applicant’s original view – an inordinate impact on the development aspirations to combine commercial aims with enhancing and encouraging public awareness of the recreational opportunities of the site, also providing a

focus of facilities for the use of the wider community. It was therefore not initially proposed to retain Bittesby House. However, as discussed in **para 6.1.36**, further investigative work was carried out by the applicants, and following a request from Officers after discussions with Historic England and LCC the application was amended in order to preserve Bittesby House and its principal outbuildings in situ. (see **Figure 14**)



Figure 14: Option 4 sketch plan

6.1.49 As part of the site optioneering, the applicants investigated a range of different balances to the proposed layout. Three of the potential layouts had a landscape influence. These are set out below

Masterplan Concept 3: Balanced heritage-landscape

6.1.50 This concept aims to arrange the components of the scheme to work within the site's constraints, respond to the contours of the site, meet the commercial objectives, respect the Scheduled Ancient Monument, achieve the public access objectives and minimise visual impact. The layout accommodates the scheme's components and works with the landscape to minimise visual impact, creates a new public park around the Scheduled Ancient Monument with the associated public access, and comes close to meeting the commercial objectives for the scheme. The layout also allows for connected ecological corridors. Notwithstanding this, the applicants felt that their commercial objectives would not be fully met by this option. The heart of the Park would be squeezed and disconnected from the public park, reducing the value of both.

Masterplan Concept 4: Balanced landscape, heritage, commercial

6.1.51 This concept shows what the applicants considered to be the best performing option, all matters considered, for siting of the scheme's components, the protection of the designated heritage resource and its setting, the conservation of the landscape and its character, minimising the visual intrusion, achieving the commercial purposes for the site and for efficient internal and beneficial external access arrangements. The layout has full regard to the site's contours and landscape, creates connected ecological corridors, would minimise visual impacts, respects the Scheduled Ancient Monument and puts it at the centre of the extension with the Logistics Institute of Technology and campus and the new Magna Park management centre. The development proposal recognises the archaeological importance of the area to the immediate East of the former railway embankment, and its contribution to the context of the Scheduled Ancient Monument.

6.1.52 In consequence, the applicants commercial aspirations for the site were reassessed and the anticipated total floor area reduced. The internal access arrangements are efficient and would work with the objectives for improving public transport services - and the relationship with the Park's existing infrastructure is strong.

Masterplan Concept 5 - Master Plan

- 6.1.53 The Illustrative Masterplan for the application proposals progresses the principles set down in concept 4. From an overall site area of some 232 ha in Zone 1, it is now the intent that a maximum of 20% of the site will be given to buildings (the maximum density of the 88 component is 18.4%). The geometry of the existing former railway embankment, in association with the placement of the Logistics Institute of Technology and Innovation Centre facilities at the heart of the proposed development, acts as a central focal point for the overall development. The facilities would therefore be easily accessible for those employed within the existing Magna Park, within the proposed development, visitors and the wider community. The single infrastructure access road helps to achieve a managed connection with the existing Magna Park and is typically located to the South of the B8 units, thus restricting traffic noise generation towards the areas to the North. A conscious decision has been taken by the applicants to ensure that the units adjoining the White House property to the North and the central facilities will not have yards located so as to generate intrusive noise. Typically, car parking and office accommodation will be positioned facing the infrastructure corridor.
- 6.1.54 Throughout the consideration of the application, the proposal has been further amended to reflect comments from consultees. For instance, as set out at **para 6.1.36** following meetings with Historic England and Leicestershire County Council, Officers requested that the applicants explore the potential to retain Bittesby House as part of the development. The application was subsequently amended to retain Bittesby House and its principal outbuildings by reducing and reconfiguring Parcel I. Furthermore, the application has been further amended to remove the new build provision for a conference centre and management office, but to include the change of use of Bittesby House barns to an exhibition centre. This ensures a viable use for these buildings within the development therefore helping to secure their long-term retention.
- *Cumulative Heritage and Archaeology Effects*
- 6.1.55 Due to the fact that the sites are remote from each other with the existing Magna Park located between them, it not considered that application 15/00865/OUT has any impact on the same assets as 15/01531/OUT and vice versa. Furthermore, the recently approved residential scheme at Coventry Road and the B2 consent at Leaders Farm again do not have any impact upon the same assets as 15/01531/OUT. As such, it is not considered that the proposals will have any cumulative impact on heritage assets.
- *Summary*
- 6.1.56 Impacts of the proposal upon the surrounding heritage assets (both designated (NPPF Para 132) and non-designated (NPPF Para 135)) have been considered in detail as part of the formulation of the recommendation by Officers. Due to the harm caused to the DMV, it is considered that the proposals are contrary to Policy CS11 of the Harborough District Core Strategy. Furthermore, as detailed above, it is considered that the effect on the designated and non designated heritage assets is as set out in the Table below.

Asset	Status	Effect of Development
Bittesby Deserted Mediaeval Village	Designated	Less than substantial harm
Ullesthorpe Conservation Area	Designated	No Harm
Bitteswell Conservation Area	Designated	No Harm
Church of St Leonard, Willey	Designated	No Harm
Claybrooke House	Designated	No Harm
St Peters Church	Designated	No Harm
Claybrooke Parva Conservation Area	Designated	No Harm
Ullesthorpe Windmill	Designated	No Harm
Claybrooke Mill	Designated	No Harm
Bittesby House	Non Designated	Less than substantial harm
Watling Street Roman Road	Non Designated	No Harm

2. Landscape and Visual Impact

6.2.1 The ES contains a chapter (Chapter 9) on Landscape and Visual Impact which was prepared by Nicholas Pearson Associates.

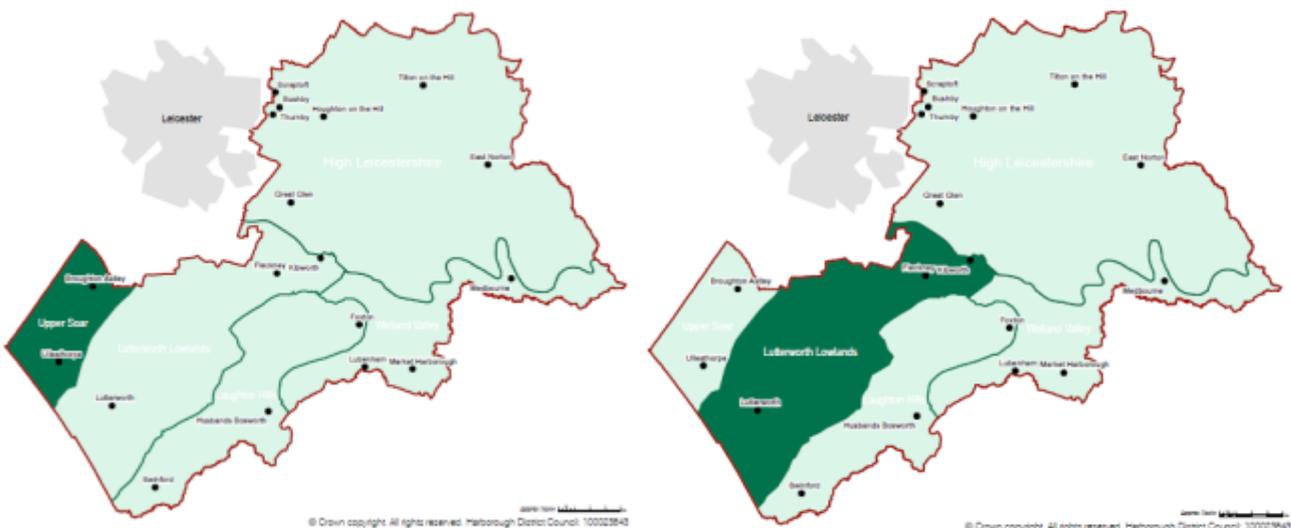
6.2.2 The ES confirms that the Site does not lie within any nationally designated landscapes (e.g. Green Belt (see **Figure 15**) Area of Outstanding Natural Beauty or National Park).



Figure 15: Green Belt plan

o *Landscape Character*

6.2.3 The ES highlights the majority of the Site as falling within the “Upper Soar” landscape character area as identified by the Council’s Landscape Character Assessment (prepared by The Landscape Partnership (hereafter referred to as ‘TLP’), 2007). Mere Lane forms the boundary of this character area. The remainder of the site to the south east of Mere Lane falls within the Lutterworth Lowlands character area (See **Figures 16, 17 and 18**).



Figures 16 and 17: Landscape Character Assessment Map (District Wide)

6.2.4 The Upper Soar is a large character area, which stretches beyond Harborough District with only its easternmost edge falling within the District. Overall, the character is an open, elongated basin

serving the River Soar with ridges to the perimeter of the character area looking in on a rolling valley. The characteristics of this eastern edge area are less distinct than those of the character area as a whole. The area is a mix of pasture and arable agriculture with a series of urban settlements set within a tight network of connecting roads. There are few woodland areas with hedgerows acting as the dominant vegetated elements of the area.

- 6.2.5 The wider Upper Soar area has very little established woodland, with no significant woodland within this eastern area. Mature, densely planted boundaries which screen Magna Park Distribution Park represent the most dominant vegetation of the area. The established but declining hedgerows divide the medium to large sized agricultural fields. The hedgerows are generally well maintained and tend to include thorn, field maple and elm trees. There are scattered hedgerow trees and formations of copses, usually found closer to settlements with the most common tree types being oak and ash.
- 6.2.6 The eastern part of the Upper Soar is on the edge of a basin which supports predominantly pasture. The area is adjacent to a number of large storage units centred on the current Magna Park which are associated with the major road network in the area. These structures and associated planting along their boundaries, contribute significantly to the land use of the eastern section of the Upper Soar character area. In addition there is a high concentration of settlements in the area which is crossed by a network of connecting road infrastructure.
- 6.2.7 Magna Park represents a significant area of warehouse and storage units set within the adjacent Lutterworth Lowlands character area but due to the topography is more visible from the Upper Soar. The large scale warehouse units are surrounded by heavily planted boundaries that part screen them from the surrounding boundaries.
- 6.2.8 There is a relatively high density of roads connecting the settlements within the Upper Soar. The A5 along the southern character boundary follows the Watling Street Roman road and runs north west to south east connecting with Magna Park, Lutterworth and the M1. The M1 is well screened from the Upper Soar although noise from the road is apparent in the more northern areas.

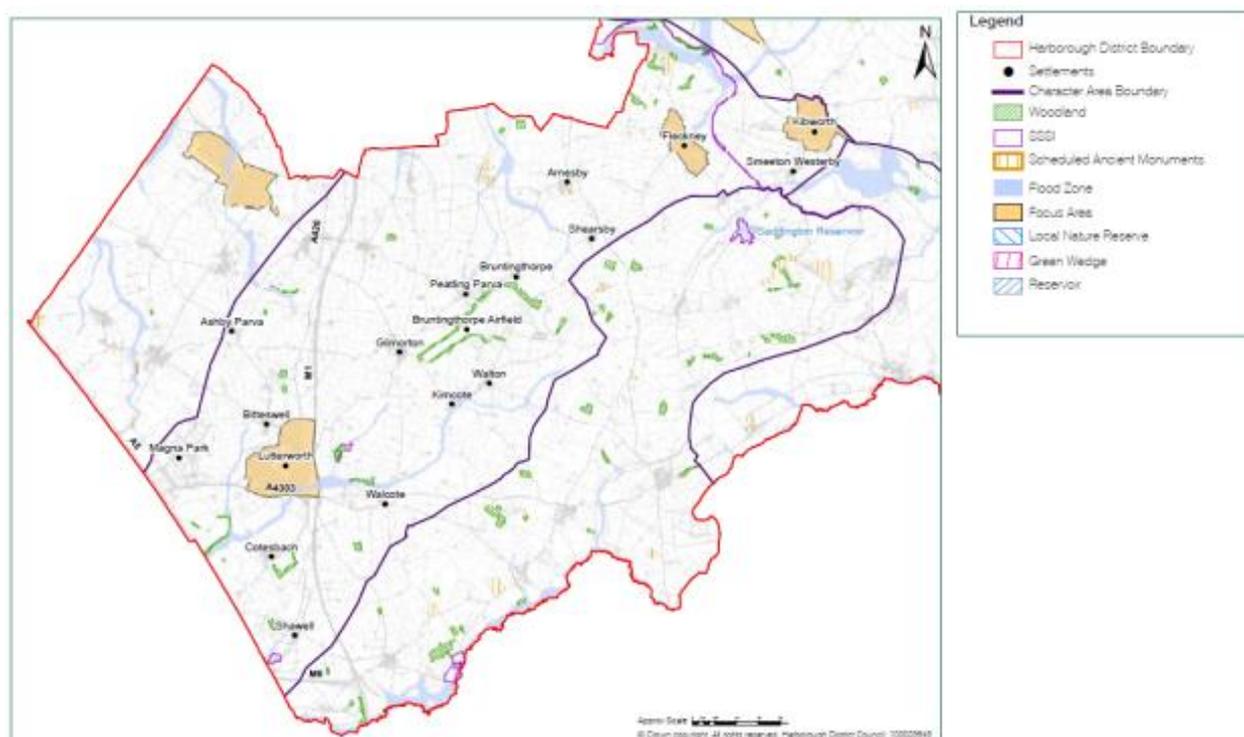


Figure 18: Landscape Character Assessment Map (Upper Soar and Lutterworth Lowlands)

- 6.2.9 Whilst the 2011 Lutterworth and Broughton Astley Landscape Character Assessment and Landscape Capacity Study looked at the area in more detail, however, this focussed more on the

urban areas of Lutterworth and Broughton Astley and not the application site and its immediate area.

6.2.10 Part of the site also falls within the Lutterworth Lowlands character area (the infrastructure works to the south east of Mere Lane and “Zone 2”) (see figures 19 and 20) and the “Magna Park Open Farmland LCA sub area as identified by the Council’s Landscape Character Assessment (2007). Due to the screening influence of the existing Magna Park, the infrastructure works element of the proposals will have no impact upon the character of the Lutterworth Lowlands character area. However, the proposals for “Zone 2” have the potential to impact upon Lutterworth Lowlands.

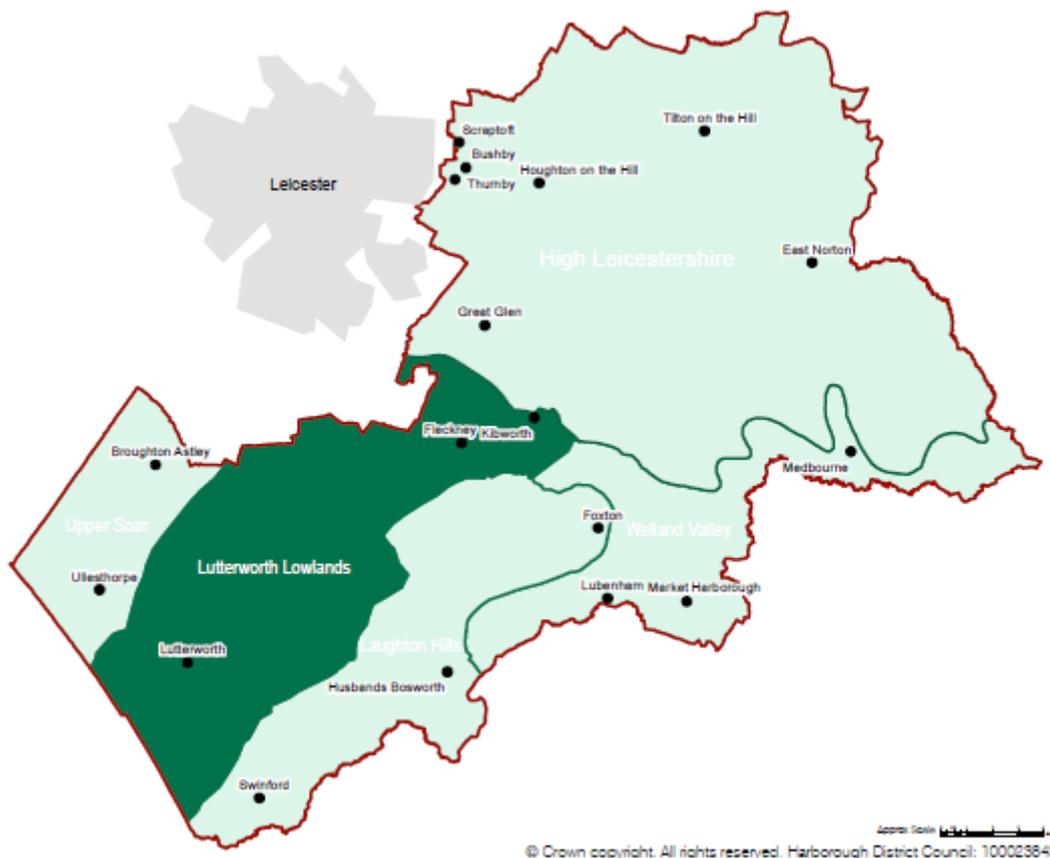


Figure 19: Landscape Character Assessment Map (District Wide)

6.2.11 The Lutterworth Lowlands is an area of predominantly open, gently rolling pasture. Regular, medium sized fields are divided by mature hedgerows that appear to be declining in extent in places. There is little woodland of any significant size within the character area and where it does feature, it appears to be concentrated around the parkland estates towards the north of the area. The area is characterised by open views across the flatter expanses of the area. Lutterworth, in the south of the area, is the area’s main town with the expanding villages of Fleckney and Kibworth towards the north east of the area.

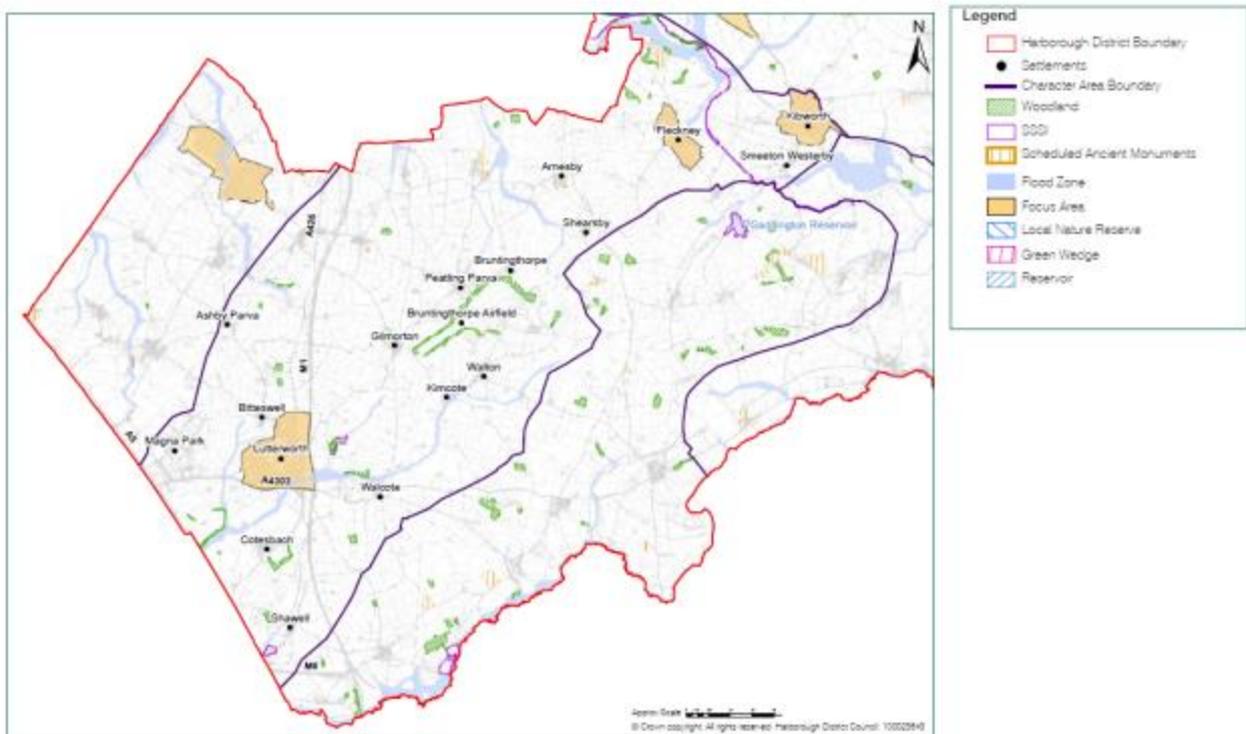


Figure 20: Landscape Character Assessment Map (Lutterworth Lowlands)

6.2.12 The M1 motorway runs north to south parallel with the A426 and divides the character area towards the west, passing Lutterworth. The motorway acts as a significant barrier across the landscape in visual, noise and connectivity terms. A series of bridges along the M1 and A426 connect the otherwise separated segments and provide continued links along the A4303/A4304 towards Market Harborough and other local routes. A network of minor roads runs through the Lutterworth Lowlands connecting the larger settlements with the spread of villages and farms scattered across the area. Traffic noise generated by the larger roads is locally intrusive.

6.2.13 Other significant developments within the area include the existing Magna Park Distribution Park; a locally visually prominent warehousing and distribution centre to the west of Lutterworth, along the A5. The current layout is relatively successfully screened by woodland planting around the boundary. To the north east around Dunton Bassett sand and gravel extraction occurs in the generally open and flat landscape. There is also a large quarry near Shawell.

6.2.14 The key characteristics of the Lutterworth Lowlands LLCA are:

- Open and relatively flat, to gently rolling area
- Lack of large woodland areas
- Farming is predominantly grazing
- Scattering of small villages with larger settlements of Kibworth and Fleckney to the north and Lutterworth to the south
- Contains Bruntingthorpe Airfield
- The M1 and the A426 run through the area
- Contains Magna Park Distribution Park to the west of Lutterworth

6.2.15 Lutterworth is also subject to a more detailed “focus area” section within the LCA. Within this it is stated that the western settlement edge of Lutterworth is formed by Brookfield Way with the land falling away to the west before rising up towards Magna Park. The western edge of Lutterworth is exposed to open views from the wider countryside and the imposing Magna Park. A stream runs north east to south west across the area creating a flood plain along Lutterworth’s western borders. There is open farmland to the west of Lutterworth with regular hedgerows enclosing some of the area. The village of Bitteswell is located to the north west of Lutterworth and is under threat of coalescence with the north western edge of Lutterworth.

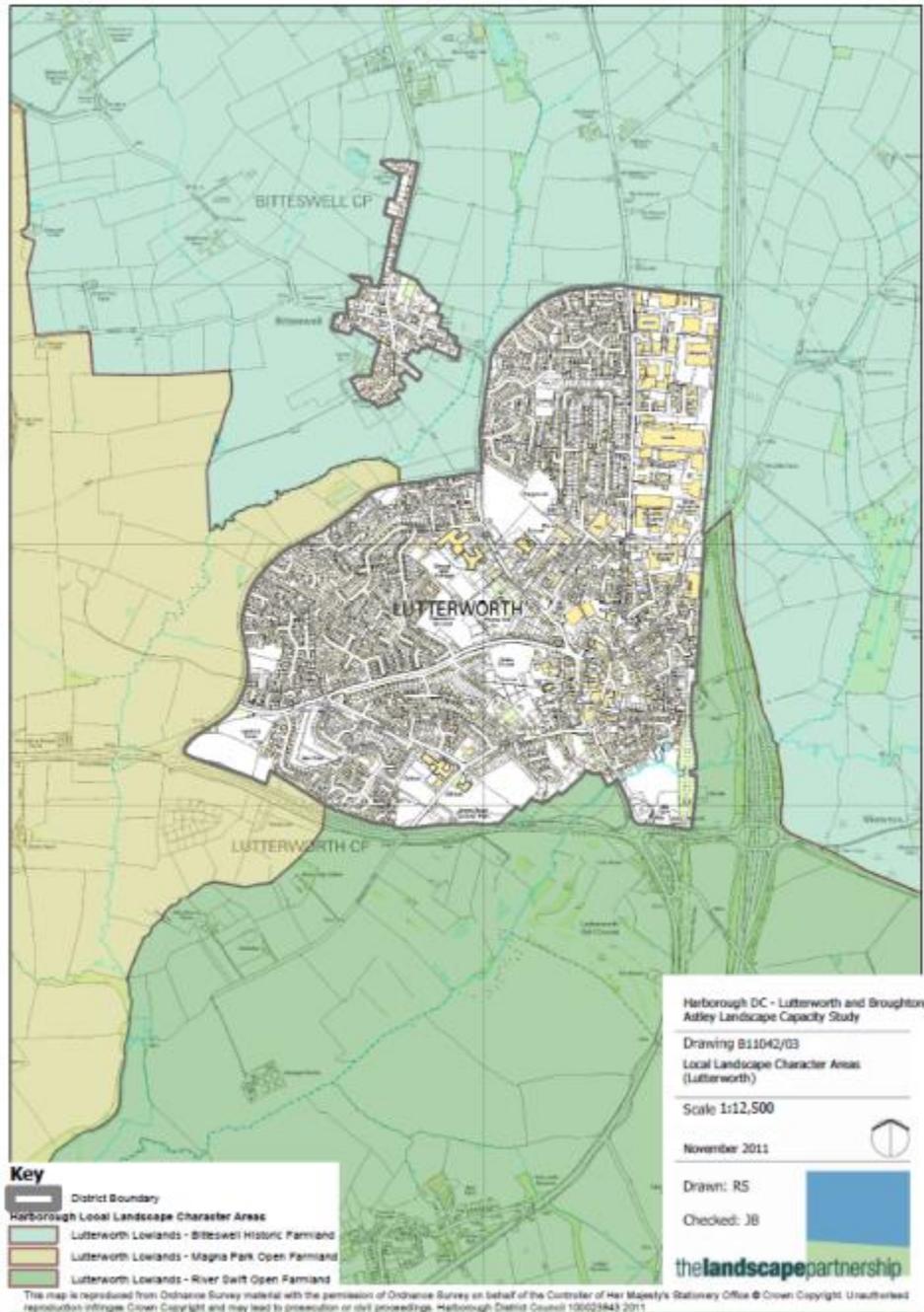


Figure 21 – Lutterworth and Broughton Astley Landscape Character Areas

6.2.16 The 2011 Lutterworth and Broughton Astley Landscape Character Assessment and Landscape Capacity Study looked at the area in more detail. As part of this assessment, it was considered that the area within which the application site falls should be classed as the Lutterworth Lowlands – Magna Park Open Farmland character area (see Figure 21). Within this it is stated that key characteristics of the area include:

- Significant visual influence of the large warehouse structures at Magna Park on the surrounding landscape
- Large scale, predominantly arable farmland
- Gently sloping broad valleys
- Limited historic pattern evident in the landscape
- Poor hedgerows and very limited hedgerow trees
- Prominent urban edge to Lutterworth on rising ground
- A5 road corridor,

and that the distinctive features of the area are:

- Magna Park
- Lutterworth Country Park
- Bitteswell Brook
- Fairacres Travelling Showmen's Site

○ *Landscape Capacity of Upper Soar*

6.2.17 With respect to the capacity of the landscape to accommodate development, the 2007 LCA states that the Upper Soar character area as a whole has a Medium capacity to accommodate development. The rural character of the Upper Soar has already been encroached upon by the urban character of its settlements. The rural character which remains undisturbed requires protection and has low capacity to accommodate change. Overall, the Upper Soar represents a relatively developed landscape with the capacity to accommodate further change subject to appropriate design and mitigation.

○ *Landscape Capacity of Lutterworth Lowlands*

6.2.18 With respect to the capacity of the landscape to accommodate development, the 2007 LCA states that the area as a whole has a Medium to High capacity for development. The Lutterworth Lowlands character area represents a changing landscape with many recent developments around the fringes of existing settlements. Expansion due to new development areas may mean that the area is under threat of losing some of its rural characteristics. The area has some limited capacity to accommodate localised development in particular around the larger settlements but the more rural parts of the area towards the north would not be appropriate, nor would the farmland south of Bruntingthorpe Airfield.

6.2.19 The Lutterworth Lowlands character area has the capacity to accommodate further residential development. Lutterworth, Fleckney and Kibworth in particular have the capacity and infrastructure in place to allow for further development, within and adjacent to their current urban envelopes. The smaller villages of the area have much lower capacity and would need to be considered on a case by case basis.

○ *Parameters Plan*

6.2.20 The submitted Landscape Masterplan and Parameter Plans (See **Figure 22**) set out a strong landscape framework for the development of the site as a major logistics development. The proportion of the site given over to structural landscape at c. 49% is notable and includes a number of positive features in terms of public access, biodiversity, green infrastructure and heritage interpretation. This would be centred on a proposed Bittesby Country Park, but extend through much of the Site. The future management of the strategic landscape areas and areas of open space would be the responsibility of the applicant (via a s106 agreement) and would ensure long term benefits for the community and local environment. However, while the provision of the quantum of open space is a positive and relatively generous, for a development of this type, it is driven by the existing Site constraints including the tributary valley features of the Upper Soar and the presence of the Scheduled Monument and Bittesby House within the centre of the Site. These constraints necessitate the linear development pattern along the A5 corridor extending some 2.4km beyond the existing edge of Magna Park. Layout and landscaping are reserved matters, and can be developed further as part of a future Reserved Matters application. However, the submitted materials provide a positive basis and strong framework for further Reserved Matters applications were the scheme to be granted Planning Permission.



Figure 22 – Parameters Plan

○ *Landscape Character Impact*

6.2.21 A Landscape and Visual Impact Assessment (LVIA) formed part of the ES. The LVIA includes a methodology section, a description of the baseline, definitions for sensitivity, magnitude and then makes judgements of significance for impacts on both landscape and visual receptors arising from the proposals. It also includes measures to assess the nature of the effects i.e. whether they are positive or adverse.

6.2.22 The ES concludes that there would be few significant landscape character effects. These would be restricted to the part of the Upper Soar LCA (low lying clay vale farmland with gentle ridges – landscape type) where the built development is concentrated and then only during Construction stage and in the Operation stage in the short term until the landscape mitigation has begun to be established.

6.2.23 In contrast TLP’s opinion is that the geographical extent and duration of significant effects would be relatively greater. This would extend to significant effects both during the Construction period and Operation stage within the ‘low lying clay vale farmland with gentle ridges landscape sub-types’ in the Upper Soar LCA both within the Site and extending to locations beyond the site in the immediate area up to a maximum of c. 1km. Within the ‘Soar tributary flat floodplains and terrace sub-type’ TLP consider there would be a Moderate to Major effect within the Site at both Construction and the early years of Operation. This assessment by TLP is made in the context of the substantive landscape proposals incorporated within the development and presence of the 15/00919/FUL scheme as part of the baseline. TLPs judgement reflects the scale and location of development (which extends some 2.4km x 1.2km) and the likely visibility of the proposed built forms in the winter months. This would constitute a locally significant effect on the landscape character of the Upper Soar albeit it is acknowledged that in the longer term (c. year 10 onwards) the adverse effects would progressively reduce both within the Site and from the immediate area. This would result in a change of landscape character to this part of the Upper Soar valley in the longer term to produce in TLPs opinion a neutral nature of change to character where the c. 48% of the Site given over to green infrastructure and open space making a positive contribution to the

landscape and offsetting the adverse impacts of the logistic building and infrastructure by this time.

- 6.2.24 TLP agree with the ES that there are unlikely to be significant effects from the proposals on the other two district landscape character areas i.e. Lutterworth Lowlands and High Cross Plateau in the vicinity. In the case of the Lutterworth Lowlands the extent of the effect is relatively localised and the works within Zone 2 comprise a development that is similar to a scheme that is already approved on that part of the Site.
- 6.2.25 The proposals if implemented would read as a notable northern extension to the existing Magna Park. This would in part, relate to the existing B8 development to the south including the consented 15/00919/FUL scheme, but would also extend over an open undulating agricultural landscape to the east of and following the A5.
- 6.2.26 It is appreciated that the proposed development would be seen in many of the views from the west against the context of the existing Magna Park. The proposed graduated colour of the cladding would help to assimilate the building into the landscape setting to a degree together with the landscape works to the perimeter and along the various road corridors. However, the proposed building is of a very large scale and will take some time to be absorbed in the landscape from certain directions and will remain a permanent feature from other directions. From some of the closer representative viewpoints e.g. Viewpoint 7 the building would break the skyline above the existing units on the horizon despite the fact that the height of the building parapet is lower than other units within Magna Park.
- *Lighting*
- 6.2.27 Lighting at the existing site is one of the main concerns for local residents, and, it is a key theme which has come through the consultation on the application. The Site is located within an area defined as brighter and adjacent to an area of greater light saturation, on the CPRE night skies Map for the East Midlands. At night, the site can broadly be classified into two Institute of Lighting Engineers 'Environmental Zones'. The area of the Site to the south east of Mere Lane is enclosed on three sides by the existing lighting of Magna Park and there is some existing street lighting where the Site adjoins the existing Argosy Way, in Magna Park. Therefore although not directly lit from within, this part of the Site is heavily influenced by and can currently be considered to closely reflect the characteristics of 'Environmental Zone 3 - a medium district brightness area, equivalent to a small urban location'.
- 6.2.28 On the part of the Site to the north-west of Mere Lane and on Zone 2 the context and nature of the night time baseline conditions is considered to be different. Whilst there are the immediate effects of illumination arising from a context alongside Magna Park, there is no existing street lighting on Mere Lane, or on the section of the A5 to the west. These parts of the Site do not have any existing lighting and are only otherwise currently lit up by passing car headlights and the headlights of vehicles moving to and from Bittesby House and farm. Therefore, the existing Environmental Zone for this part of the Site is considered to be 'Environmental Zone 2' – 'a low district brightness area' – equivalent to a 'rural, small village or relatively dark urban situation'.
- 6.2.29 A separate lighting engineer report for Magna Park and a lighting strategy for the proposed Site have been included as part of the ES to inform the night time visual assessment and judgements made regarding potential night visual effects, arising from the proposals. The existing Magna Park building and street lighting consists of High Pressure Sodium Luminaires mounted on buildings and street lighting columns. The type of luminaire varies throughout the park from angled floodlights to full cut off flat glass luminaires. The result of this is a yellow/orange sky glow when viewed from the surrounding villages on nights with low cloud or highly illuminated buildings. This is caused by light reflecting from the horizontal surfaces and from the building elevations. Notwithstanding the sky glow effect, the lighting design in the existing park complies with the planning permission granted and the legislation prevalent at the time. **Figures 23 – 26** indicate the current situation.



Figure 23: Existing night time view from Willey **Figure 24: Existing night time view from site**



Figure 25: Existing night time view from Ullesthorpe **Figure 26: Existing night time view from Bitteswell**

6.2.30 A visual 'night time' /darkness survey was carried out in the field and this has enabled a baseline assessment of potential visual receptors, to be established, in the following locations, which have been agreed with HDC. Viewpoints have been identified as representative of the surrounding communities of Willey, Ullesthorpe, Woodway Lane and Claybrooke Parva. An assessment of the impact of lighting arising from this development on the village of Bitteswell, was scoped out of the assessment, on the basis that effects on the community of Bitteswell are considered to principally arise from the existing Magna Park which is in an intervening location.

6.2.31 High pressure Sodium (SON-T) lamps at the time of installation had the highest luminous efficacy (most efficient) available, but also a high luminance intensity as all of the light is derived from a single light source (ie the lamp) SON-T lamps also have poor colour rendition and visual acuity when compared to white light source (fluorescent/metal halide/LED). Until very recently High pressure Sodium luminaires were used for external lighting for most industrial buildings around the country

6.2.32 The proposed development would include lighting to illuminate access roads, buildings and service yards. The anticipated residual effects of lighting are assessed in the ES (9.7.56). The proposals include for improved cut off lighting to the main buildings with a white and more natural light (See **Figures 27 and 28**). This should help to make a notable reduction in night time impact compared to the orange glow of parts of the existing Magna Park lighting. While the intensity of lighting on the buildings could therefore be reduced the geographical spread of the effects would increase along the A5 corridor. A number of elements of the lighting design may also result in higher levels of adverse effect including lighting column masts in service areas (as present in the

existing Magna Park) if seen from public/private locations, internal access roads and roundabout lighting on the A5 near White House Farm. The applicant has indicated that there are no proposals for flood lighting the sports pitches associated with the innovation centre.

6.2.33 The intention stated in the ES is for high standards of lighting design to be provided to minimise intrusive light and to be within guideline levels for ecology and visual amenity. Lighting design is recommended to be controlled by planning condition (see **Conditions 15 & 46**) and the scheme incorporate the latest and high standards of lighting design to minimise light pollution.



Figure 27: Example of LED Lighting

6.2.34 Also, incorporated into the design, is the Institute of Lighting Engineers 'Guidance Notes for the reduction of intrusive light, 2005' through a compliant lighting scheme and further measures to reduce spill and sky glow from the existing Magna Park. These measures would be delivered and monitored through implementation of approved drawings, planning conditions and a Landscape and Ecological Management Plan (LEMP).



Figure 28: Examples of LED Lighting

6.2.35 At night, with design and mitigation measures in place, the residual effect during the operation stage is considered to be neutral, on the communities of Willey, Ullesthorpe and Claybrooke Parva, with a neutral to minor adverse effect experienced from some residents on Woodway Lane and a minor adverse effect experienced by the properties and road users on the A5 and on

sections of Mere Lane, where lighting will be introduced at new junctions, which were previously unlit.

6.2.36 Overall, on the basis of the above, and following consultation from TLP and HDC EHO's the night time visual effects of the proposals are considered to be not significant, as the proposed development would avoid being visually intrusive and would not cause an obvious deterioration or improvement of existing views afforded by visual receptors. During construction or immediately following construction, any temporary disruption to views afforded by visual receptors would not outweigh long term mitigation of such views.

○ *Visual Effects*

6.2.37 The LVIA has assessed the effect on views within the area through the use of a number of viewpoints (See **Figure 29**). In terms of visual effects, the ES and ESAs consider there would be significant visual effects during the Construction stage at viewpoint locations: 3(Woodway Lane) 4a_{ii} and 4a_{iv}, 4b_{ii} (south Claybrooke Parva) 4c_{iv} (Bridleway W86 within Site) 5a_{ii} (Ullesthorpe Moat SM) 6a_i, 6a_{iv}, 6b (south of Ullesthorpe), 9a_i, 9b_i and 9b_{ii} (Bridleway W88 within Site) 15 (east Willey Fields Farm) and 16a-d (west A5).

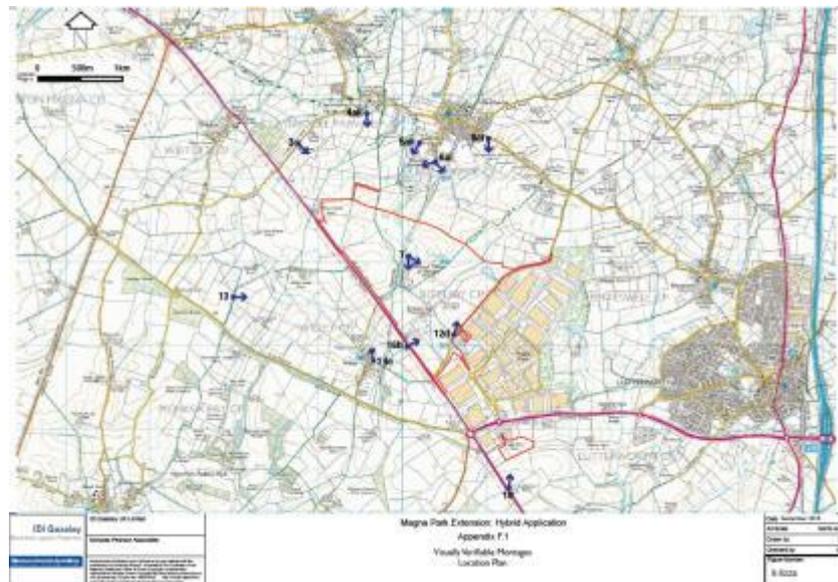


Figure 29: Photo Viewpoint Location Plan

6.2.38 TLP agree with most of the judgements of sensitivity, magnitude and effect in the ES and that all the significant effects would be within c.1km of the Site. A few differences in professional judgement between the ES and TLP including TLP consider there would be relatively higher sensitivity at Viewpoints e.g. 4a_{ii}, 4c and 9a-c. It is important to note that the Construction stage would last for c. 10 years as the scheme is built out. This would result in a progressive and incremental development rather than all development taking place simultaneously. The phased implementation of the planting works as proposed would provide early localised mitigation from some viewpoints and reduced effects of subsequent construction activities.

6.2.39 During the Operations stage The ES and ESA identify significant visual effects in the short-term from Viewpoints 3 (Woodway Lane) (see **Figure 34**), 4b_{ii} (south Claybrooke Parva) 4c_v and 4c_{vi} (Bridleway W86 within Site near A5) 6a_i (see **Figure 30**), 6a_{ii}, 6a_{iii} and 6a_{iv} (right of way south of Ullesthorpe), 9a and 9b_i (Bridleway W88 within Site) and 16a-d (west A5) (see **Figure 33**). However, no significant effects (i.e. above Moderate) are identified in the ES from the medium-term onwards.

6.2.40 In contrast to the ES TLP also identify that significant effects would continue into the medium term (beyond Year 10) at Viewpoints 6a_i, 7 (see **Figure 31**), 9a and 9b_i. It is acknowledged that most of these viewpoints are either within or close to the Site with the most distant being 6a_i at c.

730m south of Ullesthorpe. This also represents a relatively small number of locations, bearing in mind the size and scale of the proposed development, which in part reflects the extent of landscape mitigation proposed (based on the Parameter Plans which sets the extent of the proposed landscaping, including the areas of Country Park and Structural Landscape. The details of these landscape areas would be a requirement of any future reserved matters application). There is also scope to reduce the worst-case visual effects by the use of graduated colour cladding to buildings in future reserved matters applications (as illustrated by the submitted photo realistic montages in the Nov 2016 ESA Update for Viewpoints 5ai (see **Figure 32**), 6ai and 7).



View 6ai – Taken from public footpath W89 south west of Ullesthorpe looking south-west.



View 6ai – Taken from public footpath W89 south west of Ullesthorpe looking south-west.

Figure 30: Existing and Year 10 views from footpath W89 to south west of Ullesthorpe



View 7 – View from a permissive route on the edge of the Bittesby deserted medieval village scheduled monument looking south.



View 7 – View from a permissive route on the edge of the Bittesby deserted medieval village scheduled monument looking south.

Figure 31: Existing and Year 10 views from Bittesby Medieval Village



View 5a1 – View from the edge of the Ullesthorpe Moat scheduled monument looking south-west.



View 5a1 – View from the edge of the Ullesthorpe Moat scheduled monument looking south-west.

Figure 32: Existing and Year 10 views from Ullesthorpe Moat



View 16b – Near view from the end of a public footpath, east of Willey, where it meets the A5, looking east



View 16b – Near view from the end of a public footpath, east of Willey, where it meets the A5, looking east

Figure 33: Existing and Year 10 views from A5



View 3 – Taken from Woodway Lane looking south east towards Magna Park and the edge of Ullesthorpe



View 3 – Taken from Woodway Lane looking south east towards Magna Park and the edge of Ullesthorpe

Figure 34: Existing and Year 10 views from Woodway Lane



View 13 – Middle distance view taken from a public footpath to the west of Willey Fields and Norwood Farm (Also representative of nearby views from Coal Pit Lane)



View 13 – Middle distance view taken from a public footpath to the west of Willey Fields and Norwood Farm (Also representative of nearby views from Coal Pit Lane)

Figure 35: Existing and Year 10 views from Willey Fields

○ *Site optioneering*

6.2.41 As part of the site optioneering, the applicants investigated a range of different balances to the proposed layout. Four of the potential layouts had a landscape influence. These are set out below

Masterplan Concept 2: A Landscape-driven Approach

6.2.42 This concept places landscape, visual impact, social benefits and the protection of the Scheduled Ancient Monument above all of the other considerations. Components of the scheme are accommodated, and the public access, biodiversity and heritage objectives are met very well, and visual intrusion would be minimised. The public park centred on the Scheduled Ancient Monument would present an opportunity to improve access and the public's appreciation while also safeguarding a nationally important heritage asset.

6.2.43 However, the applicants felt that the density of the development would be too low for the scheme to be viable; also the plot sizes would not meet the industry's needs for large units, and the extension's components are too disjointed to deliver the efficiency objectives for occupiers.

Masterplan Concept 3: Balanced heritage-landscape

6.2.44 This concept aims to arrange the components of the scheme to work within the site's constraints, respond to the contours of the site, meet the commercial objectives, respect the Scheduled Ancient Monument, achieve the public access objectives and minimise visual impact. The layout accommodates the scheme's components and works with the landscape to minimise visual impact, creates a new public park around the Scheduled Ancient Monument with the associated public access, and comes close to meeting the commercial objectives for the scheme. The layout also allows for connected ecological corridors. Notwithstanding this, the applicants felt that their commercial objectives would not be fully met by this option. The heart of the Park would be squeezed and disconnected from the public park, reducing the value of both.

Masterplan Concept 4: Balanced landscape, heritage, commercial

6.2.45 This concept shows what the applicants considered to be the best performing option, all matters considered, for siting of the scheme's components, the protection of the designated heritage resource and its setting, the conservation of the landscape and its character, minimising the visual intrusion, achieving the commercial purposes for the site and for efficient internal and beneficial external access arrangements. The layout has full regard to the site's contours and landscape, creates connected ecological corridors, would minimise visual impacts, respects the Scheduled Ancient Monument and puts it at the centre of the extension with the Logistics Institute of Technology and campus and the new Magna Park management centre. The development proposal recognises the archaeological importance of the area to the immediate East of the former railway embankment, and its contribution to the context of the Scheduled Ancient Monument.

6.2.46 In consequence, the applicants commercial aspirations for the site were reassessed and the anticipated total floor area reduced. The internal access arrangements are efficient and would work with the objectives for improving public transport services - and the relationship with the Park's existing infrastructure is strong.

Masterplan Concept 5 - Master Plan

6.2.47 The Illustrative Masterplan for the application proposals progresses the principles set down in concept 4. From an overall site area of some 232 ha in Zone 1, it is now the intent that a maximum of 20% of the site will be given to buildings (the maximum density of the 88 component is 18.4%). The geometry of the existing former railway embankment, in association with the placement of the Logistics Institute of Technology and Innovation Centre facilities at the heart of the proposed development, acts as a central focal point for the overall development. The facilities would therefore be easily accessible for those employed within the existing Magna Park, within the proposed development, visitors and the wider community. The single infrastructure access road helps to achieve a managed connection with the existing Magna Park and is typically located to the South of the B8 units, thus restricting traffic noise generation towards the areas to the North. A conscious decision has been taken by the applicants to ensure that the units adjoining the White House property to the North and the central facilities will not have yards located so as to generate intrusive noise. Typically, car parking and office accommodation will be positioned facing the infrastructure corridor.

6.2.48 Throughout the consideration of the application, the proposal has been further amended to reflect comments from consultees. For instance, as set out at **para 6.1.36** following meetings with Historic England and Leicestershire County Council, Officers requested that the applicants explore the potential to retain Bittesby House as part of the development. The application was subsequently amended to retain Bittesby House and its principal outbuildings by reducing and reconfiguring Parcel I. Furthermore, the application has been further amended to remove the new build provision for a conference centre and management office, but to include the change of use of Bittesby House barns to an exhibition centre. This ensures a viable use for these buildings within the development therefore helping to secure their long-term retention.

- *Cumulative Landscape Effects*

6.2.49 The proposed development lies within the Upper Soar LCA, but the DB Symmetry scheme lies south of the A4304 and therefore within the neighbouring Lutterworth Lowlands LCA. The IDI Gazeley scheme would, therefore, have only an indirect cumulative effect on the Lutterworth Lowlands LCA and vice-versa. The situation of both proposed developments across different LCAs has meant that the applicants have had to consider both LCAs as a single landscape unit for assessment purposes. The cumulative geographic extent of proposed change across this larger, combined area is considered to be 'low'.

6.2.50 The ES and ESAs identify there would be some significant cumulative landscape character effects by extending the existing logistics facilities of Magna Park both to the north-west with the IDI Gazeley Hybrid scheme and to the south with the Symmetry Park application. Together these two developments in addition to other consented schemes in the area would result in a Major adverse significant effect on the composite landscape character area 'Local landscape to the west of Lutterworth as a whole'.

6.2.51 TLP agree with this assessment but furthermore consider that the significant cumulative effects would result not just from the reduction in the gap between Lutterworth and Magna Park but also from the addition of both 15/00919/FUL and Hybrid schemes which would reduce the gap between Magna Park and settlements of Willey, Claybrooke Parva and Ullesthorpe. In addition, they would comprise a considerable expansion of logistics development along the A5 corridor to the north-west of Magna Park.

6.2.52 Cumulative visual effects are focused around sequential impacts as perceived from the local road network including users of the A5, Mere Lane, A4303 and Coventry Road/Brookfield Road. TLP agree that the sensitivity of receptors will be Low to Medium sensitivity. The ESA considers there would be a High magnitude of change during the Construction stage from these various developments, and that this would result in a Moderate to Major adverse significant cumulative effect. During the Operation stage from Year 1 and in the short-term the ESA considers there would be a Very High magnitude of change for journeys including Mere Lane, A5, Coventry Road and Brookfield Way. The latest ESA considers that the effect would be Major adverse up to year 10 at which point it would reduce to Moderate to Major. This would therefore still represent a significant cumulative effect in the longer term despite the progressive establishment of planting associated with each of the various developments.

6.2.53 TLP would agree with the judgements in the latest ESA during both Construction and initial Operation stage but that the cumulative effects would be likely to reduce to non-significant levels in the longer term as the wooded shelter belts along the routes mature.

- *Summary*

6.2.54 Overall there would be a number of significant adverse effects arising from the proposals on both landscape character and visual receptors within an area extending up to approximately 1km from the Site boundary. Bearing in mind the substantive scale of the overall development this significant effect is relatively localised and is likely to be expected in most greenfield locations. The adverse effects would reduce over time with the delivery of a phased landscape planting scheme and the range of proposed green infrastructure enhancements. The proposed development would result in a notably different landscape character and visual context to the Site and locality in the long-term, but one that has some synergies with its context adjacent to Magna Park to the north. The adverse effects on landscape character and visual receptors will need to be balanced against all the benefits of the proposal by the decision makers. However, in landscape and visual terms the scheme as proposed is not considered to be unacceptable. On the basis of this, it is considered that the proposal accords with Policies CS17 c(i) – c(iii), and as such, moderate weight should be given to the local impact of the proposal on the surrounding landscape when assessing the planning balance.

3. Highways

6.3.1 The ES includes a chapter on Transport (**Chapter 5**), which was informed by a Transport Assessment (hereafter referred to as a 'TA') and a Travel Plan (hereafter referred to as 'TP') both undertaken by URS (June 2015). There have been several iterations of both the TA and TP in response to comments provided and subsequent discussions with both Highways England (HE) and the County Highway Authority (hereafter referred to as 'CHA').

○ *Existing Highways Network*

6.3.2 The application site benefits from a central location within the UK and has connections to the motorway network with Junction 20 of the M1, Junction 1 of the M6 and Junction 1 of the M69, reachable in less than 10 minutes. **Figure 36** indicates the relationship of the site with the surrounding highway network.

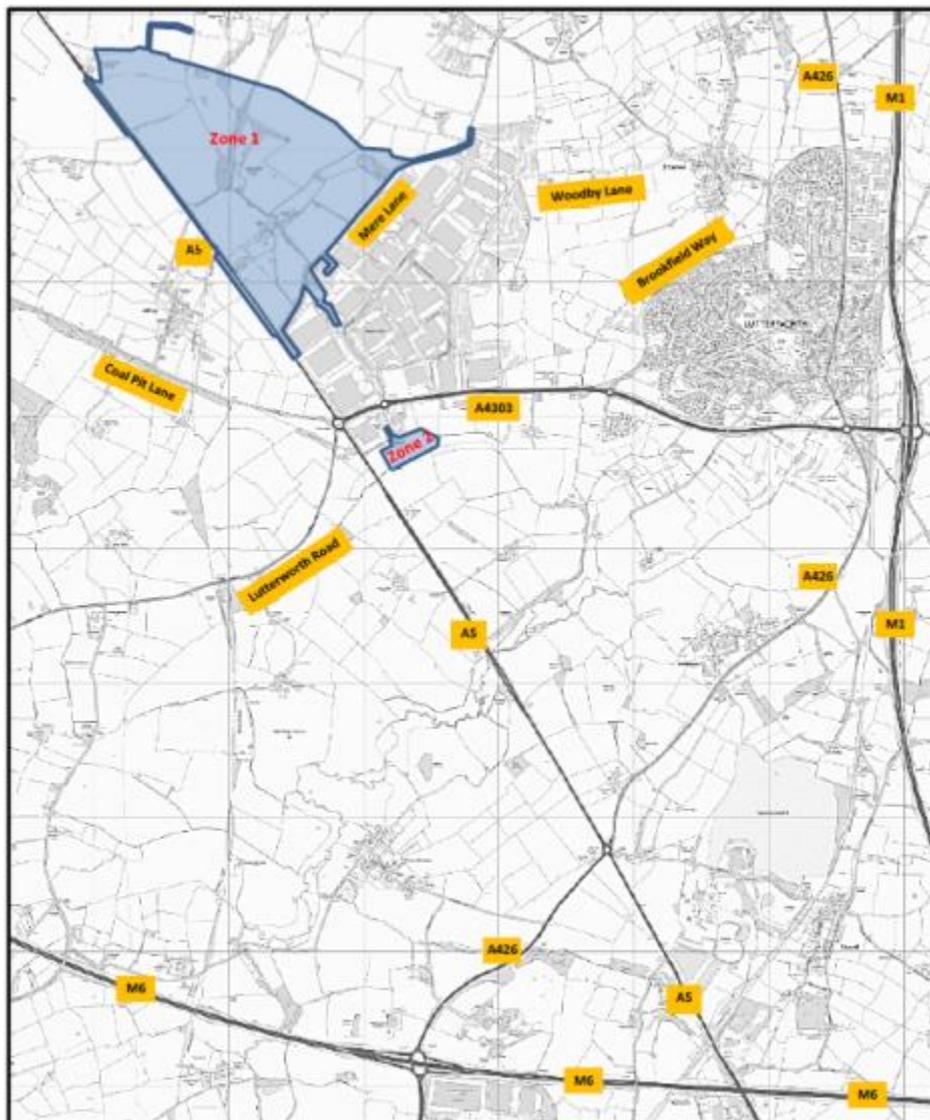


Figure 36: Highway Network context

6.3.3 Zone 1 of the proposed development site lies to the north west of Mere Lane which is a rural road with a carriageway width of approximately 5.5 metres. It is subject to the National Speed Limit and is unlit. It is also subject to a 7.5 tonne weight restriction except for access prohibiting its use as a through route for HGVs.

6.3.4 As set out above, Zone 2 will be accessed via the existing southern arm of the roundabout on the A4303 that serves the main part of Magna Park.

- 6.3.5 At its eastern end Mere Lane forms a crossroads with Lutterworth Road and Ullesthorpe Road. These roads are rural in nature and to the north west, north and south east they provide direct routes to the villages of Ullesthorpe, Ashby Parva and Bitteswell respectively. At its western end Mere Lane forms a ghost island priority junction with the A5(T). The A5 corridor is a key arterial route which supports and provides access to economic activity and growth. The A4303 is a dual carriageway and is subject to the National Speed Limit and provides a link between the M1 and the A5 and also provides a bypass of Lutterworth to the south of the town. At its eastern end it forms a junction with the M1 at Junction 20. To the east of the motorway the road becomes reclassified as the A4304 and continues as a single carriageway to Market Harborough.
- 6.3.6 At the western end of the A4303 is the Cross in Hand roundabout, which is where the A4303 forms a junction with the A5. This roundabout has five arms with the A5 forming the northern and southern arms and the A4303 the eastern arm. Two minor roads, the B4207 and Coal Pit Lane form the other arms at the junction. On the approach to the roundabout, the A5 is a single carriageway although both to the north and to the south of the junction there are sections of dual carriageway.
- 6.3.7 Approximately 4kms to the south of the Cross in Hand roundabout is the Gibbet Hill roundabout. This also has five arms and is at the junction of the A5 and the A426. On the approach to the roundabout both roads are single carriageway. Some 2kms to the south west of the roundabout, the A426 provides a direct link to Junction 1 of the M6 Motorway. This is a large four-arm junction which has traffic signals on the motorway off-slips. The final arm at the Gibbet Hill roundabout is Gibbet Lane, a local route that provides access to Shawell and a large aggregates plant.
- 6.3.8 To the north of the A4303, the A5 is a combination of dual and single carriageway. There are two sections of dual carriageway, one between Emmanuel and Lodge Cottages and White House Farm with a length of 2.1kms and the other between the settlements of Wibtoft and Smockington with a length of 2.6kms.
- *Access proposals*
- 6.3.9 Access is proposed via a new roundabout on Mere Lane that will connect the site to Magna Park to the south and the A5 to the west. The connection to Magna Park is achieved by extending Argosy Way between existing plots 1400 and 1500.
- 6.3.10 Several options were considered for the crossing of Mere Lane and the final design solution has emerged from two public consultation events and three pre application meetings with HDC. An underpass of Mere Lane was considered but discounted on the basis of land take. It would also have provided an intimidating and unattractive route for cyclists and pedestrians and diminished the connection with the existing Park which is a fundamental objective of the proposal.
- i. A bridge over Mere Lane was also considered but again there were issues with land take partly related to the length of the span required to cross Mere Lane and the high pressure gas pipeline that runs parallel to Mere Lane some 25 metres to the north. There would also have been visual impacts associated with a bridge.
 - ii. Uncontrolled crossroads were considered but discounted on safety grounds due to the number of conflicting traffic movements. Traffic signals were discounted because of the inconsistency with the junction strategy on the surrounding highway network. Traffic signals can also be inefficient particularly in rural areas by introducing unnecessary delay even when there are no conflicting traffic movements.
- 6.3.11 The decision to provide a roundabout was based on several factors including safety as all vehicles are required to slow down to negotiate a roundabout. It also provides an at-grade connection to the existing Park with dropped kerbs and tactile paving at the roundabout splitter islands. Roundabouts are also efficient particularly on relatively quiet rural roads as vehicles are not required to stop if there are no conflicting traffic movements. A roundabout is also consistent with the junction strategy on the surrounding highway network.

- 6.3.12 The optioneering concluded with the decision, in response to pre-application advice and to the concerns of the public, both to introduce a new roundabout at the junction of Mere Lane with the A5 and to extend the dualling of the A5 between the Emmanuel and Lodge Cottages to the new roundabout (a distance of about 0.5 km). The new junction provides a safer and more efficient connection with the A5.
- 6.3.13 The change requires the realignment of a short section of Mere Lane - and thus the realignment of the permissive bridleway (Mere Lane has no footway). Two alternative options were considered: the extension of the bridleway to the A5 and across it via a Pegasus crossing; or the provision of a further length of permissive footpath. The former was rejected on safety grounds and the latter taken forward in the scheme proposals. The permissive bridleway is realigned to link with the network further to west of the application site.
- 6.3.14 Access to the application site has been proposed via two alternate routes. A new roundabout is to be constructed on Mere Lane that will connect the site to Magna Park to the south and the A5 to the west. The connection to Magna Park will be achieved by extending Argosy Way between two existing plots. (see **Figure 37**).
- 6.3.15 The section of Mere Lane between the A5 and the new access roundabout is proposed to be realigned and upgraded. It is also proposed that the redundant section of Mere Lane will be stopped up. The proposal is for it to then be reclassified as a public footpath or bridleway providing an informal link to an existing public footpath on the west side of the A5 (see **Figure 37**).
- 6.3.16 The applicants have proposed that, between the A5 and the proposed site access, the existing 7.5 tonne weight restriction on Mere Lane will be removed to allow HGVs to access the 15/00919/FUL building and the existing Magna Park from the A5. It is further proposed that the weight restriction will be relocated to the north east of the new roundabout on Mere Lane to prevent HGVs from using Mere Lane as an alternative route to Lutterworth and the A426. The applicants have proposed a new roundabout is also proposed on the A5 to replace the existing junction at Mere Lane. As part of the scheme the dual carriageway on the A5 will be extended from Emmanuel / Lodge Cottages to the new roundabout over a distance of approximately 500 metres (see **Figure 37**).



Figure 37: Southern Access Arrangements Plan

6.3.17 A separate feature of the access arrangements is a new junction on Mere Lane to the north east of Parcel G (see **Figure 38**). This will provide access to a small visitor's car park (approximately 20 spaces) providing increased public accessibility to the lagoon and the surrounding area. The access to the car park will be gated and controlled by Magna Park security to prevent access during the hours of darkness.



Figure 38: Access to public carpark

6.3.18 A new access is proposed from the realigned section of Mere Lane between the two new roundabouts in order to maintain access to Bittesby House via the existing access track. This replaces the existing access to Bittesby House which is also from Mere Lane and will remove two existing right angle bends at the southern end of the access track. All of the above elements of the proposal have already gained planning approval as part of 15/00919/FUL.

6.3.19 The second point of access is a new roundabout on the A5 approximately 260 metres south of White House Farm (See **Figure 39**).



Figure 39: Northern Access Arrangements Plan

6.3.20 Access to Zone 2 will be taken from the southern arm of the roundabout on the A4303 that serves the main part of Magna Park. The southern arm currently serves two existing plots

occupied by Culina and George, the latter being the clothing division of ASDA. Two further units that are occupied by Notts Sport UK and Semelab and that lie outside the boundary of Magna Park, can also be reached from the southern arm of the roundabout via an access road that passes behind the George office building before running parallel with the A4303. These buildings can also be accessed directly from the A4303 via a left in / left out arrangement just to the east of Shackleton Way.

6.3.21 To reach Zone 2 the existing access road serving Culina and George will be extended through the provision of a southern arm on the existing internal roundabout. A simple junction, approximately 80 metres south of the roundabout, will maintain access to Semelab. The access road continues along the northern and eastern perimeter of the plot until it reaches a gatehouse. The gatehouse will control movements into and out of the rail freight terminal where 134 HGV parking spaces are proposed. A fuel island and vehicle wash will be located in the south east corner of the plot. (See **Figure 40**)



Figure 4:- Zone 2 Access Arrangements Plan

o *Impact on the Strategic Highway Network*

6.3.22 In terms of the strategic road network, the Highway Agency’s main concern in relation to this development is for the safety and operation of the A5 and the impact of the development upon this, including the provision of the new roundabouts along the A5. As a result of concerns re the Mere Lane roundabout and the impact upon the Gibbet Hill roundabout, the Applicant has provided further information to demonstrate that the proposed development, subject to the agreed mitigation, will not have an impact on the operation of the A5. The issues surrounding the Mere Lane roundabout were resolved as part of 15/00919/FUL. The proposed mitigation to the Gibbet Hill roundabout can be seen at **Figure 41**. After extensive dialogue, the Highways Agency has removed its Direction to withhold determining the application and has recommended conditions on any approval.



Figure 41: Proposed mitigation for Gibbet Hill Roundabout

o *Impact on the Local Highway Network*

6.3.23 The CHA have provided a substantive response to this application and a copy of their full comments is attached at **Appendix A** however, a summary of their comments is provided below. The access strategy, in principle, is acceptable.

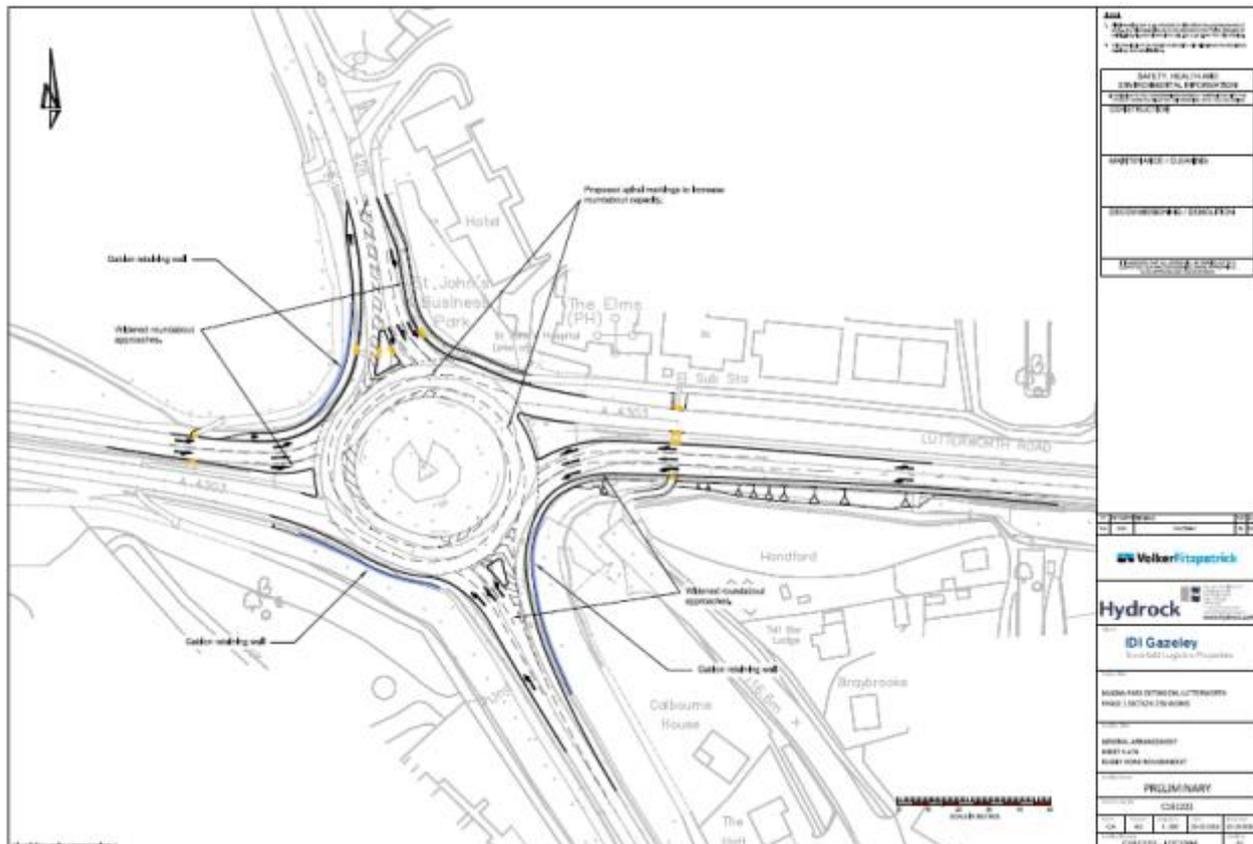


Figure 42: Proposed mitigation for A4303 / A426 Roundabout

6.3.24 Beyond the new Mere Lane roundabout and the northern access roundabout, it is not proposed to offer any of the roads for adoption. Therefore, LCC have not undertaken any checks for suitability of adoption and would seek an agreement that they would be privately maintained in

perpetuity. LCC agree with the TA that the main impact will be at the A4303/A426 roundabout. LCC have confirmed that the submitted mitigation scheme is acceptable (See **Figure 42**). **Condition 22** is recommended to secure the mitigation. Parking provision within the site is considered to be reasonable.

- 6.3.25 LCC have agreed and signed off the proposed Travel Plan. LCC would have liked to see more commitment to this, however, for the scale of the current application, it is considered to be acceptable and LCC are having ongoing discussions with IDI Gazeley to investigate area-wide initiatives.
- 6.3.26 LCC have reviewed the traffic survey information submitted with the application and have not found any evidence of excessive rat-running. This issue is discussed in greater detail in the main comments as it is appreciated by LCC that this is a point of particular interest and concern for local residents.
- 6.3.27 The improvements at the A4303/A5 junction, combined with the new A5/Mere Lane roundabout linking to the existing Magna Park will take pressures off the A4303 and the Cross in Hand junction. Both of these would make the M1-A4303 routes more attractive than they are now, particularly compared to Mere Lane.
- 6.3.28 LCC acknowledges that a routeing agreement was drawn up as part of the obligation for historic applications at Magna Park. The first of these is understood to have been in 1991. Correspondence from members of the public suggest the routeing agreement has not been observed. Since the first of the Magna Park applications, the highway network in the area has changed substantially. The Lutterworth southern bypass was built in 1999, and vast majority of the area (with the exception of the A5, M1, A4303, A426 through Lutterworth) is now covered by a weight restriction. These measures mean that it is now not necessary for traffic to go through Lutterworth and the neighbouring villages. Furthermore, it is not legal for HGVs to use the routes covered by the weight restriction (as enforced by the Police), and a routeing agreement would therefore be a redundant measure.
- 6.3.29 LCC Highways therefore conclude that a request for a routeing agreement would not meet the CIL regulation tests. However, IDI Gazeley have agreed to operate an ANPR system to monitor traffic generated from Magna Park (from an Air Quality perspective) and any such measures which are developer led, implemented and monitored could be useful in supporting the legal measures already on the network and would be encouraged by both LCC and HDC.
- 6.3.30 In summary, subject to the conditions and S106 contributions set out within their response (and which are repeated within **Appendix C**), The CHA are satisfied that the proposals are in accordance with the policies set out in the LTP3, CS, the Framework & PPG and will not have any severe impacts on highway safety or capacity.
- 6.3.31 It should be noted, that alongside Landscape and Noise matters, a significant level of the objections received from the local community, parish councils and Lutterworth Town Council concern the traffic implications of a development of this scale. These concerns are fully appreciated and the CHA have considered all issues and concerns raised.
- *Existing Public Transport facilities*
- 6.3.32 The approval of 15/00919/FUL has safeguarded a bus service at Magna Park for a minimum of five years. As a minimum the service will coincide with the main shift changeovers at 6am, 2pm and 10pm and office hours at 9am and 5pm. It will operate on all days including weekends and Bank Holidays and will serve new stops that will be provided on Argosy Way. In order to maximise potential patronage, the applicants expectation is that the bus service will also serve the existing Magna Park where recently six new or upgraded bus stops have been installed. This service will be operated by Arriva.

6.3.33 It was reported in the Second Supplementary Transport Assessment for the application, dated 04/03/16, that two new bus services were to be introduced at Magna Park. Both are now operational and the early indications are that the X45 operated by Arriva between Leicester and Magna Park is being well used. The Stagecoach service from Rugby was less successful however, it is understood that Arriva have taken over the service and have reviewed the timetable in order to rationalise the service and focus on the busiest times of the day.

6.3.34 In support of the proposed development, further improvements to public transport will be secured. One opportunity is to enhance the existing Route 8 between Hinckley and Lutterworth with the potential of extending it to serve Nuneaton, where based on Census data and on recent surveys undertaken at Magna Park, a significant proportion of the Magna Park workforce resides.

- *Pedestrian and cycle facilities*

6.3.35 The location of the existing Magna Park facility results in a limited potential to attract large numbers of pedestrians or cyclists and it has been reported that, in 2001, only around 1% of Ullesthorpe chose either of these modes to travel to work.

6.3.36 The applicants have identified that the greatest potential for cycling to Magna Park is to encourage trips to and from Lutterworth (see **Figure 43**) and there is an existing segregated shared footway/ cycleway that runs along the north side of the A4303 between Coventry Road and Magna Park. At the access to Magna Park there are uncontrolled crossings together with dropped kerbs and tactile paving on all but the western arm of the roundabout.

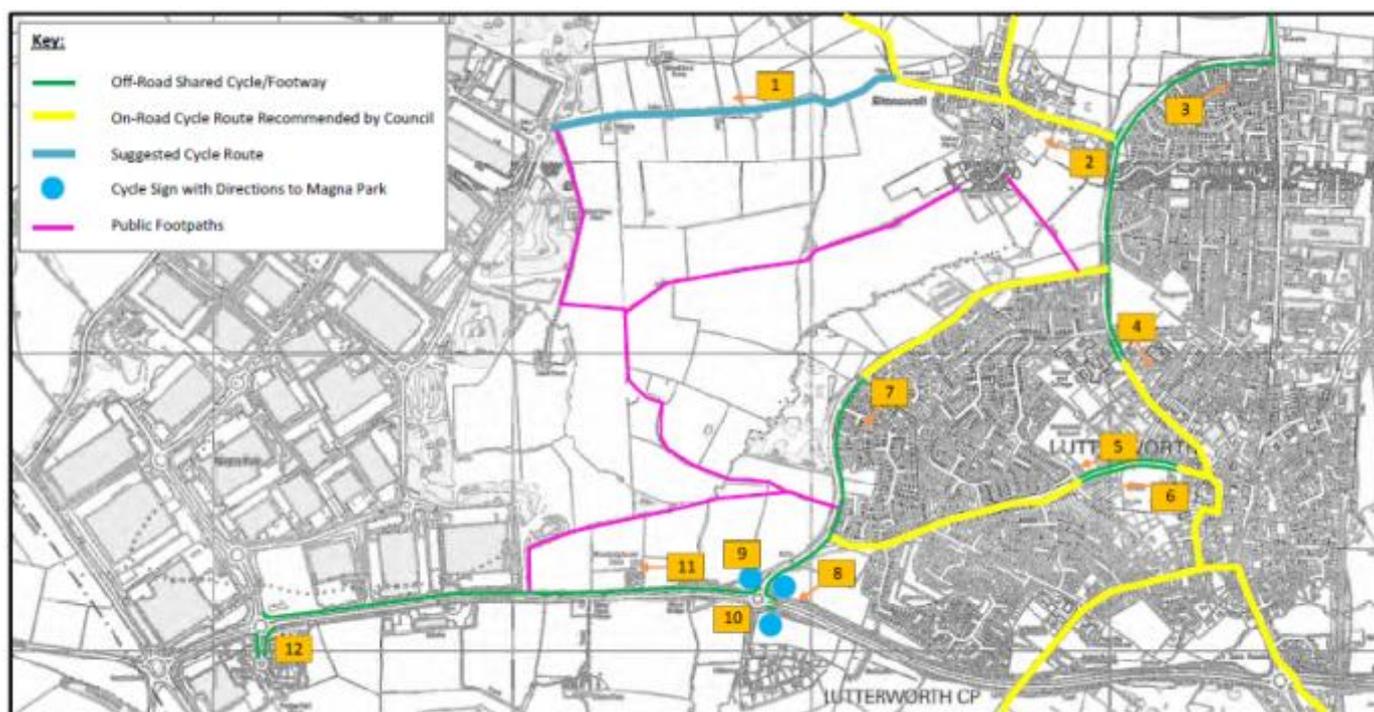


Figure 43: Existing cycle and pedestrian links between Lutterworth and Magna Park

6.3.37 Woodby Lane is a narrow lightly trafficked road that connects the north east corner of Magna Park to Ullesthorpe Road just to the west of Bitteswell. Woodby Lane is not open to through traffic but cyclists and pedestrians can access Magna Park at its western end. Although not lit, it is part of a potential route for these modes particularly during the summer months.

- *Cumulative Highways Effects*

6.3.38 The overall effects on severance³, driver delay, pedestrian delay, pedestrian amenity, fear and intimidation, and accidents/safety with both 15/01531/OUT and 15/00865/OUT are similar to the

³ severance is the perceived division that can occur within a community when it becomes separated by a major traffic artery.

assessment of 15/01531/OUT standalone – that the environmental effects of transport are not significant. This is mainly because there are few sensitive receptors in the study area due to the location of the developments and with 15/00919/FUL already consented, there is already a base level of vehicles / HGVs in the study area at peak times, so any increases both 15/01531/OUT and 15/00865/OUT generate are not significant. Furthermore, the additional evidence submitted in response to the additional consents at Leaders Farm and land at Coventry Road again does not generate an increase in traffic movements that LCC would consider to be severe.

○ *Summary*

6.3.39 The benefits of the increased connectivity of public rights of way is a material consideration in the determination of the application. Whilst it is acknowledged that the proposal will inevitably result in increased traffic flows, subject to the required mitigation, the increased traffic flows would not result in a demonstrably significant impact upon the surrounding highway network. Furthermore, improvements to existing junctions in the area, coupled with improvements to foot and cycleways in the locality will result in a highway gain. It is therefore considered that the proposal is in accordance with Policy CS5 and the Leicestershire Local Transport Plan. It is therefore considered that weight should be given to the highway benefits of the proposal.

4. Socio-Economics

6.4.1 Chapter 5 of the ES looks at the socio-economic factors of the application. The applicants have stated that the application proposals have the potential to lead to very significant economic, social and employment benefits over and above the value locally of the construction and permanent jobs to be created. A baseline study of the local economy identified that HDC functions within the Golden Triangle, with a large proportion of in-commuting from neighbouring districts to take up logistics career opportunities at Magna Park. The HDC population is ageing, with a relatively high proportion of the population entering the age of retirement, which, in turn, generates replacement demand for labour by employers.

○ *Job creation*

6.4.2 The application site is located on the A5, adjoining the established logistics location of Magna Park Lutterworth. It is readily able to access DIRFT, Birch Coppice and Hams Hall for rail services. It provides an ideal location for growth within the South West Leicestershire Growth Area (GA5), suitable for the already established food and drinks industry, as well as the development of the wider region's automotive manufacturing industry.

6.4.3 The supply chain for these industries includes both storage and the manufacturing process. As parts and processes feed into the manufacture of completed products and / or into the supply chain of major retailers, they need 'large shed' sites.

6.4.4 The public perception that employment within the logistics market is concentrated in the lower skilled occupations is considered to be misconceived. The logistics industry provides a wide range of both skilled and unskilled jobs e.g.:

- Senior management
- IT specialists
- Secretaries and import and export purchasing clerks
- Transport and distribution managers
- Warehouse operatives, couriers, postal workers
- HGV and van drivers
- Mechanics, engineers and maintenance staff

6.4.5 According to a report by Skills for Logistics titled 'Sector skills assessments for the freight logistics and wholesale sector' dated December 2009.

'The overall level of employment within the logistics sector is expected to grow due to improving economic growth and globalisation. Furthermore, it is anticipated that the logistics sector will become more international and complex which will require more management skills, while level and regulatory skills will become essential for managers. Administrative staff will need to develop a number of skills that reflect the role is linked to

the operational process. Skills relating to environmental and energy issues will become more important and may include energy efficient driving, dealing with alternative fuels and motor systems, new vehicle designs and reacting to vehicles designs and reacting to vehicles that produce less noise.'

- 6.4.6 The average ratio is one job per 750sq ft. Greater man power is required for handling and dispatching order items to customers, as well as dealing with 'reverse logistics' – the return of goods from customers. In addition the nature of these operations require sophisticated mechanism, including very substantial investment in IT infrastructure. Failure of this infrastructure is 'business critical', and as such there is a further requirement for engineers and IT specialists to be employed at the logistics building on a '24/7' basis.
- 6.4.7 A baseline study of the local economy finds that that Harborough District is a very open labour market (after residents working from home are excluded, only 38% work within the district, with 62% commuting out for work), with a large proportion of in-commuting from neighbouring districts to take up logistics jobs at Magna Park. The District's population is ageing, with a relatively high proportion of the population entering retirement age, generating replacement demand for labour by employers.
- 6.4.8 There are sixteen districts within an approximate 45-minute travel to work catchment for Magna Park. There are 1.39m working age people (16-64) within these catchment districts of whom 1.07m are economically active. There are just over 50,000 people who are currently unemployed with a further 69,000 who are currently economically inactive. In other words there is surplus unused labour of approximately 120,000 within a reasonable travel distance of Magna Park.
- 6.4.9 Logistics is a major sector that is vital to the economic health and employment prospects of the Harborough economy. Given the District's location within the logistics sector's Golden Triangle, its optimality as a location for the sector, the current and projected growth of the logistics sector and the rising skills levels of careers in logistics, there is significant demand for employers for warehousing space and labour at each skill level.
- 6.4.10 Based on the significance criteria in Table 5.4 the net additional jobs represent a 17.7% increase on current employment levels in the district. The net additional jobs for Harborough residents after additionality impacts represent 2.6% of current jobs in Harborough and thus are a major beneficial impact.
- 6.4.11 The proposed development has the potential to provide employment opportunities for wide group of receptors ranging from unemployed people seeking careers in logistics industry at all occupation levels; the existing workforce who may be looking to up-skill and secure higher value logistics jobs; and young people in HDC and the wider area, in particular high academic achievers, who wish to remain within the HDC area when they enter the labour market, and highly skilled logistics employment.
- 6.4.12 This will result in a significant beneficial impact to the labour force and employers in the area, particularly as there is a need to retain logistics workforce driven by rising skills requirements and replacement demand in the sector.
- 6.4.13 There are no means to measure the magnitude of this impact, but there is potential to have a long term beneficial effect on the labour supply. In view of the overall employment generated by the development, the long term labour market impact is considered to be major beneficial.
- 6.4.14 IDI Gazeley have already engaged with the Council over a proposed Construction Job and Business Employment Strategy (CJBES) that will form part of any Section 106 agreement, with the aim of encouraging recruitment of local residents and apprentices. The introduction of the Logistics Institute of Technology has the potential to significantly enhance the labour market and training benefits of the scheme for local residents. The proposed development will have direct, indirect and induced employment effects in HDC, as well as wider economic benefits to the

surrounding area. The proposals have a moderate beneficial effect in terms of amount of development envisaged and the duration of construction. This would result in some temporary construction jobs in the area.

- 6.4.15 It is estimated that 1,634 gross construction jobs could be created over the construction period, although these would be varying by intensities and types of employment. The baseline estimate is that 287 jobs are likely to go to Harborough residents after allowing for displacement, leakage, and multiplier effects and that 924 will go to residents of Leicestershire. After implementation of the CJBES it is hoped that the share of local jobs will rise although any figure attached to this increase would be speculative at this stage.
- 6.4.16 Following completion of all construction activities, a new permanent workforce would be created as a result of the commercial activities at the Site. The impact of this would be felt not just on the site itself, but also in the surrounding area as employment would be created both directly and indirectly, as a result of multiplier effects.
- 6.4.17 The effect on the labour market has been examined by the applicants by reviewing the likely occupational profile of the employment at the site in its operational phase. The National Skills Survey provides a breakdown of jobs in the logistics sectors by occupation as set out in **Figure 44**.
- 6.4.18 To provide an assessment of the labour market impact the applicants have considered the total direct employment of the Logistics and Warehousing employment which is by far the largest component of the operational phase, with 5,342 jobs before leakage, displacement or multiplier effects.
- 6.4.19 The last column in **Figure 44** arrives at the occupation breakdown of these 5,342 jobs based on the National Skills Survey percentages. This results in:
- Some 1,496 jobs in high value occupational groups (i.e. Managers; Professional Occupation; and Associate Professional Occupations)
 - An estimated 855 jobs in mid-level occupational groups (i.e. Administrative and Secretarial and Skilled Occupations);
 - Approximately 481 jobs in lower level service and sales occupations; and
 - Some 2,511 process plant and elementary occupations.

	Percentage of jobs*	Approximate no. of jobs
Managers and Senior Officials	18%	962
Professional Occupations	2%	107
Associate Prof & Tech Occupations	8%	427
Administrative and Secretarial Occupations	13%	694
Skilled Trades Occupations	3%	160
Personal Service Occupations	3%	160
Sales and Customer Services Occupations	6%	321
Process, Plant and Machine Operatives	22%	1,175
Elementary Occupations	25%	1,335
Total	100%	5,342

*Source: National Skills Survey

Figure 44: Potential Occupation Breakdown of Operational phase employment (Source: Table 5.8 of Environmental Statement)

- 6.4.20 The labour market impacts can be assessed by considering the occupation profile of job opportunities created at the operational stage (as estimated in **Figure 45**) against the sought occupations of Job Seekers Allowance (JSA) claimants within the labour market catchment of Magna Park as shown in **Figure 45**. the applicants have used JSA claimants resident within local authority districts within an approximated 45-minute catchment area of Magna Park.

	No. of JSA claimants Jan 2015	No. of JSA claimants Aug 2015	Approximate no. of jobs
Managers and Senior Officials	1,235	1,415	962
Professional Occupations	245	210	107
Associate Prof & Tech Occupations	560	340	427
Administrative and Secretarial Occupations	2,150	1,635	694
Skilled Trades Occupations	880	560	160
Personal Service Occupations	720	500	160
Sales and Customer Services Occupations	9,580	9,630	321
Process, Plant and Machine Operatives	940	620	1,175
Elementary Occupations	6,180	4,460	1,335
Unknown	1,025	920	
Total	23,515	20,290	5,342

*Source: NOMIS

Figure 45: Occupations sought by JSA claimants vs Operational Employment (Source: Table 5.9 of Environmental Statement)

- 6.4.21 **Figure 45** illustrates that within the labour market catchment area there is a potential labour pool of people currently unemployed available to fill the jobs at nearly all occupational levels, with potential for training and upskilling of those normally seeking elementary occupations to higher skilled plant and machine operative level jobs. The actual pool of labour is of course much larger than just the claimant unemployed resource of people that are seeking occupations which correspond to those arising at the operational stage at every skill level.
- 6.4.22 It is also important to consider training opportunities in the context of the variety of employment opportunities at the proposed development. These vary in duration and can increase the diverse range of skills of the baseline population. For instance:
- construction related qualifications gained before starting to work in the construction (e.g. apprenticeships);
 - construction-related qualifications and skills gained while working in construction (formal training, and also more informal supervisory/managerial skills or knowledge acquired); and
 - similarly, within logistics sectors at the site (and opportunities for collaborative approaches for instance between education providers and the retailers operating on the site).
- 6.4.23 The total proposed additional warehouse floorspace is 427,350 sq m. At an average employment density ratio of 80 sq m per worker this would have the potential to generate an additional 5,342 jobs on site at MPL. Assuming existing leakage rates of 82% for Harborough and 42% for Leicestershire then the number of jobs going to people from Harborough would be 962 and for Leicestershire 3,098. The applicants have applied a standard assumption about Displacement of 25% which forecasts that the net additional jobs to residents of Harborough is 721 and for Leicestershire 2,324.
- 6.4.24 Adding a standard multiplier of 1.314 to account for additional jobs created as a result of indirect supply chain effects and induced expenditure effects than the total number of net additional jobs to residents of Harborough is 935 and for Leicestershire 3,021.
- 6.4.25 At an average GVA⁴ per head of £50,000 this would generate net additional workplace GVA of £267m per annum.
- 6.4.26 Logistics development is only one element of the applications proposals. The application also proposes elements such as a Logistics Institute of Technology, an Innovation Centre, a Rail/freight Shuttle Terminal and an element of Small Business Move-on Space. These elements are discussed below.

⁴ GVA is a measure in economics of the value of goods and services produced in an area

○ *Logistics Institute of Technology*

- 6.4.27 The total proposed floorspace for the Logistics Institute of Technology is 3,300 sq m. At an average employment density ratio of 40 sq m per worker this would have the potential to generate an additional 83 jobs on site at Magna Park.
- 6.4.28 The applicants have assumed existing leakage rates of 82% for Harborough and 42% for Leicestershire then the number of jobs going to people from Harborough would be 15 and for Leicestershire 48. The applicants assume that displacement will be very low and apply a rate of 10%. The net additional jobs to residents would be 13 for Harborough and for Leicestershire 43.
- 6.4.29 Adding a standard multiplier of 1.3 to account for additional jobs created as a result of indirect supply chain effects and induced expenditure effects than the total number of net additional jobs for residents of Harborough would be 17 and for Leicestershire 56.
- 6.4.30 At an average GVA per head of £50,000 this would potentially generate net additional workplace GVA of £4.1m per annum.
- 6.4.31 The Logistics report (2013), produced for South East Midlands Local Enterprise Partnership and Skills for Logistics, highlighted the geographical importance of the Magna Park area and the need to attract and develop local and national talent in order to fill the skills gaps and shortages in the logistics sector
- 6.4.32 The founding partners of the Logistics Institute of Technology would potentially be:
- IDI Gazeley
 - North Warwickshire & Hinckley (NWHC) and South Leicestershire Colleges (SLC)
 - Aston University
- 6.4.33 Education and training would be at the heart of the Institute's work to ensure that the logistics sector is provided with high calibre staff at all levels. It is envisaged that the focus of this work will be on:
- (i) developing young people for careers in the sector; and,
 - (ii) redeveloping existing staff to meet the myriad challenges that need to be faced now and into the future.
- In relation to the former, the Institute would play a leading role in transforming the image of the sector to one which emphasises advanced technology, globalisation, environmental protection and relationship management. The latter is vital in addressing legacy skill and knowledge deficits in the sector, which has not traditionally had a strong focus on education and training. One result of this is the existence of a large number of people with empirical knowledge but without formal academic and/or professional qualifications. This has become more critical as the sector has moved rapidly towards a more global and high-tech model with the concomitant high level of knowledge intensity.
- 6.4.34 The essence of this model is about building partnerships between companies and HE/FE providers, as well as professional bodies. Locating the Institute in the middle of Magna Park allows a real centre of excellence to potentially be created. This would not only produce the next generation of staff for the sector, but would also become a focal point for exploitable research that responds to industry needs. Knowledge transfer – including technology transfer – will be an important part of the model.
- 6.4.35 The proposed Logistics Institute of Technology has the potential to cater for up to 400 students in the 16-19 and 19-22 year age range. It is expected to have a faculty of 40. Such a facility will help meet the needs of both the local labour force and also of the logistics industry's requirement for skilled workers. As a recent book on logistics clusters noted,
- “Although warehouse work seems like a low-skill vocation, modern-day logistics companies have little use for untrained labour. Safe and effective use of the automated equipment that handles goods requires professional workers. The increasing use of*

technology to track and manage all movements of goods requires even more skills. ...Logistics clusters need vocational education resources to supply all these workers.”⁵

- 6.4.36 The Centre would provide an educational hub through which a range of bespoke training and qualifications can be delivered at all NQF levels. The activity of the centre would play a role in raising the awareness of young people at School, College and University to the diversity of employment opportunities in the logistics sector and to the vibrancy and potential opportunities that exist for satisfying and well rewarded careers. Success can be measured through the numbers of School, College and University leavers that join the industry and remain within the Logistics sector after three, five and ten years.
- *Rail Freight Shuttle Terminal*
- 6.4.37 The Railfreight Shuttle Terminal has the potential to generate around 12 jobs, consisting of approximately 6 shuttle drivers, 4 terminal staff and 2 traffic clerks.
- 6.4.38 With assumptions about existing patterns of employment as above then 2 of these would go to Harborough residents' and 7 to Leicestershire residents.
- 6.4.39 IDI Gazeley seeks to assist the growth of railfreight wherever it is practical and feasible to do so and a Railfreight Shuttle is consistent with this policy. Magna Park does not – nor, given railway geography, is it ever likely to – enjoy direct rail connection. The Railfreight Shuttle is proposed to address this and to enable existing and future occupiers to benefit from the economic and environmental advantages of rail-based distribution.
- 6.4.40 The Railfreight Shuttle Terminal has the potential to provide a dedicated low- or zero-carbon Shuttle to DIRFT – where 16% of all rail movements already originate at, or are destined for, Magna Park. The recent opening of new facilities at DIRFT mean that capacity is now available for additional volume and DIRFT offers a wide range of daily services to/from the major ports, Europe via the Channel Tunnel and to UK destinations in England, Wales and Scotland. Scope also exists to create a railhead at Rugby to serve Magna Park and IDI Gazeley are exploring this potential.
- 6.4.41 The Railfreight Shuttle has the potential to utilise LPG / CNG or electrically powered vehicles, which consequently would have the potential to largely eliminate carbon emissions from the road leg of the journey. LPG/CNG vehicles are already available to the market and electrically powered HGVs are currently being introduced in Germany for similar short-distance moves, where the range between charging is 100-150 miles. Further evidence of this market shift towards low emission vehicles can be seen via the recent application (15/00767/FUL) by Gasrec for the conversion of the existing fuel facility at Plot 7000 (Asda) to provide a CNG facility.
- 6.4.42 The Terminal has been designed for a capacity for 88 containers and includes the electric charging points and LPG/CNG fuelling facilities shared with the HGV park. The Applicants do not envisaged that significant numbers of refrigerated containers will feature at the site, but provision has been made for electrical plug-in points at the Terminal to obviate the use of on-board refrigeration units whilst such containers are in the Terminal, and the landscape bunding and planting would contain any associated noise from such containers.
- 6.4.43 It is proposed that the Shuttle service would collect containers from the railhead and, if they were required immediately, would deliver them to the warehouse at Magna Park but, if not, the container would be placed in the Railfreight Shuttle Terminal until required. The customer could then call for the container at short notice and not have to wait for it to arrive from the railhead, still less from a distant port, with consequent benefit to warehouse operations. The Terminal will not offer long term storage of containers and it is envisaged that most containers will stand for a matter of hours before moving on to warehouses.

⁵ Logistics Clusters: delivering value and driving growth – Yossi Sheffi (2012)

- 6.4.44 Similarly, empty containers could be placed in the Terminal if a Shuttle lorry was not immediately available. This would allow the Shuttle to run loaded both ways on almost all trips, thereby maximising efficiency. It is envisaged that local movements between the Railfreight Shuttle Terminal and warehouses would be hauled by electrically-powered tugs.
- 6.4.45 The Railfreight Shuttle and the associated Terminal would only be available to Magna Park occupiers. The lower carbon footprint generated by using the Shuttle and associated rail movement, instead of conventional HGV trucking, has the potential to help Magna Park occupiers to win orders they might not otherwise get, by enabling them to demonstrate a green supply chain to potential customers.
- 6.4.46 The Applicants have held discussions with existing Magna Park occupiers regarding the proposed facility and it is reported that they see scope to expand their use of rail based on the Railfreight Shuttle and Terminal. Similarly, initial discussions with prospective occupiers have elicited significant interest in a zero/low carbon linkage to rail services. The Applicants have estimated that converting existing movements between Magna Park and DIRFT to the Shuttle would save around 200,000 miles a year of diesel emissions. Furthermore, assuming the Railfreight Shuttle enabled 50 loads a day to be moved by rail, instead of road, to/from Southampton, Felixstowe and Scotland, over 4 million HGV miles a year would be saved, with consequent reductions in carbon emissions and motorway congestion.
- 6.4.47 When containers are delivered by conventional means from a port or a distant railhead no jobs are generated locally, but the Magna Park Railfreight Shuttle and Terminal would localise around a dozen jobs to Harborough. Shuttle driving, Terminal operation and a one-stop shop booking and monitoring facility for Magna Park occupiers using the service would all have the potential to employ locally-based staff.
- *Innovation Centre*
- 6.4.48 The proposed Magna Park Innovation Centre (MPIC) is a 2,325 sq m office building. At an average employment density ratio of 16 sq m per worker this would generate an additional 145 jobs on site at MPL. The applicants have made a standard assumption about Leakage of 50% for Harborough and 25% for Leicestershire then the number of jobs going to people from Harborough and Leicestershire would be 73 and 109 respectively. It has been assumed that displacement would be very low and apply a rate of 10%. The net additional jobs to residents of Harborough and Leicestershire would be 65 and 98 respectively. Adding a standard multiplier of 1.3 to account for additional jobs created as a result of indirect supply chain effects and induced expenditure effects than the total number of net additional jobs to residents of Harborough and Leicestershire would be 85 and 128 respectively. At an average GVA per head of £40,000 this would potentially generate net additional workplace GVA of £5.8m per annum.
- 6.4.49 The proposed Innovation Centre would be modelled on the Harborough Innovation Centre, which is proposed to provide high quality easy-in, easy-out premises and support services for new and growing small businesses. The target occupiers are new enterprises and small firms providing specialist services and innovative products to the logistics industry particularly, as well as for research-based prototyping and early stage ventures in collaboration with industry partners.
- 6.4.50 MPIC is to be co-located with LIT on Parcel E of the Hybrid application parameter plan with the objective of exploiting the synergies between the two uses. A key objective of LIT is to develop innovations in supply chain management that will have wide commercial application; MPIC provides an opportunity to capture, and develop on site, that potential in new and developing enterprises. A now established body of case study evidence – from science parks and from co-locating small business schemes on university campuses – demonstrates the value of these synergies. More and longer-lived, knowledge-intensive and higher value-added, firms are created, and more and better jobs are created for the wider economy as a consequence.
- 6.4.51 The need for MPIC is under-scored by the strong policy rationale for promoting MPIC as part of the Magna Park cluster:

- HDC's Open for Business Prospectus notes in particular the district's reliance on out-commuting for the relatively high levels of employment in the resident population and the need, to reduce this vulnerability, to create more jobs locally. New small businesses, and improved survival and growth rates for small and medium enterprises (SMEs), are promoted as a major route to achieving that aim. The Prospectus's proposed Action Plan includes two that are targeted specifically at support for SMEs: growth hubs for business support; and access to appropriate business support growth. Harborough Innovation Centre (HIC) is put forward for 'scaling up'. A third – closely related – action is targeted on 'leveraging the opportunities of Magna Park', amongst others to increase supply chain opportunities for local firms.
- The LLEP area lacks 'scale' in knowledge-based businesses and labour market, and key actions for the Strategic Economic Plan (SEP) and European Structural and Investment Fund Strategy are to develop that scale. MPIC is firmly targeted on promoting the value of LIT to SMEs by building innovation collaborations between businesses of different types and across sectors to ensure SMEs can access the university/college expertise, technology and facilities; and by creating new linkages and developing capacity in and across the cluster, promoting value-chains and fostering knowledge transfer networks.
- LLEP's SEP prioritises the delivery of workspace (i.e., easy in, easy out space for new and growing small businesses) as one answer to the infrastructure the LLEP area needs; to undertake viability studies, validate products and services or simply improve and grow their business. The LLEP 2012 Business Survey identified the difficulty that small businesses face in finding the right space to both start and move on from as a major constraint to their growth. For many businesses, cost is a key factor. Generally there is a poor supply of good quality grade A commercial and industrial property across all sectors. However, there is a specific issue concerning opportunities around small and medium sized industrial and commercial units up to 1,000sqm. The SEP states, 'This is an aspect which requires immediate intervention.' 'Intervention' (meaning public sector grant support) is justified because the private market does not supply easy-in, easy-out space. As with LIT, there is a unique opportunity to overcome that obstacle via the extension to Magna Park – and to greater advantage still because of the synergistic – cluster – benefits of colocation with LIT and the concentration, at scale, of blue chip logistics businesses at Magna Park.
- LLEP's Logistics & Distribution Sector Growth Action Plan promotes:
 - collaboration between the public sector, land and property owners to promote the area as a location for logistics and distribution operations. Small businesses that supply the strategic providers must be a key part of that mix for the sector to thrive in LLEP's area (; and
 - improved linkages between large logistics and distribution business and SMEs in the LLEP area.
- Government's emerging Industrial Strategy (2017 green paper) promotes the development of the country's 'world beating' sectors – of which logistics is plainly one as well as an anchor sector in LLEP's sector with substantial growth potential. One the strategy's 'Ten Pillars' is a more innovative economy, with more done to more to commercialise the science base to drive growth across the UK (another of the ten). The strategy says that government – in line with the purposes for and objectives of MPIC:
 - maximise the benefit that 'anchor' businesses can bring to an area by supporting the growth of UK supply chains; and
 - help develop and grow the strengths of clusters, including by supporting the commercialisation of research.

6.4.52 It is anticipated that the MPIC would follow the same model as the Harborough innovation Centre (HIC). The HIC, a general innovation centre, is successful with 70% of its catchment within 10 miles of the facility. The 10 mile radius excludes Lutterworth/Magna Park which are some 12 miles from HIC. A 20 mile catchment, should that prove the case on operation, is broadly coincident with the 45 minute drive time that covers the large majority of Magna Park's travel to work area for its c 9,300 employees. The applicants have stated that MPIC's actual catchment

would be much wider. In either case, MPIC would be very unlikely to dilute demand for HIC (or a scaled up HIC) but would instead add to the district's support facilities for start-ups and growing businesses.

6.4.53 At an average employment density ratio of 16 sq m per worker this would generate an additional 145 jobs on site at MPL. The applicants have made a standard assumption about Leakage of 50% for Harborough and 25% for Leicestershire then the number of jobs going to people from Harborough and Leicestershire would be 73 and 109 respectively. It has been assumed that displacement would be very low and apply a rate of 10%. The net additional jobs to residents of Harborough and Leicestershire would be 65 and 98 respectively. Adding a standard multiplier of 1.3 to account for additional jobs created as a result of indirect supply chain effects and induced expenditure effects than the total number of net additional jobs to residents of Harborough and Leicestershire would be 85 and 128 respectively. At an average GVA per head of £40,000 this would potentially generate net additional workplace GVA of £5.8m per annum.

○ *Holovis Headquarters*

6.4.54 The extension to Magna Park will deliver a new, purpose-built, 7,000 sq m UK headquarters building for Holovis to allow the firm to expand on site on Parcel F. The proposed building is sited to meet Holovis's security needs and will have its own access. Holovis is a knowledge-intensive high technology firm that is world leader in experiential sensory experience design in the entertainment, industrial, retail and retail brand market sectors. Specialising in creating immersive, experiential solutions, Holovis designs, builds, installs and supports the most complex and demanding requirements for which innovative world class immersive experiences are required.

6.4.55 Holovis's existing UK headquarters is based on the application site and is the central hub of the company's global operations where a dedicated Programme Management Office (PMO), drives all projects, and coordinates the work of the Software, Creative and Engineering Teams. A matrix of multi-disciplined Solution Architects runs a very dynamic R&D innovation pipeline to future proof all the designs that are deployed into clients' facilities around the world.

6.4.56 The UK site has extensive and unique demonstration prototyping and testing facilities unequalled by any other company, including virtual reality CAVEs, PowerWalls, 3D Theatres and full scale dome theatres for innovative development and media testing. Holovis is also a partner to LIT, and will be an active supporter of MPIC. In conjunction with Aston University's engineering and logistics faculties, Holovis are already working on service and product innovations, teaching modules, and new supply-chain management techniques for the logistics industry.

6.4.57 Holovis places a high value on the location and the quality of the working conditions it offers for the business and its staff. Holovis currently have currently 100 employees – with a growth target of adding at least 50 employees per year for the next 3 years. To date Holovis have successfully grown from the site's Bittesby Business Barns, but any further growth is constrained because of the current building's configuration limitations.

6.4.58 The total proposed floorspace for Holovis is 7,000 sq m. At an average employment density ratio of 16sqm per worker this would generate 438 jobs on site at MPL. Holovis currently employ approximately 80 people, however, their specific operational requirements dictate a higher than average amount of floorspace per worker. Therefore, whilst the building has the potential to accommodate and generate 438 jobs, it is anticipated that the actual jobs created by this element of the development would be negligible as it provides new accommodation for an existing displaced business from the site and therefore there would be few, if any, new jobs created as a result of this building.

6.4.59 The applicants assumed that 50% of this is net additional which would equate to 219 net additional jobs. It has also been assumed that Magna Park leakage rates are 82% for Harborough and 42% for Leicestershire. The applicants have applied the low displacement at

10% and a standard multiplier of 1.3. The total number of net additional jobs for residents of Harborough would be 46 and for Leicestershire 148.

6.4.60 At an average GVA per head of £50,000 this would potentially generate net additional workplace GVA of £10.9m per annum.

6.4.61 The overall economic impact and combined GVA from the totality of the proposal is summarised at **Figure 46**. The potential overall GVA of the operational development would be in the region of £288m per annum.

Workplace	Jobs	GVA £m
Logistics & Warehousing	5,342	£267.1
Innovation Centre	145	£5.8
Holovis	219	£10.9
Logistics Institute of Technology	83	£4.1
Railfreight Shuttle	12	£0.5
Total Operational	5,800	£288.4
Construction	1,634	£64.6
Total Operational and Construction	7,435	£353.1

Harborough after Additionality and Multipliers	Jobs	GVA £m
Logistics & Warehousing	937	£46.9
Innovation Centre	85	£3.4
Holovis	46	£2.3
Logistics Institute of Technology	17	£0.9
Railfreight Shuttle	2	£0.1
Total Operational	1,088	£53.5
Construction	287	£11.3
Total Operational and Construction	2,463	£118.4

Leicestershire after Additionality and Multipliers	Jobs	GVA £m
Logistics & Warehousing	3,021	£151.0
Innovation Centre	128	£5.1
Holovis	148	£7.4
Logistics Institute of Technology	56	£2.8
Railfreight Shuttle	7	£0.3
Total Operational	3,360	£166.6
Construction	924	£36.5
Total Operational and Construction	7,643	£369.8

Figure 46: Summary of proposed Economic Impacts (Source: Table 5.7 of Environmental Statement)

6.4.62 The number and range of occupations created would, over the longer term, help encourage the District's resident population of highly qualified young people to remain and take up these opportunities rather than commute out of the district for work. This will benefit the district's economy in a number of ways, including through a higher proportion of workers' retained in the district.

6.4.63 The employment opportunities will potentially include temporary jobs, apprenticeships and training opportunities at the construction phase and a new permanent workforce at the operational phase. The variety of occupations broadly matches those sought by the resident labour market.

6.4.64 These occupations created also include highly valued managerial and professional level employment in logistics sectors, enabling HDC attract a highly skilled workforce to the area. In the long-term this will help encourage HDC's resident population of highly qualified young people to remain in the district and take-up such opportunities rather than commuting. This will be

beneficial to the local economy, for instance, through a potentially higher proportion of spending of workers at Magna Park retained in HDC.

○ *Site optioneering*

6.4.65 As part of the site optioneering, the applicants investigated a range of different balances to the proposed layout. Three of the potential layouts had a commercial influence. These are set out below

Masterplan Concept 1: Maximum Development Capacity

6.4.66 Concept 1 explored the site's maximum capacity to accommodate new development. In order to illustrate the implications were the site's landscape features, heritage, ecology and visual impact largely set aside. In consequence, commercial objectives could be achieved, but the site would be "crammed" at the expense of the social and environmental objectives. The scheduled monument was largely ignored, despoiling the monument and its setting. Access onto the A5 from the existing point at Emmanuel Cottages would have a significant impact on the amenity of the houses. The secondary infrastructure road to the North site, implies vehicular movement and consequent noise generation.

6.4.67 The applicants felt that this layout failed to complement the landscape-led approach, it would not be consistent with the Magna Park "brand", and it is doubtful that this approach would attract blue chip occupiers.

Masterplan Concept 4: Balanced landscape, heritage, commercial

6.4.68 This concept shows what the applicants considered to be the best performing option, all matters considered, for siting of the scheme's components, the protection of the designated heritage resource and its setting, the conservation of the landscape and its character, minimising the visual intrusion, achieving the commercial purposes for the site and for efficient internal and beneficial external access arrangements. The layout has full regard to the site's contours and landscape, creates connected ecological corridors, would minimise visual impacts, respects the Scheduled Ancient Monument and puts it at the centre of the extension with the Logistics Institute of Technology and campus and the new Magna Park management centre. The development proposal recognises the archaeological importance of the area to the immediate East of the former railway embankment, and its contribution to the context of the Scheduled Ancient Monument.

6.4.69 In consequence, the applicants commercial aspirations for the site were reassessed and the anticipated total floor area reduced. The internal access arrangements are efficient and would work with the objectives for improving public transport services - and the relationship with the Park's existing infrastructure is strong.

Masterplan Concept 5 - Master Plan

6.4.70 The Illustrative Masterplan for the application proposals progresses the principles set down in concept 4. From an overall site area of some 232 ha in Zone 1, it is now the intent that a maximum of 20% of the site will be given to buildings (the maximum density of the 88 component is 18.4%). The geometry of the existing former railway embankment, in association with the placement of the Logistics Institute of Technology and Innovation Centre facilities at the heart of the proposed development, acts as a central focal point for the overall development. The facilities would therefore be easily accessible for those employed within the existing Magna Park, within the proposed development, visitors and the wider community. The single infrastructure access road helps to achieve a managed connection with the existing Magna Park and is typically located to the South of the B8 units, thus restricting traffic noise generation towards the areas to the North. A conscious decision has been taken by the applicants to ensure that the units adjoining the White House property to the North and the central facilities will not have yards located so as to generate intrusive noise. Typically, car parking and office accommodation will be positioned facing the infrastructure corridor.

6.4.71 Throughout the consideration of the application, the proposal has been further amended to reflect comments from consultees. For instance, as set out at **para 6.1.36** following meetings with Historic England and Leicestershire County Council, Officers requested that the applicants explore the potential to retain Bittesby House as part of the development. The application was subsequently amended to retain Bittesby House and its principal outbuildings by reducing and reconfiguring Parcel I. Furthermore, the application has been further amended to remove the new build provision for a conference centre and management office, but to include the change of use of Bittesby House barns to an exhibition centre. This ensures a viable use for these buildings within the development therefore helping to secure their long-term retention.

○ *Cumulative Socio-Economic Effects*

6.4.72 The EIA Regulations require assessment of the cumulative effects of the proposed development and other major local developments that are in cross proximity to the site. **Figure 47** below sets out the sites that the applicants have assessed and the development quantum associated with each development.

Location	B1a	B1c/B2	B8	A	C1	D	Dwellings
Plot 2110, Magna Park			16,723				
Land north Lutterworth Rd	11,348						
Land north of Bil Crane Way							170
Land north of Bil Crane Way							147
Land East of Leicester Road							84
DIRFT			731,000				
Rugby Radio Station			106,000	15,500	3,500	6,000	6,200
Rugby Gateway			144,000				1,300
Land Bounded Ashby Canal		17,577	47,381				509
Leaders Farm Coventry Rd							130
Cawston Extension Site							
Land off Dunton Road							24
Site at land south of Hallbrook Primary School							111
Sutton Lodge Farm							
Floorspace sqm/dwellings	11,348	17,577	1,045,104	15,500	3,500	6,000	8,675
sq m per worker	12	40	80	18	40	60	
Jobs	946	439	13,064	861	88	100	

Figure 47: Cumulative Floorspace provision

6.4.73 In total, if developed and occupied these developments would contain around 15,500 jobs. Not all these jobs would be in Harborough District and hence comparable calculations of 'local' jobs to those set out above are not possible. But the developments would be competing in the same broad labour market.

6.4.74 In addition the applicants have provided a further sensitivity test for land adjacent to Glebe Farm where there is a proposal for 278,709 sq m of B8 space which if developed and occupied would accommodate 3,484 jobs on the basis of an employment density ratio of 80 sq m per worker.

6.4.75 Cumulatively if all developments went ahead and were occupied there would be an additional 21,298 jobs in the sub-regional economy or 24,782 if land adjacent to Glebe Farm, were included. This should be seen in the context of a projected labour force growth of between 94,000-102,000 over the period 2018-31 in the Magna Park's workforce catchment area.

6.4.76 In terms of the impact of the developments on Housing growth in the area, HDC have separately commissioned GL Hearn to assess the impact of employment growth at Magna Park upon housing need. The findings of this report are set out in **Para's 4.123 – 4.131 of the Overview Report**. In summary, it concludes that 700,000sqm of floorspace with 25% of the workforce being drawn from within the District, can be accommodated with a slight increase in housing need to 557dpa compared to the OAN of 532dpa. It is considered that such an increase can be

accommodated within the 20% flexibility allowance allowed for within the draft Local Plan which sets a target of 640dpa. Furthermore, the report concludes that such growth would result in a 3% increase in housing need for Oadby and Wigston, less than a 1% increase for Hinckley and Bosworth. In terms of Coventry and Warwickshire, there would be no impact on housing need as a result of such a level of development, and Daventry's housing need would increase by 6dpa. None of these impacts on housing need are considered to be significant or demonstrable. There will also be no significant strain on existing healthcare and community facilities.

o *Summary*

- 6.4.77 The proposals will contribute to the objectives of HDC's Open for Business Action Plan (September 2013), including providing local benefits and investing in measures aimed at increasing the integration of the park's businesses with the local economy. Furthermore, the proposals will also contribute to the objectives of the strategic economic plans of the four LEPs within the Magna Park labour market in particular adding to the competitive advantages of the area in the priority logistics sector.
- 6.4.78 The social benefits of the application proposals include the added opportunities to take permanent employment across a spectrum of occupations in a growing sector for which the local area has a strong competitive advantage. Furthermore, the proposal would increase in the amenity open space on the site and the enhancements in the public access to those amenities.
- 6.4.79 A further economic advantage is the fact the logistics sector is also a major provider of apprenticeship opportunities for those aged 16 and above. As at March 2014, the logistics / distribution opportunities registered on the Gov.uk website amounted to 22% of the total apprenticeships available. The opportunities ranged across a wide range of job opportunities within a modern logistics operation.
- 6.4.80 The proposed development responds to the District's demographic and employment challenges. The extension would create operational efficiencies for occupiers; create employment opportunities at each skill level; provide employment opportunities that will attract a diversely skilled and economically active population to the District; and in particular attract highly qualified and younger age cohorts to satisfy replacement labour demand and result in sustainable growth in the sector.
- 6.4.81 Additionally, the increase in business rates for the district (assuming a rates contribution of £50 per square metre), would be in the order of £21m annually, of which HDC would potentially be entitled to keep some 50%⁶.
- 6.4.82 These benefits contribute to the development plan, both in assisting the aim of improving the health of residents of the Lutterworth area (CS paragraph 2.25) and policy CS8 which aims to secure the green infrastructure that is essential to healthy lifestyles.
- 6.4.83 The combination of the proposed uses, together with Magna Park's top end logistics firms, create at scale and on a single site a physical concentration of interconnected (competing, inter-trading and complementary) businesses, suppliers and associated institutions that share common markets, technologies and worker skills, that together add up to the logistics cluster which is one of the Applicant's purposes of extending Magna Park. Clusters help to drive productivity (and therefore competitiveness) through the economic efficiencies that arise for a sector from the geographic concentration of inter-trading, competing and complementary firms: competition and the knowledge (and other) spillovers that drive innovation; shared common infrastructure; shared suitably skilled labour; shared technologies and so on. Spillover benefits (also called 'positive externalities') are the 'free' benefits that third parties or society receive from the actions of others.

⁶ The Government formula for the retention of business rates is complex, but Government's policy since 2013 has been to induce local authorities to support economic growth through this "localism" measure. The present indication is retention locally of about 50% of rates.

6.4.84 It is considered that the application would bring very substantial social benefits during both the construction and operational phase. While it is acknowledged that there will be some degree of disturbance for existing residents during the construction period, it is considered that there are overriding advantages to the social dimension of the planning system in the provision of new job opportunities, particularly in the provision of training within the modern logistics sector.

6.4.85 It is considered that the benefits of the proposal as outlined above are significant and weigh very substantially in favour of the proposal and these must be weighed against the harm of the development in the overall planning balance.

5. Air Quality

6.5.1 The ES includes a Chapter on Air Quality which has been informed by an Air Quality Assessment which established existing air quality conditions at the Site, which were found to be good.

6.5.2 In July 2006, HDC declared an Air Quality Management Area (AQMA) for exceedances of the annual mean nitrogen dioxide objective in Lutterworth town centre (See **Figure 48**). Subsequent Review and Assessment reports confirmed the exceedance of the objective, and that an area to the south of the AQMA was also likely to be exceeding the annual mean objective for nitrogen dioxide. The Further Assessment (HDC, 2012) concluded that the AQMA needed to be extended, and in 2013 an Amendment Order was published. The AQMA currently incorporates the junction of George Street in Lutterworth, going south along Market Street and High street to the junction of Rugby Road, High Street and Stoney Hallow, along Rugby Road to the bridge over the River Swift.



Figure 48: Air Quality Management Area Plan

6.5.3 Data for future traffic levels was used to predict whether increased traffic would give rise to an impact on air quality. It was found that there would be a negligible effect on air quality i.e. any effect would not be detectable.

- 6.5.4 The construction phase would give rise to temporary dust emissions and this could mainly have effects within 50-100 metres of the Site. There are residential properties within this vicinity so mitigation measures would be necessary in order to limit impact. Mitigation measures would include dust control measures such as damping surfaces and screening dust generating activities. This should mitigate the construction impact on air quality to an acceptable level. These mitigation measures can be secured by way of condition requiring the Applicant's to submit a Construction Environmental Management Plan (hereafter referred to as 'CEMP'). See recommended **Conditions 6 & 38**.
- 6.5.5 The operational impacts of increased traffic emissions arising from the additional traffic on local roads, due to the development, have been assessed. Concentrations have been modelled for a number of worst-case receptors, representing existing properties where impacts are expected to be greatest. In the case of nitrogen dioxide, the modelling for the year of 2016 has been carried out assuming both that vehicle emissions decrease (using 'official' emission factors), and that they do not decrease in future years. This is to allow for uncertainty over emission factors for nitrogen oxides
- 6.5.6 There are many components that contribute to the uncertainty in predicted concentrations. The model used in this assessment is dependent upon the traffic data that has been input which will have inherent uncertainties associated with them. There is then additional uncertainty as the model is required to simplify real-world conditions into a series of algorithms.
- 6.5.7 A disparity between the road transport emission projections and measured annual mean concentrations of nitrogen oxides and nitrogen dioxide has recently been identified. Whilst projections suggest that both annual mean nitrogen oxides and nitrogen dioxide concentrations should have fallen by around 15-25% over the past 6 to 8 years, at many monitoring sites levels have remained relatively stable, or have even shown a slight increase. Model uncertainty can be reduced through model verification, in which model outputs are compared with measured concentrations. Because the model has been verified and adjusted against 2014 monitoring data there can be reasonable confidence in the predicted concentrations.
- 6.5.8 The assessment has been carried out for the anticipated opening year of 2019, an interim year of 2022 and completion year of 2025/6, using 2020 emission factors and background concentrations. The assessment has therefore used appropriately conservative assumptions to arrive at the predicted concentrations. The operational impacts arising from the additional traffic on local roads, due to the application scheme, have been assessed. Concentrations have been modelled for 15 worst-case receptors, representing existing properties where impacts are expected to be greatest. In the case of nitrogen dioxide, a sensitivity test has been applied to all scenarios; this is to allow for uncertainty over emission factors for nitrogen oxides identified by Defra.
- 6.5.9 The proposed scheme will increase traffic volumes on local roads. These changes will lead to an increase in concentrations of PM₁₀ and PM_{2.5} at all existing receptors, but all levels are predicted to be well below the objectives, and the impacts will all be *negligible*. In the case of nitrogen dioxide, annual mean concentrations are predicted to be well below the air quality objective, with or without the Proposed Development in all scenarios that have been assessed. Assuming the worst-case sensitivity test, the impacts are predicted to be *negligible* at all receptors in both 2019 (Opening Year) and 2022 (Interim Year). In 2025 (Completion Year) there is a *moderate adverse* impact predicted at one receptor (Watling House) and *slight adverse* impacts predicted at three other receptors adjacent to the A5, based on the worst-case sensitivity test. The timescale for the development has now slipped, and the revised assessments carried out this year indicate that any impact at these receptors will be negligible.
- 6.5.10 HDC's EHO's have advised that all applications if approved should be required to comply with a HGV routing agreement similar to that in place on the existing Magna Park development in order to ensure that impacts on Lutterworth town centre are minimised. The applicants for this application have indicated that they would be in agreement with such an obligation, and this is

included within the draft S016. A requirement for a monitoring and enforcement scheme for the HGV routing agreements to be implemented and funded by the developers should also be agreed, and this will also be included within the S106.

6.5.11 The overall operational air quality effects of the application scheme are judged to be not significant. This conclusion, which takes account of the uncertainties in future projections, in particular for nitrogen dioxide, is based on nitrogen dioxide concentrations being below the annual mean objective in 2019, 2022 and 2025 at all receptors. Whilst *slight to moderate adverse* impacts were initially identified in 2025, these were limited to a small number of locations, and the assessment is founded on conservative assumptions regarding traffic generation, such that all committed schemes are fully operational, and there is an accelerated phasing of the Hybrid scheme. In practice, this is highly unlikely to occur. On the basis that an obligation is secured to restrict and monitor HGV movement through the Lutterworth town centre, it is concluded that there are no air quality constraints to the Hybrid scheme, and that it is consistent with all relevant national and local policies.

- *Cumulative Air Quality Effects*

6.5.12 An additional sensitivity test has been carried out which considers the potential combined effects of the proposed Hybrid scheme and symmetry park, which will generate higher volumes of traffic on the local road network. These changes will lead to an increase in concentrations of PM₁₀ and PM_{2.5} at all existing receptors, but all levels are predicted to be well below the objectives, and the impacts will all be *negligible*. In the case of nitrogen dioxide, annual mean concentrations are predicted to be well below the air quality objective, with or without the Hybrid scheme + Symmetry Park, in all scenarios that have been assessed. In 2019 (Opening Year), *slight adverse* impacts are predicted at a small number of receptors close to the A5, and close to the new access junction to Symmetry Park, on the A4303. In 2025 (Completion Year) there is a *moderate adverse* impact predicted at three receptors adjacent to the A5, and *slight adverse* impacts predicted at four other receptors, based on the worst-case sensitivity test. The overall operational effects of the combined schemes are judged to be not significant, for the reasons identified in Paragraph 6.5.10 above.

- *Summary*

6.5.13 In light of the above, it is considered that subject to the mitigation set out, no significant Air Quality issues will occur as a result of the proposed development, and as such, it is considered that the proposal accords with Policy CS14 and Para 124 of The Framework. As such, it is considered that limited weight should be given to issues related to Air Quality.

6. Noise and Vibration

6.6.1 The ES includes a chapter (Chapter 7) on Noise. A Noise Assessment has been undertaken to survey existing noise levels at the Site and neighbouring, noise sensitive, locations. The Noise Assessment was prepared by Cole Jarman, Consultants in Acoustics. The NA considered the effect of operational activity noise, road traffic noise, and construction noise upon existing residential receivers due to the proposed development.

6.6.2 A noise survey was undertaken to help establish the existing background levels at the nearest noise sensitive locations to the proposed development site. These levels were used to set noise criteria at each of the assessment positions, which were chosen represent these closest noise sensitivities.

6.6.3 Construction noise has the potential to cause an adverse noise impact at existing noise sensitive receptors. Construction noise is also likely to cause a noise impact at completed, occupied phases of the development whilst construction continues elsewhere on site. The level of impact cannot be determined until a construction programme has been finalised which will occur once a contractor has been appointed. At this stage, general requirements and guidance for the control of construction noise and vibration have been outlined.

- 6.6.4 In accordance with modern working practices, the principles of 'best practicable means', as defined in the Control of Pollution Act, 1974, would be used to reduce noise emissions throughout the demolition and construction works to a reasonable and practicable level.
- 6.6.5 Prior to the commencement of construction and demolition works, advice should be sought from HDC's Environmental and Public Protection Team to discuss proposed methods of working and measures to minimise disruption. The control of noise and vibration from demolition and construction would be incorporated into a site-specific Construction Environmental Management Plan (CEMP) and should include and/or specify routine noise and vibration management controls.
- 6.6.6 Construction traffic noise can be assessed by considering the short-term increase in traffic flows during construction works following the principles of the Design Manual for Roads and Bridges (DMRB). Referring to the construction traffic scenario set out in the Transport Assessment, there is a predicted increase in road traffic flows due to construction traffic of approximately 1 – 2 %. Due to the guidance set out in the DMRB this increase in road traffic flow would result in a negligible increase in noise levels during the short term due to construction traffic.
- 6.6.7 The assessments of road traffic noise uses criteria to compare changes between the existing traffic noise levels and the potential future traffic noise levels at nearby noise sensitive receptors. The noise assessment considers the 18 hour Average Annual Weekly Traffic flow (AAWT) information provided by the transport team within Peter Brett Associates as presented in Appendix F to the ES, and will compare the baseline traffic flows against the predicted future traffic flows associated with the development proposals.
- 6.6.8 There will, undoubtedly, be an increase in traffic during the construction phase, however, this is predicted to be at a level which would not be considered to be significant. Construction noise, particularly in the latter phases of development has the potential to cause an adverse noise impact at Bittesby Stables and Orchard Lodge. The precise impact cannot be properly determined until a construction programme has been finalised which will only occur once a contractor has been appointed. However, the noise effects are considered to be capable of satisfactory mitigation. To this end a Construction Environmental Management Plan (CEMP) condition is recommended at **Conditions 6 & 38**.
- 6.6.9 A subsequent assessment was also undertaken of the impact of the operational and associated noise upon the nearest properties. It was established that worst case operational noise from the proposed developments is expected to be Negligible for Zone 1, Minor/Moderate for Zone 2 and therefore Not Significant. In order to achieve this it would be necessary for the to propose acoustic screening to the north west of the Zone 1 site. This can be secured by condition (see **Condition 9**). Changes in road traffic noise due to the development and operation of these units have been found to be Negligible and Not Significant in both the Short Term and Long Term cases.
- 6.6.10 The final layout and orientation of the various buildings/service yards have yet to be determined, however, the submitted Parameters Plan for which consent is being sought, sets out measures which aim to protect the amenity of neighbouring residents. These include yard and HGV exclusion areas on those development Parcels which are closest to residential properties. Mitigation measures have been proposed which can eliminate any residual impacts in relation to industrial/commercial sounds. As set out above, it has been proposed by the applicants that there be an acoustic screen at certain locations within the site, and on the basis of the proposed mitigation measure outlined above being put in place, it is unlikely that a significant residual adverse impact will occur.
- *Cumulative Noise Effects*
- 6.6.11 On the basis of the submitted ES, the cumulative effect of noise from on-site operations and from road traffic changes associated with the development is not expected to change from a worst

case magnitude of Negligible for Zone 1 and Minor/Moderate for Zone 2, and therefore Not Significant in both the Short and Long Term (15 years after opening) scenarios.

6.6.12 The road traffic noise assessment undertaken includes the effect of known committed development in the area. This assessment has shown that the cumulative effect of road traffic changes due to this and the committed developments would result in an impact of Negligible Magnitude and Significance along each road corridor. Other committed developments in the area are located at much greater distances from the receptors than the application site. Therefore there will be no adverse cumulative effects due to noise from operational or construction activities at this and other committed developments cumulatively.

- *Summary*

6.6.13 The scheme is currently in Outline form, and as such, the finer detail of noise impact upon surrounding properties falls to be fully assessed as part of the consideration of any future Reserved Matters application. There is also scope for screening along the noise sensitive boundaries as set out above and **Condition 9** addresses this. Given the distances involved, whilst it is inevitable that any development of the scale proposed would result in an increase in the background noise levels, the living conditions of residents would not be unduly affected by the development. It is therefore considered that the proposal accords with Policy CS11 of the Core Strategy CS11c of the Core Strategy. Accordingly, minimal weight should be given to issues related to noise.

7. Ecology (Flora & Fauna) and Biodiversity

6.7.1 The ES includes a chapter on Ecology (Chapter 12), which has been informed by a detailed Ecological Appraisal. Delta-Simons was commissioned by IDI-Gazeley to undertake an Ecological Assessment of the Proposed Development. Chapter 12 of the Environmental Statement (ES) addresses the potential effects of the Proposed Development on Ecology and Nature Conservation, having due regard to both the physical proposals, recommended mitigation measures and ecological features included within the scheme design proposals.

- *Statutory Designations*

6.7.2 The results of the MAGIC data search and the Leicestershire and Rutland Environmental Records Centre (LRERC) and the Warwickshire Biological Records Centre (WBRC) desk search indicate that there are no statutory designated sites within 3 km of the Site centre of Zone 1 or within 1km of the centre of Zone 2. Due to the nature of the Proposed Development and the distance to the nearest statutory designated site, the authors of the report considered that it was not necessary to assess these any further. LCC Ecology and Natural England do not contest this conclusion.

- *Non-Statutory Designations*

6.7.3 The LRERC data search indicates four Local Wildlife Sites (LWS) are present within 3 km of the centre of the Site, the closest being Old Manor Reedbed LWS situated approximately 800 m to the north of Zone 1. The geographical level of value of this site is considered to be County (Medium value). The records centre also indicated two candidate LWS between 1.5 km and 2 km from the Site and a Potential LWS associated with the hedgerow (row of scattered broadleaved trees) along the southern Site boundary of Zone 2. Numerous Parish, District and County sites have been identified within the search area, including two associated with the stream that bisects Zone 1 and a pond approximately 30 m to the south-east of Zone 1. The geographical level of value of these sites is considered to be Local (Low value).

6.7.4 The WBRC desk search indicates 14 EcoSites are present within 3 km of the centre of the Site, which are sites of nature conservation importance that have either been identified as potential LWS or are currently ungraded. The closest site is the disused railway line to the south of the A5, adjacent to the south-western Site boundary of Zone 1. This is identified as being a valuable linear habitat, supporting a range of plant species which are rare in the county. A good range of mosses, lichens and liverworts have also been recorded. There are records for a range of

invertebrates. Badgers have also been recorded there, and the site is considered suitable for GCNs. The geographical level of value of this site is considered to be Local (Low value).

○ *On site Habitats*

6.7.5 The following habitat/vegetation types were identified within the Proposed Development Site (Zones 1 and 2). Each habitat is discussed in within Chapter 12 of the submitted ES with the key floral species within each habitat and any observation of current faunal use. The location of these habitats is shown in **Figure 49**. The nature conservation value has been included for each habitat type following the habitat description. Without the Proposed Development it is considered that the existing land use and associated management at the Site would continue and the range and status of the habitats would remain largely unchanged:

- broadleaved plantation woodland - Woodlands and copses of these sizes, structure and species composition are widespread throughout the local area and, although this habitat may provide opportunities for faunal species, they are considered to be of Local (low) value, representing a small proportion of suitable habitat within the local area;
- scattered broadleaved trees - Scattered broadleaved trees of the species recorded on-Site are widespread throughout the local area and, although this habitat may provide opportunities for faunal species, they are considered to be of Local (low) value, representing a small proportion of suitable habitat within the local area;
- scattered coniferous trees - A row of semi-mature Leylandii trees were present within the southern extent of Zone 1 along the edge of the A5. Whilst these provide suitable bird nesting habitat, they were not considered suitable to support roosting bats. This habitat is considered to be of Local (low) value;
- marshy grassland - The marshy grassland was considered to support a limited floral diversity and provides limited opportunities for faunal species. This habitat is considered to be of Local (low) value;
- poor semi-improved grassland - This habitat is widespread within the local area. This habitat is considered to be of Local (low) value;
- tall ruderal - This habitat is widespread within the local area and is considered to be of Local (low) value;
- standing water - The ponds and their vegetated banks provide suitable habitat for breeding and wintering wetland bird species, whilst Ponds 1 and 3 support medium-large populations of breeding common toad. This habitat is considered to be of Local (low) value;
- running water - Drainage ditches are widespread across the local agricultural land. This habitat is, therefore, considered to be of Local (low) value;
- Arable - Arable land is widespread within the local area, and is, therefore, considered to be of Local (low) value;
- intact hedgerow - Intact hedgerow is considered to be of Local (low) value for nature conservation;
- defunct hedgerow - This habitat is considered to be of Local (low) value for nature conservation;
- dry ditch - At the time of the Extended Phase 1 Habitat survey, the ditches did not support any water, and did not appear to have supported any recent standing water, since there was no aquatic or emergent vegetation present. This habitat is, therefore, considered to be of Local (low) value;
- dense and scattered scrub - Scrub vegetation is widespread within the local area. The scrub vegetation is considered to provide nesting opportunities for small passerine birds, particularly when left unmanaged. This habitat is considered to be of Local (low) value;
- buildings and structures – There are a number of buildings and structures across the application site, some of which are to be demolished, some are to be retained. The majority of these buildings and structures are considered to have a Local (low) conservation value, however, Bittesby House, some of the buildings associated to Bittesby Farm and Lodge Cottage have a County (medium) conservation value; and
- hard standing - The hard standing habitat is considered to have Negligible Value.

- 6.7.6 The applicants have proposed mitigation measures in order to offset the impact of the construction phase of the development. It is proposed that trees and hedgerows to be retained following the development will receive appropriate protection during the construction phase, including the use of tree root protection zones and barriers in accordance with BS5837:2012 Trees in relation to design, demolition and construction (see **Condition 18 & 49**)
- *Habitats surrounding the Site*
- 6.7.7 The Site is situated within a semi-rural setting, with further arable land, broadleaved plantation woodland and the existing Magna Park surrounding both Zone1 and 2. A total of 29 ponds have been identified on and within 500 m of Zone 1 that have connectivity to the Site for Great Crested Newts (GCNs). Of the off-Site ponds, one was found to be dry, two could not be accessed and one did not support any open water. Therefore, no further assessment was completed of those ponds.
- 6.7.8 Two Ponds were found to support dense populations of fish such that aquatic surveys were deemed unnecessary, whilst all other ponds were surveyed by the ecologists. Of the ponds assessed, 14 were considered to have an 'Average' or above likelihood of supporting GCNs. GCNs were confirmed within 10 of the off-Site ponds, six of which have been confirmed as breeding ponds.
- 6.7.9 Zone 2 did not support any standing water. A total of 5 ponds were identified within 500 m of Zone 2, however, given the dispersal barriers in between the ponds and the Site, there are not considered to be any constraints with regards to GCNs within Zone 2.



Figure 49: Proposed Ecology Strategy

- *Impacts upon and mitigation for Habitats*
- 6.7.10 The terrestrial habitats to be retained at the Site, will receive appropriate management following the development in order to maintain their ecological value (see **Condition ??**). The proposals for the Site include a range of habitat enhancement measures in order to strengthen existing

features (see **Figure 49**) and to increase ecological value and diversity of the Site. Additional SUDs features are proposed for the northern extent of the site. The proposed development also incorporates the replacement of existing woodland and additional native woodland planting across the site, replacement hedgerow planting, and the provision of species-rich wildflower grass within the northern and southern extents of the site and species-rich grassland suitable for wetland conditions to the west. It is anticipated that these habitat enhancements will support a greater diversity of fauna than currently occurs.

6.7.11 Overall, the proposed habitat management, enhancements and habitat creation works are considered to create a significant gain in the biodiversity value of the site, which is considered to be minor beneficial. The permissive bridleway within the site is to be retained following the development, with additional linkage along the former Mere Lane and the provision of a visitor's car park to the western corner of the Site. Whilst increased disturbance may occur as a result of pedestrians and dog walkers, it is anticipated that members of the public will utilise the permissive bridleway and public footpaths rather than more wildlife friendly habitats, such that disturbance will be limited in sensitive areas of habitat.

o *Species*

6.7.12 Species records obtained from the local biological data centres as part of the 2014/15 Extended Phase 1 Habitat Survey, Wintering Birds, Badger Survey and Bat Habitat Assessment to support the Baseline Assessment are summarised within Chapter 12 of the ES together with data gathered from the field surveys.

6.7.13 Overall, the Site provides a limited number of habitat types which offer opportunities for breeding birds. The reed beds associated with Mere Lane Lagoon, hedgerows and trees, in particular, are considered to be the habitats of greatest value on Site for breeding birds. The grassland field margins and arable habitat are considered to offer little value for breeding birds, which was reflected in the lack of registrations here during the breeding season. No significant numbers, or flocks of notable species, were recorded during the surveys and the breeding bird assemblage on Site is recognised as being of no more than Site value. The geographical level of value of this species group is, therefore, considered to be Local (low value).

6.7.14 The LRERC data search revealed that common frog, common toad and smooth newt have been recorded at several locations within the local area, including within a waterbody immediately adjacent to the Site in 2011. LRERC holds numerous records of GCNs from across the Ullesthorpe area, with the closest record approximately 1.8 km from the Site. The WBRC does not hold any records for the area of the County that falls within a 3 km radius of the Site centre. The majority of the Site comprises arable land and managed grassland which are not considered ideal terrestrial habitat to support GCNs. Zone 2 is not considered suitable to support GCNs due to dispersal barriers, including the A5 and A4303, Coventry Road, and flowing water, between off-Site ponds and the Site. However, the network of boundary hedgerows and woodland within Zone 1 may provide opportunities for foraging, sheltering and hibernating GCNs, as well as connectivity between potential off-Site breeding ponds and suitable terrestrial habitats. The geographical level of value of this species is considered to be County (medium value). Common toad are considered to be of Local (low value).

6.7.15 A review of the data search revealed that there are no statutory designated sites for bats within 10 km of the Site. The closest record of roosting bats is of common pipistrelle and an unidentified bat that are 300 m to the north of the Site. Field records have also been recorded of BLE bats, whiskered bat, noctule and Natterer's bat. Within Zone 1 are a large amount of potential roost locations within buildings, trees and the tunnel structures, however, overall roosting on Zone 1 was low, and limited to individual or low numbers of bats of widespread species. Overall bat activity across Zone 1 was recorded to be low. The nocturnal surveys and activity transects revealed intermittent foraging of predominately common pipistrelle bats, with occasional soprano pipistrelle, noctule, BLE bats and *Myotis* sp. Activity was generally associated with the hedgerows and waterbodies throughout the Site. Heightened foraging activity was recorded around the avenue of lime trees up to Bittesby House and also along the Midland Counties

dismantled railway, whilst the dismantled railway was found to be a regularly used commuting corridor. The geographical level of value of this species group is considered to be County (medium value).

- 6.7.16 The LRERC provided five recent (within the last ten years) records of badger setts within 3 km of the centre of Zone 1. The LRBG provided eight recent records of badger activity within 3 km of the centre of Zone 1. A main sett comprising 12 entrance holes has been recorded within 400 m of one of the boundaries of the Site, with an additional six setts recorded within 3 km of the centre of the Site recorded between 2005 and 2015. The heavily used A5 dual carriageway to the west of Zone 1, and MPL to the southeast, are considered to discourage dispersal of this species from beyond these areas onto Zone 1. No evidence was identified within Zone 2 to indicate badgers were using or inhabiting it, however, widespread badger activity was recorded across the Site in 2011 during survey works. It was concluded that there is the potential for this species to venture onto the Site since it is known to occur in the local area. Based on the results of the survey this species is considered to be of Local (low value).
- 6.7.17 Neither records centre holds any records of reptiles for the area within a 3 km radius of the Site centre of Zone 1, nor within a 1 km radius of the centre of Zone 2, which was not considered suitable to support these species. The majority of Zone 1 comprises arable land and managed grassland which are not considered to provide the mosaic of habitats, and shelter suitable to support reptile species. However, Mere Lane Lagoon is surrounded by dense marginal vegetation, grassland, woodland and hedgerow habitat, providing opportunities for reptile species. No evidence of reptiles was recorded around the Lagoon during the reptile survey undertaken in May to July 2015. Based on the results of the survey this species is considered to be of Local (low) value.
- 6.7.18 Neither records centre holds any records of water vole or otter within a 3 km radius of the Zone 1, nor within a 1 km radius of the centre of Zone 2. A total of eight drains were assessed for their suitability to support water vole and otter within Zone 1, as well as a Pond within the north-eastern extent of the Site. All of the drains within Zone 1 were recorded to support a combination of the following characteristics including overshadowing from overhanging trees, scrub and ruderals, low water levels or seasonal drying, a lack of aquatic, marginal and bankside vegetation to provide cover, and a lack of suitable foraging habitat, which made them unsuitable to support water voles. The two ditches situated within Zone 2 were also assessed to be unsuitable to support water vole due to poor water quality, heavy shading and lack of foraging opportunities. Given the likely absence of water vole at the Site, this receptor is not considered further within this assessment. Based on the results of the surveys otter are considered to be of Local (low value).
- 6.7.19 A single brown hare has been recorded at the site as an incidental sighting during the survey period. The arable land at the site and within the immediate surrounding area was considered suitable habitat for brown hare.
- *Impacts upon and mitigation for Species*
- 6.7.20 In light of the anticipated impacts associated with the construction and operational phases of the development, mitigation has been put forward by the applicants to minimise the impacts and level of disturbance relating to the proposed development, such that there are not considered to be any significant residual impacts resulting from the proposals.
- 6.7.21 Due to the fact that the application is currently in Outline form, it is not possible to finalise a mitigation strategy, however, the habitat enhancements included within the proposed landscaping plans for the site include mitigation measures for Great Crested Newts. These include at least one breeding pond to be included within a proposed temporary receptor area to the north of the proposed 15/00919/FUL building in the north-eastern extent of the site, and further wetland areas in the northern and central areas of the site. Ideal terrestrial habitat in addition to the new woodland and hedgerow planting will be incorporated into the development. Furthermore, amphibian tunnels and permanent amphibian fencing have been included within the proposals,

and their locations will be confirmed once the development plans have been finalised. This will be secured by condition (See **Condition 19**). Given the retention of suitable habitat, the potential impact to reptiles during the construction phase is considered to have a minor adverse effect that is, therefore, not significant.

6.7.22 Habitat enhancements have been proposed for bat species at the site, including landscape planting to encourage a range of invertebrate species, which will increase foraging opportunities for bats. Bat boxes will be installed on mature trees along linear foraging and commuting corridors to replace any lost roosting sites as a result of the proposals, and to enhance the site for roosting bats. In addition, two of the tunnels beneath the dismantled railway line will be enhanced for roosting and hibernating bats. This will be secured by condition (See **Condition 19**). Taking into consideration the mitigation proposed at the Site, the potential residual effect is considered to have a minor adverse effect that is, therefore, not significant.

6.7.23 The landscaping proposals will increase foraging, sheltering and nesting opportunities for bird species at the site. It is proposed that a range of bird boxes could be installed on trees to be retained at the site to enhance nesting opportunities for a range of bird species. This will be secured by condition (See **Condition 19**). Berry rich tree, shrub and hedgerow species and the marshy grassland will also improve foraging opportunities for badger, known to be present within the local area, but not inhabiting the site. Given the extent of suitable habitat within the local landscape, the potential impacts to badgers are considered to have a minor adverse effect such that they are not significant.

6.7.24 It is proposed that lighting at the site will be designed to minimise any impact on wildlife habitats through the use of light emitting diodes throughout the scheme to limit light spillage and to ensure lighting is directional. This will be secured by condition (See **Conditions 15 & 46**). Whilst public access will potentially be increased as a result of the proposals through additional footpath provision in the northern and north-eastern areas of the site, it is anticipated that the provision of clearly marked and accessible footpaths coupled with dense hedgerow and shrub planting alongside it will limit trespass and, therefore, disturbance to wildlife. This will be secured by condition (See **Condition 19**).

6.7.25 Overall connectivity for wildlife both within the site and to off-site habitats has the potential to be maintained, and where possible, enhanced through both supplementary planting to hedgerows, and new planting around the perimeter of the distribution warehouse facilities across the site.

6.7.26 Natural England and LCC's Senior Ecologist has fully appraised the submitted statements and reports including the addendum information, and has commented accordingly. LCC have requested that details of the timing of the demolition of existing buildings be provided prior to determination of the application, however, until a consent is in place, the applicants will not in a position to programme the demolition of buildings. On the basis of the evidence submitted, and subject to securing the proposed mitigation outlined in the report, no objections have been received against the proposal on ecology grounds. The proposal is considered to comply with both local and notional policy, and that both Natural England and the County Council's Senior Ecologist have raised no objections to the proposed development on Ecology grounds weighs in favour of the development.

○ *Cumulative Ecology and Biodiversity Effects*

6.7.27 The application site for 15/00865/OUT comprises predominately agricultural land, including arable and improved grassland, of low ecological value. A number of on-site buildings and trees were assessed as having potential support roosting bats, however, no evidence of roosting bats was found at the site, whilst a disused badger sett has also been identified. The Site is situated immediately adjacent to the eastern and southern boundaries of Zone 2 of 15/01531/OUT. The A4303 and the existing Magna Park form a barrier to dispersal to many species of flora and fauna, save for bats, birds and potentially badgers and, therefore, the cumulative impacts upon other species of fauna occurring in Zone 1 and at the 15/00865/OUT site would not need to be considered. However, given that no protected or notable species of flora or fauna were found on

the site, nor within Zone 2, there are not considered to be any cumulative impacts to Ecology and Biodiversity to arise as a result of the cumulative development of 15/00865/OUT and 15/01531/OUT.

o *Summary*

6.7.28 In general terms, following the completion of mitigation proposed which is to be secured by condition, the overall impact of the development upon the ecology of the surrounding area is considered to be minor, and therefore not significant. It is therefore considered that minimal weight should be given to ecology related issues.

8. Drainage and Hydrology

6.8.1 The ES includes a chapter on flood risk and drainage, which has been informed by a detailed Flood Risk Assessment (FRA).

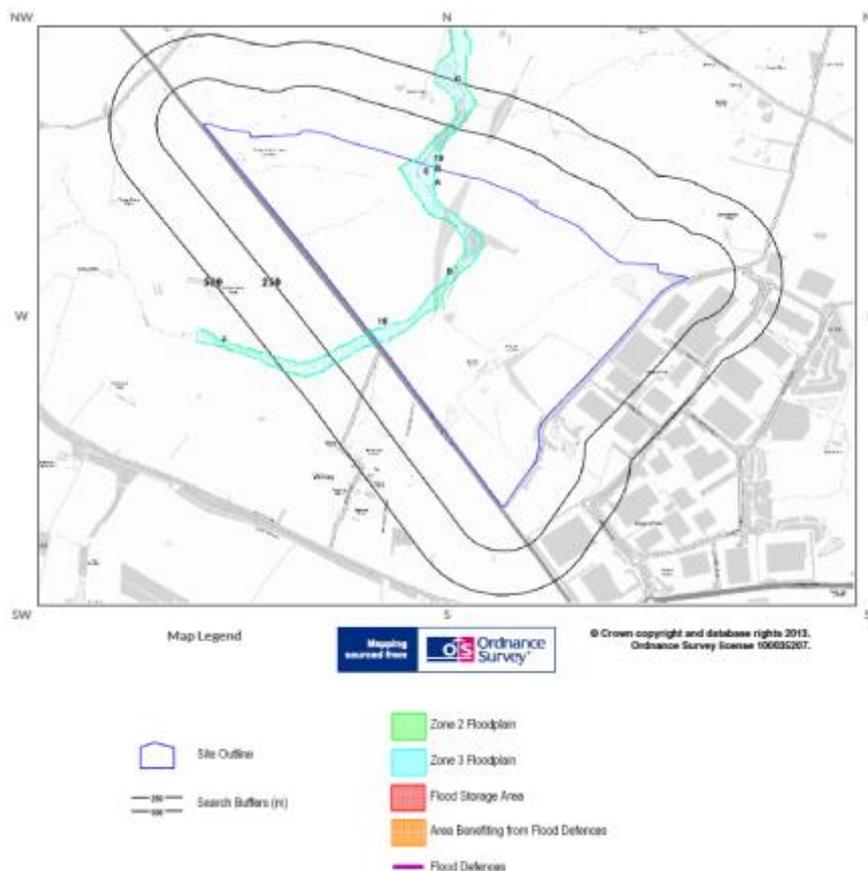


Figure 50: Environment Agency Flood Map for Zone 1

6.8.2 The ES and FRA confirm that the large majority of Zone 1 of the Site and the whole of Zone 2 of the Site falls within Flood Zone 1 (low risk of flooding) as defined by the Environment Agency’s (hereafter referred to as ‘EA’) flood maps. A portion of the Site is classified as Flood Zone 3 (High probability of flooding). The extent of land classed as Flood Zone 3 is shown at **Figure 50**.

6.8.3 Zone 1 includes a number of development parcels, each with varying levels of flood risk vulnerability. Details regarding the flood risk vulnerability classification of these development parcels is set out in **Figure 51**. In Zone 2, a Railfreight shuttle terminal, HGV Parking, HGV Driver Training Centre and LPG or GNP Fuel Island and Vehicle washing facility are proposed. All of these uses are classified as ‘Less Vulnerable.’

6.8.4 Within Zone 1 there are two development Parcels which fall within Flood Zone 3 – Parcel B (The Principal Access Corridor) and Parcel C (The Country Park). Parcel B is classified as Essential Infrastructure within the ES. The Parameter Plan indicates that the Essential Infrastructure is

located within Flood Zone 3, and is shown as requiring construction of a road crossing the Flood Zone 3 extent. Given the flood risk and vulnerability classification of development within Parcel B, development will need to take place ensuring that the essential infrastructure is designed and constructed to remain operational and safe in times of flood. The remaining lands classified as Flood Zone 3 lie within Parcel C. The proposed use for this land is classified as Water-Compatible Development in **Figure 51**.

Development Parcel ¹⁰	Proposed Use ¹¹	Flood Risk Vulnerability Classification ¹²
A1	Structural landscape corridors and open space	Water-Compatible Development
A2	Structural landscape corridors and open space	Water-Compatible Development
A3	Structural landscape corridors and open space	Water-Compatible Development
B	Principal access corridor	Essential Infrastructure
C - The Park	Repositioned public routes / bridleway, watercourses, wetlands, strategic attenuation basins and Medieval Village of Bittesby.	Water-Compatible Development
D - The Meadowland	Existing permissive public bridleway	Water-Compatible Development
E - The 'Heart' Development Zone	D1 Academy + Estate Office	More Vulnerable
F - Small business innovation space	B1 (a) & (b)	Less Vulnerable
G	B8 Storage & Distribution	Less Vulnerable
H	B8 Storage & Distribution	Less Vulnerable
I	B8 Storage & Distribution	Less Vulnerable
J	B8 Storage & Distribution	Less Vulnerable
K	B8 Storage & Distribution	Less Vulnerable
L	B8 Storage & Distribution	Less Vulnerable
M2	Services Farm	Less Vulnerable
M3	Services Farm	Less Vulnerable

Figure 51: Proposed Development Parcels within Zone 1 and associated flood risk vulnerability classification

- 6.8.5 The catchment of the River Soar covers an area of approximately 1,380km², covering much of the county of Leicestershire, together with small areas of south Nottinghamshire and north east Warwickshire. The River Soar is a significant tributary of the River Trent. From its source, south east of Hinckley, the river follows a northerly course towards its confluence with the River Trent near Ratcliffe on Soar, south west of Nottingham. The watercourses that convey surface water flows from Zone 1 of the application site discharge into the River Soar approximately 5.3km north of the site. The Watercourses on Zone 1 can be seen at **Figure 52**. There is an Ordinary Watercourse located along the southern border of Zone 2 of the site that discharges into the River Swift south east of the site.
- 6.8.6 Small unnamed watercourses, tributaries of the River Soar, follow the north western and south western boundaries of the application site and these fall within the site boundary. Within the application site, there is a watercourse which has been culverted under Mere Lane. The watercourse follows a northerly course, and is open channel following the culverted road section. The watercourse is then culverted for approximately 150m and discharges to into another watercourse.
- 6.8.7 At the eastern corner of the application site is the Mere Lane Fisheries Lake which attenuates water draining from the existing Magna Park and feeds a watercourse that runs along a small tributary valley of the River Soar to the northern and western boundary of the site. To the south east of Mere Lane, the site includes the Magna Park water treatment and attenuation pools and another watercourse draining from these pools flows along the south western end of the site.

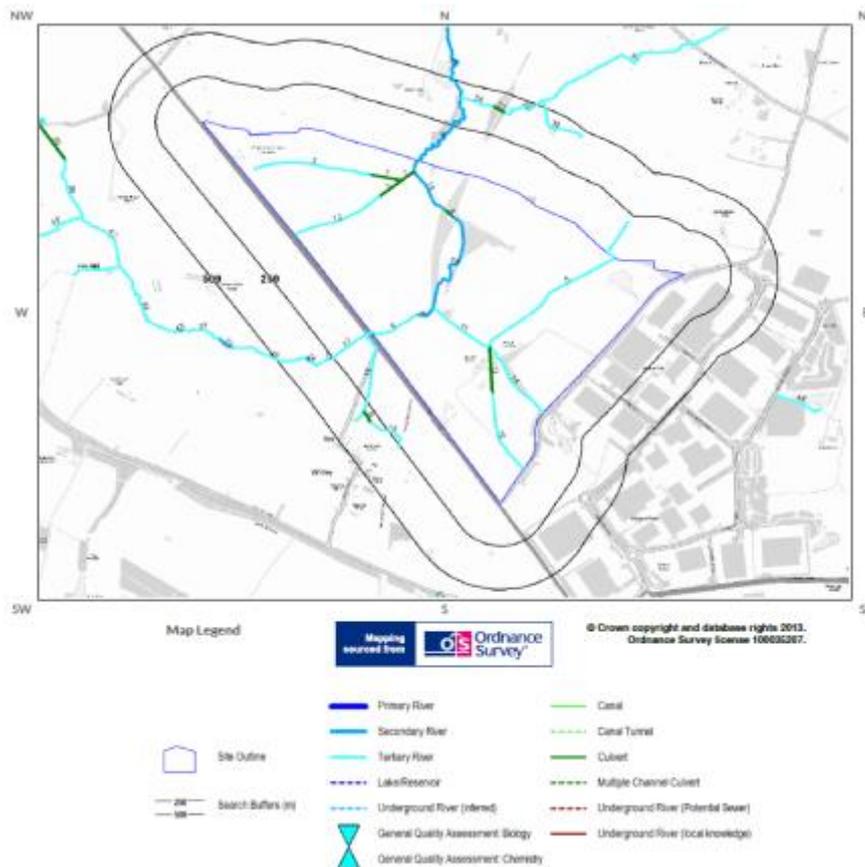


Figure 52: Watercourses plan of Zone 1

6.8.8 The Environment Agency's Risk of Flooding from Surface Water indicates that the site has varying levels of risk from surface water, with areas of low and medium risk generally following the paths of the Ordinary Watercourses on the site. Flooding can also result when sewers, typically combined foul and surface water, are overwhelmed and surcharge water into the nearby environment. The Harborough District Council SFRA Level 1 states:

The majority of sewers built in the last 30 years are built to the guidelines within "Sewers for Adoption" (WRC, 2006). These sewers have a design standard to contain up to and including the 1 in 30 year rainfall event. Therefore the majority of sewer systems will surcharge during rainstorm events with a return period greater than 1 in 30 years (e.g. 100 years). Many sewers are however much older and date back to the Victorian era and are of an unknown capacity and condition.

6.8.9 Groundwater flooding usually occurs following a prolonged period of low intensity rainfall. Harborough District Councils SFRA Level 1 cites the DEFRA Strategy for Flood and Coastal Erosion Risk Management Study (2004), which did not find any recorded instances of groundwater flooding within the development site. The SFRA recommended that the risk of groundwater flooding should be considered as part of site specific FRA.

6.8.10 The Local Flood Risk Management Strategy concluded that the majority of Leicestershire is sited on strata that is at low risk of flooding. As there is potential for springs to be present on the site, the risk of groundwater flooding is considered to be low.

6.8.11 Claybrooke Mill, a Grade 1 listed building, is located approximately 2.5km north west of the application site at Frolesworth Lane, Claybrooke Magna. The Mill is adjacent to the River Soar, which receives flows from the Ordinary Watercourses from Zone 1 of the Proposed Development. A Scheduled Monument (the Medieval Village of Bittesby) is located adjacent to the western bank of Watercourse 1 within Parcel C, land set aside as park / open space. The Village is adjacent to an unnamed Ordinary Watercourse that is downstream of the watercourses which would receive surface water discharges from the application site.

- 6.8.12 Historic England and the property owners have raised the potential impact on the operation of Claybrook Mill as an issue which would fall to be assessed. Water from the site flows indirectly into watercourses which supply the mill run, and the concerns are that a significant reduction in water flow could impact upon the operation of the Mill. The Proposed Development will discharge surface water into Ordinary Watercourses both upstream and downstream of the Medieval Village of Bittesby (a Scheduled Monument) and upstream of the Claybrooke Mill (a Grade I Listed Building).
- 6.8.13 The Leicestershire LLFA have assessed the potential for such an impact, and, in relation to this proposal, are content that the flow rates predicted as a result of the proposed SUDS facility are not significantly different to the existing flows rates, and as such, the LLFA do not consider there to be any threat to the operation of Claybrooke Mill.
- 6.8.14 Further to the issues outlined above, an assessment of operational effects from the Proposed Development identified potential Significant effects to Water Quality, Conveyance of flow and materials (surface water) and Recreation, Amenity and Heritage arising from the operation of the Proposed Development (where no mitigation measures were implemented). Following the implementation of mitigation measures, all effects were considered Not Significant. Mitigation measures specified include, but are not limited to:
- Storage of hydrocarbons and chemicals away from surface water sources in appropriately designated locations and with strict procedures to manage the operation of such facilities;
 - Surface water runoff from the property not to exceed the Greenfield runoff rate, and to maximize the use of SuDS to the greatest extent feasible; and
 - Redirected ditches and the new culvert should be designed for hydrological conditions during the detailed design phase; to ensure the existing flow regime will be maintained with only a minor loss of vegetation at the culvert locations.
- 6.8.15 The significant residual effect of the Proposed Development during construction and operation arises from the risk to water quality in the ditches and watercourses from (severe) spillages and the risk of flooding, particularly in the land classified as Flood Zone 3. There is little opportunity to implement further mitigation measures (to those outlined above) to reduce the effects of accidental spillages other than undertaking risk and site specific emergency planning such that the effects of major spillages can be managed with as little impact on the water environment. The likelihood of such a severe spillage is low. A Flood Evacuation Plan should be developed to mitigate the risk of flooding to site users in during a flood event.
- 6.8.16 The LLFA are satisfied with the FRA and Drainage Strategy and Flood Modelling Report and have no objections to the proposed development subject to suitably worded conditions relating to surface water and Flood Evacuation. (See recommended **Conditions 27, 28, 32-34 and 53-56**)
- *Cumulative Drainage and Hydrology Effects*
- 6.8.17 A number of other developments have been proposed in the area surrounding the proposed development. Other developments could potentially have an adverse impact on flood risk, potentially increasing flood risk on the Proposed Development site, or to properties downstream of the proposed development.
- 6.8.18 The proposed development, along with other developments have been identified as a potential concern by the owner of the Claybrooke Mill. Other development includes the Land at Glebe Farm, Coventry Road, Lutterworth. The outline application for this site includes the erection of up to 278,709m² of Storage, Distribution buildings (B8) with ancillary B1(a) offices. The area surrounding the Glebe Farm drains into a series of Ordinary Watercourses, which discharge into the River Swift and as such will not impact upon Claybrooke Mill.
- 6.8.19 As the Proposed Development is located in an upstream part of the River Soar catchment this minimises the potential of it being affected from Other Developments within the catchment. As

such, the increase in flood risk to the Proposed Development from Other Developments in the surrounding region is considered negligible. Furthermore, other development in the area will be required to meet existing surface water run off areas and as such, there should be no cumulative increase in flow rate as a result of the development and those others in the surrounding area. It is therefore considered that there will be no cumulative impact upon Claybrooke Mill.

6.8.20 The development of a surface water management scheme that restricts runoff to the Greenfield runoff rate shall ensure that there is no increase in flood risk on site or to those downstream. SuDS practices should be implemented to the greatest extent possible (depending upon appropriate site soil and geology) to maximize infiltration rates and associated contributions to baseflow.

- *Foul Water Drainage*

6.8.21 In terms of foul sewerage arrangements, the application proposes the expansion of the existing Magna Park services farm to accommodate the foul water needs of the application development. The central services farm treats the foul water in an environmentally sensitive way via bio-discs and reed beds. Magna Park Management will be working equally closely with the newly established (April 2015) Lead Local Flood Authority. A condition is recommended to ensure the submission of details relating to the systems to be installed. (See **Condition 17 & 48**)

- *Summary*

6.8.22 The proposed development is considered to accord with Section 10 of the Framework and Policy CS10 of the CS. It is therefore considered that limited weight should be given to drainage and hydrology related issues.

9. Residential Amenity

6.9.1 Core Principle 4 of the Framework seeks to ensure a good standard of amenity for all existing and future occupants of land and buildings and this is also reflected in CS Policy CS11.

6.9.2 Notwithstanding the exact locations and external appearances of the buildings within Zone 1 of the proposed development is a Reserved Matter, from the information provided it is possible to provide general observations on whether or not the amenity of existing residential areas/properties located adjacent to or within close proximity will be affected. The properties mainly affected by the proposals within Zone 1 are as follows:

- 1 and 2 Bittesby Cottages (to be demolished)
- 1 & 2 Lodge Cottages and 1 & 2 Emmanuel Cottages (to be demolished)
- Bittesby Stables and Orchard Lodge
- Springfields Farm
- Mere Farm Travellers site

6.9.3 The proposed development within Zone 2 of the application site is a detailed submission, and therefore it is possible to fully assess the impact of the development proposal upon those properties which are closely related to Zone 2:

- Cross in Hands Farm
- Moorbarns Bungalow and Liberties Hotel
- Moorbarns Farm

6.9.4 The impacts of the proposals on the above properties which are not to be demolished are assessed in detail below.

- 'Bittesby Stables' and 'Orchard Lodge'

6.9.5 Bittesby Stables and Orchard Lodge lie 40m and 55m respectively from the closest part of the north western corner of Zone 1 of the application site (see **Figure 53 and 54**) and are the closest affected properties to the application site which are to be retained. The site consists of four residential units, two of which abut the southern boundary, the remaining two being on the northern edge of the site with northern aspects to the properties. Both of the properties on the

southern boundary have their main aspect towards the application site. Orchard Lodge has substantial planting along the boundary which largely obscures views towards the site. Bittesby Stables is a recently completed conversion project which has been designed so as to take advantage of views to the south and east (See **Figure 55**) through the gaps and low points in the existing boundary treatment.



Figure 53: Aerial photo showing Bittesby Stables (prior to conversion) and Orchard Lodge in relation to Zone 1 of the application site

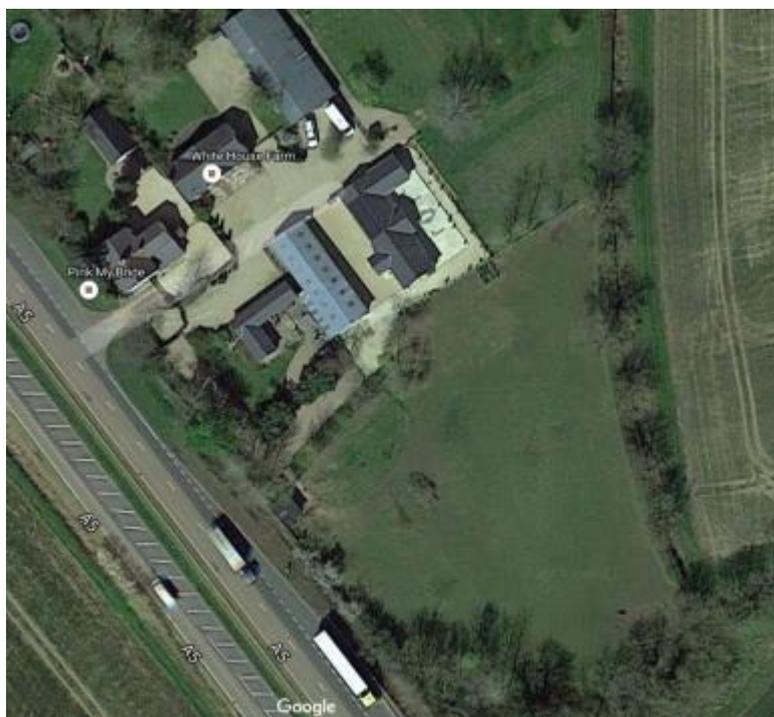


Figure 54: Aerial photo showing current form of Bittesby Stables (Source: Google Maps)

6.9.6 As can be seen from **Figure 55**, the existing park can be seen from the patio of Bittesby Stables across the valley and on the horizon in the distance. **Figure 56** shows the approved internal

layout of the property, and whilst this has since altered (the approved “sitting room” is now the “kitchen / diner”, “Bedroom one” is now the “sitting room” and the “kitchen / diner” is now “Bedroom one” – a process for which no further consent was required), it is clear that the property has been designed to take advantage of the views available and that the view in **Figure 55** is representative of those from the main living areas of the property.

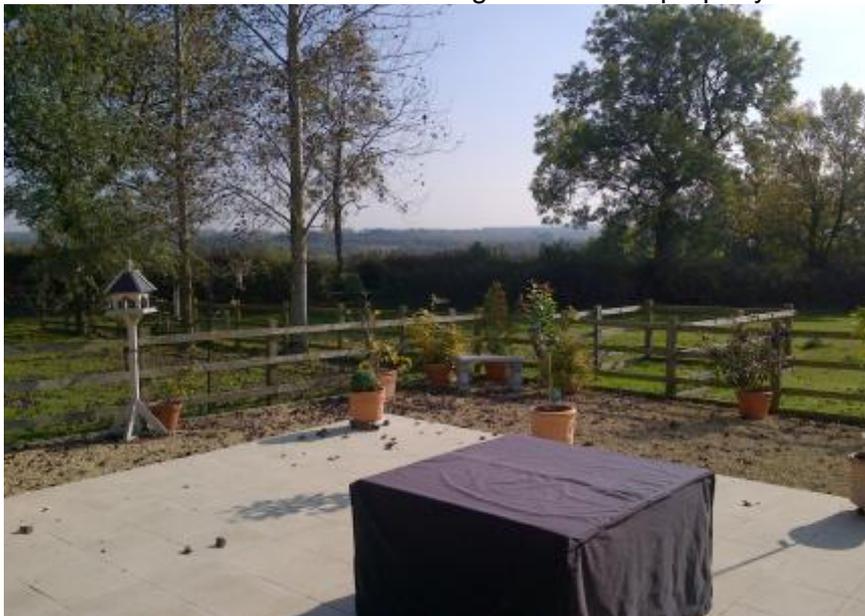


Figure 55: View towards Zone 1 of site from Bittesby Stables

6.9.7 The proposed development will be clearly visible from Bittesby Stables. **Figure 57** is an extract from the submitted Masterplan which indicates how Parcel L of the proposed development could be built out. This has been developed from the submitted Parameters Plan (for which consent is being considered), and as such, is a good indication of the worst case scenario of the relationship between the existing dwellings and the proposed development. Orchard Lodge (which directly faces Parcel L) is approximately 130m from the car parking area, and approximately 145m from the closest point of the building as illustrated on the Masterplan. Bittesby Lodge, is predominantly orientated towards Parcel A2 of the development which is proposed as a wild flower meadow, however, kitchen / diner and bedroom 1 both have windows facing Parcel L, albeit that the kitchen / diner window facing Parcel L could be considered to be the secondary window within the room. Furthermore, the main patio and principal amenity area of the property is located so as to take advantage of the currently open nature to the south. The patio and secondary kitchen / diner window are approximately 120m from the closest point of the building as illustrated on the Masterplan, whilst the principal bedroom window is approximately 130m from the closest point of the building as illustrated on the Masterplan. As can be seen from **Figures 53 – 55**, the existing hedgerow alongside Bittesby Stables has been removed, however, a relatively strong boundary remains along the application site boundary. The hedgerow to the boundary of Orchard Lodge remains in place. Furthermore, the submitted Masterplan indicates further landscaping within the application site in the area between the site boundary and Parcel L as well as within the Parcel itself this commitment is backed up by the Environmental Statement, within which the Applicants have committed to plant this landscaping area as one of the early phases of development, ensuring that the new landscape feature has approximately 5 years of growth before development reaches this area. Details of this landscaping can be secured by condition.

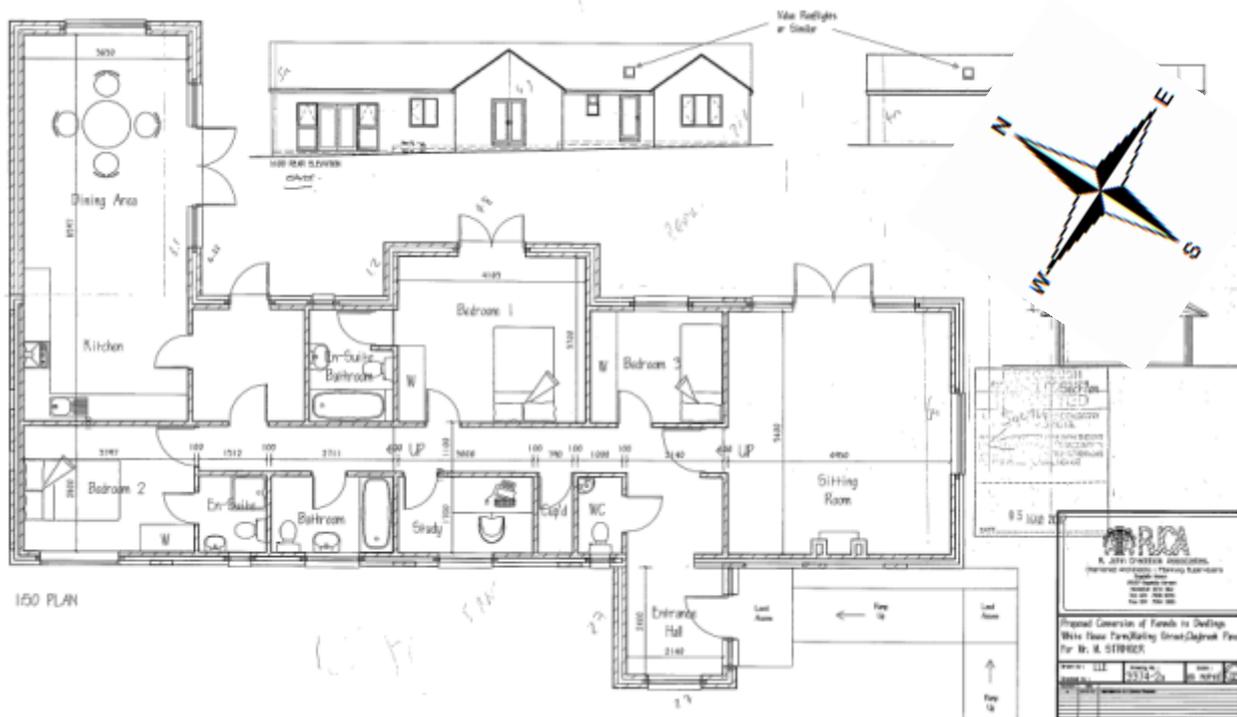


Figure 56: Approved floorplans of Bittesby Stables



Figure 57: Extract from Masterplan indicating potential relationship between Bittesby Stables / Orchard Lodge and the proposed development

6.9.8 The residents currently experience skyglow from the existing park. However as described in more detail in **Para's 6.2.27 to 6.2.36**, the proposal includes modern standard low glare LED directional lighting to reduce the impact of the proposal. As such, it is considered that, due to constraints upon Parcel L (which have been proposed by the applicant) there will be no regularly

circulating traffic to the north western side of any building; any yards will be on the south eastern side; and the car park on the south west side. Furthermore, subject to the submission of a detailed lighting scheme which could be secured by way of condition (see **Conditions 15 & 46**), the effect of lighting on the properties would not be significantly harmful.

- 6.9.9 It is not disputed that the proposed building will be visible from these four properties, highly so from Orchard Lodge and Bittesby Stables, however, due to the distances between the proposed building and the properties in question, as well as the intervening screening, it is not considered that development of Parcel L in line with the established Parameters would result in a structure that would have a demonstrable overbearing impact or result in a loss of privacy to the residents of these properties. Furthermore, the direct effects of light can also be controlled, and the impact of skyglow has been assessed above and earlier in the report (**Para's 6.2.27 to 6.2.36**). The impact of noise and vibration upon the area, and therefore the adjacent properties will be assessed in the next **Section 6.6** of the report.
- 'Springfields Farm'
- 6.9.10 Springfields Farm lies approximately 750m to the east of the main element of Zone 1 of the application site. The property itself is on an approximate east – west axis and as such will have only oblique views of the nearest proposed building with views also being partially obscured by the existing barn at the farm (see **Figures 58 and 60**).
- 6.9.11 The property is a chalet style bungalow with accommodation within the roofspace (see **Figure 59**). There are existing sections of Magna Park which are closer to the farm than the proposal (approx. 250m and 350m from the farm house to the two closest warehouses).



Figure 58: Aerial photo showing Springfields Farm in relation to Zone 1 of the application site

- 6.9.12 Additionally as can be seen from **Figure 60**, the corner of the existing building closest to the pond can just be seen through a low section on the hedge / tree line. The closest proposed development parcel is Parcel G which is the site of the recently approved 15/00919/FUL development. With Parcels C and D being non-development parcels, the closest development Parcel for which consent is not in place, or which is not obscured by previously consented development would be Parcel J, which is located on the opposite side of the disused railway line embankment.
- 6.9.13 Any proposed building within Parcel G will be further from Springfields Farm and to the right of the existing building in this viewpoint. Furthermore, Parcel J is approximately 1.7km from the front elevation of the property. On the basis of this, it is not considered that the proposal would have an adverse impact upon the residential amenity of Springfields Farm in terms of any buildings being overbearing or resulting in a loss of privacy.



Figure 59: Photo showing front elevation of Springfields Farm



Figure 60: Photo showing view from front of Springfields Farm towards existing Magna Park development

6.9.14 The proposed development will be clearly visible from the front windows and front garden of Springfields Farm, however, given the distance between the property and the proposed development, it is not considered that the proposal would have an oppressive impact upon the residential amenity of the property. Furthermore, whilst skyglow from the existing park is an issue experienced by the residents of the property, as described in more detail in **Para's 6.2.27 to 6.2.36**, the proposal includes modern standard low glare LED directional lighting to reduce the impact of the proposal, and it is considered that, subject to the submission of a detailed lighting scheme which could be secured by way of condition (see **Conditions 15 & 46**), the effect of lighting on the property would not be significantly harmful.

- 'Mere Farm' Travellers site

6.9.15 Mere Farm travellers site lies approximately 750m to the north east of Zone 1 of the application site (see **Figure 61**). Contrary to the common misconception that travellers sites are

predominantly empty for large parts of the year, there are a number of residents on the site who reside there for a large proportion of the year, particularly those with children who attend the local schools. Furthermore, although many of the residents of the site do travel for work during the summer months, they still retain a permanent presence at Mere Farm. It is considered that yards within the site should be afforded the same protection as a dwelling occupied by a member of the settled community.



Figure 61: Aerial photo showing Mere Farm in relation to Zone 1 of the application site

6.9.16 **Figure 62** shows a viewpoint from within the Mere Farm travellers site. On the left hand image the corner of the existing building closest to the pond can just be seen on the horizon (see red arrow). The proposed development will be slightly further away from the viewpoint than the existing building and glimpses of it may be visible through the existing boundary treatment. Given the distance from the site to the proposed building, it is not considered that the proposal would have any demonstrable detrimental impact upon the residential amenity of the residents of Mere Farm.



Figure 62: Views towards Zone 1 of site from Mere Farm

- 'Moorbarns Bungalow'

6.9.17 Moorbarns Bungalow is located to the south of Zone 2 of the application site. The bungalow is situated approximately 330m from the perimeter of Zone 2. **Figure 63** shows the relationship of the properties with the application site. Concerns regarding the proposal have not been raised by the residents of Moorbarns Bungalow, however, it does not therefore fall that there will be no impact upon the residential amenity of this property.



Figure 63: Aerial photo showing Moorbarn Bungalow and Liberties Hotel in relation to Zone 2 of the application site

6.9.18 As set out above, there have been no concerns raised by the residential occupiers of Moorbarns Bungalow, however, it is considered that the potential for the development to have an impact upon the residential amenity of the property still has to be assessed. The proposals for Zone 2 (See **Figure 64**) include a substantial landscaped bunded area to the south of the site. The maximum height of any storage facility within the site would be 6m and the gatehouse building would be 9.4m in height with a parapet level of 133.00m AOD. This would be seen against the backdrop of the George and Culina buildings which have parapet levels of 146.08m AOD and 151.70m AOD respectively. **Figure 65** is an extract from the LVIA and gives a representative viewpoint from adjacent to this property.



Figure 64: Proposed layout of Zone 2



View 19 – Taken from the edge of the A5 looking north



View 19 – Taken from the edge of the A5 looking north



View 19 – Taken from the edge of the A5 looking north

Figure 65: Current, Year 1 and Year 10 views of Zone 2 from A5 (adjacent to Moorbarns Bungalow)

6.9.19 Whilst it is accepted that the presence of proposal will change the outlook from the property, it is not considered the proposal would have an adverse impact upon the residential amenity of Moorbarns Bungalow.

- 'Cross in Hand' Farm

6.9.20 Cross in Hand Farm is situated on the west side of the A5, approximately 215m to the west of the application site (see **Figure 66**). Due to the angle at which the site is located from the front of the property, and the existing landscaping which surrounds the southern corner of the Culina building and the Electricity Sub Station, it is not considered that the proposal will result in any issues of overbearing upon the residential amenity of the property. Furthermore, given the proximity of the property to the A5 and buildings on the existing Magna Park, it is not considered that the proposal will result in any demonstrable increase in the noise environment at the property.



Figure 66: Aerial photo showing Cross in Hand Farm in relation to Zone 2 of the application site

- 'Moorbarns Farm'

6.9.21 The Moorbarns Farm complex is a group of residential properties made up of Moorbarns, Ringwood (also known as Moorbarns Farm Bungalow) and 1 & 2 Moorbarns Cottage. Of these properties, Moorbarns has a predominantly east – west aspect and is located due south of existing barns on the farm complex. As such it is not considered that the proposals will have any demonstrable detrimental impact upon the residential amenity of Moorbarns.



Figure 67: Aerial photo showing Moorbarns Farm in relation to Zone 2 of the application site

6.9.22 Likewise, Ringwood enjoys a south west – north east aspect with the existing farm complex being approximately 20m from the property, and therefore obscuring all but potential oblique views of the development. As such, again, it is not considered that the proposals will have any demonstrable detrimental impact upon the residential amenity of Ringwood.



Figure 68: Aerial photo showing arrangement of Moorbarns Farm

6.9.23 Moorbarns Cottages enjoy a south east – north west aspect, and being located to the south of the application site, will be afforded direct views of the application site. The properties are located approximately 930m (boundary to boundary) from the application site with no intervening

buildings. Along the aspect of the site which will be predominantly visible from these properties, the submitted layout plan indicates that a substantial landscaped bunded area will be provided. The maximum height of any storage facility within the site would be 6m and the gatehouse building would be 9.4m in height with a parapet level of 133.00m AOD. This would be seen against the backdrop of the George and Culina buildings which have parapet levels of 146.08m AOD and 151.70m AOD respectively. Due to the distances involved, the change in levels, and the provision of the bund along the southern boundary of the site, it is not considered that the proposal would have any demonstrable detrimental impact upon the residential amenity of the Moorbarns Cottages.

○ *Cumulative Residential Amenity Effects*

6.9.24 The impact upon residential amenity of a number of other committed developments have been assessed. Due to the location of the application site away from urban areas, there are few other proposals which have an impact upon the properties assessed above. The only proposal identified which has an impact upon any of these properties is 15/00865/OUT. Due to the geographical remoteness of the two application sites, the main sections of the sites do not have cumulative impacts upon any of the properties, however, Zone 2 of 15/01531/OUT is located in close proximity to 15/00865/OUT in that they share a common boundary. As such, it is considered that the cumulative impact of the two applications upon the following properties should be assessed:

- Glebe Farm Cottage
- Woodbrigg Farm
- Moorbarns Bungalow and Liberties Hotel
- Fairacres
- Cross in Hands Farm
- Moorbarns Farm

○ *Glebe Farm Cottage / Woodbrigg Farm / Moorbarns Bungalow / Fairacres / Moorbarns Farm*

6.9.25 If both 15/00865/OUT and 15/01531/OUT were to be consented and developed, the buildings proposed under 15/00865/OUT would screen the development at 15/01531/OUT from all of the above properties, and as such it is not considered that there would be any cumulative impact in terms of the residential amenity of these as a result of both developments being approved.

○ *'Cross in Hand' Farm*

6.9.26 As set out in **Para 6.9.20**, it is not considered that 15/01531/OUT would have any demonstrable impact upon residential amenity at Cross in Hands Farm. Furthermore, as set out in **Para 6.6.20 of the report for 15/00865/OUT**, it is not considered that this development would have a demonstrable impact upon the residential amenity of the property. Furthermore, given the relatively oblique views towards the two sites from the front of the property and the fact that the garden of the property is screened from the development by the house, it is not considered that the combination of the two developments would result in any overbearing effect or loss of privacy, particularly given that the applicants are proposing a bund along the A5 and that container storage element (with a maximum height of 6m) is located on the southern edge of the site, away from the property. Furthermore, given the property's proximity to the A5 and its resultant high background noise levels, it is not considered that these two developments together would demonstrably increase the noise environment experienced at the property. As such it is not considered that there would be any cumulative impact in terms of the residential amenity of these as a result of both developments being approved.

○ *Summary*

6.9.27 On the basis of the above, Officers consider that there will be no demonstrable impact upon the residential amenity of the neighbouring properties. It is therefore considered that the magnitude of harm caused by the development would be negligible and that the proposals would accord with Policy CS11 of the Core Strategy.

10. Footpaths

6.10.1 The distance from the centre of Lutterworth to the centre of the site is around 5km by footpath while the main residential part of the town, which has developed to the west of the centre is approximately 4km, and some of the surrounding villages are closer at around 1.5km.

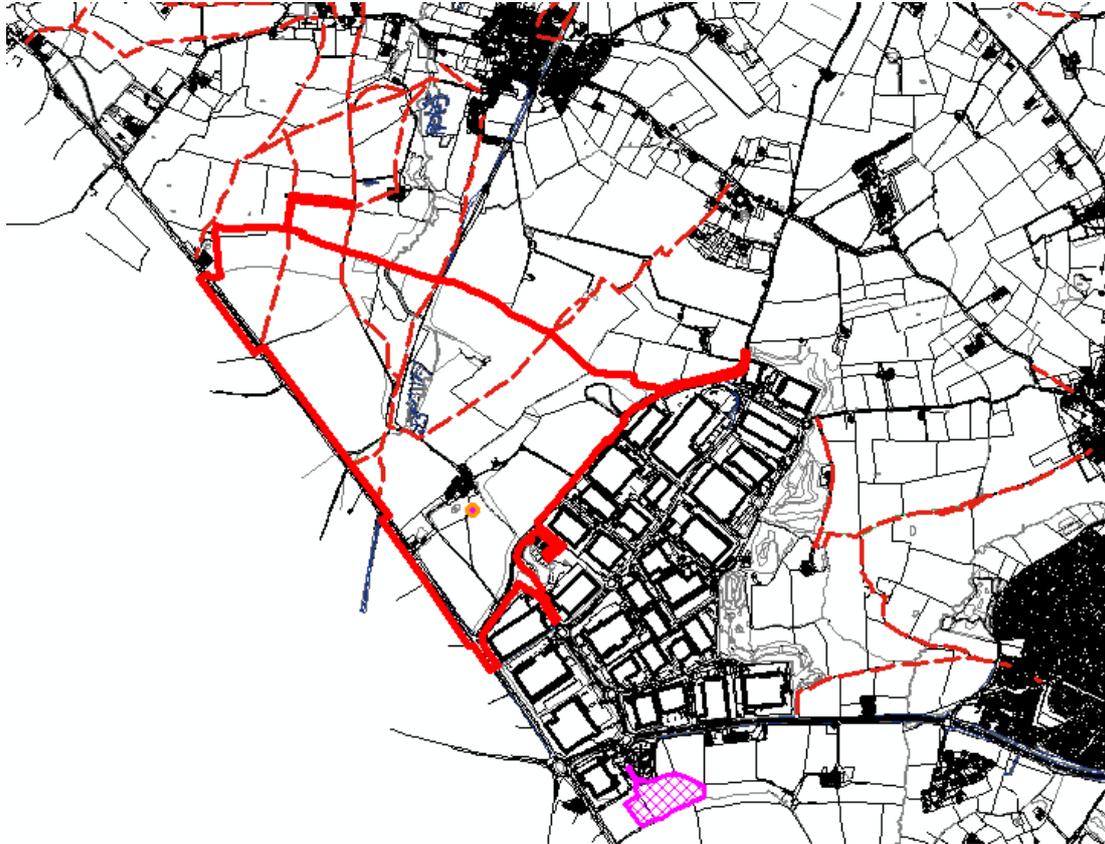
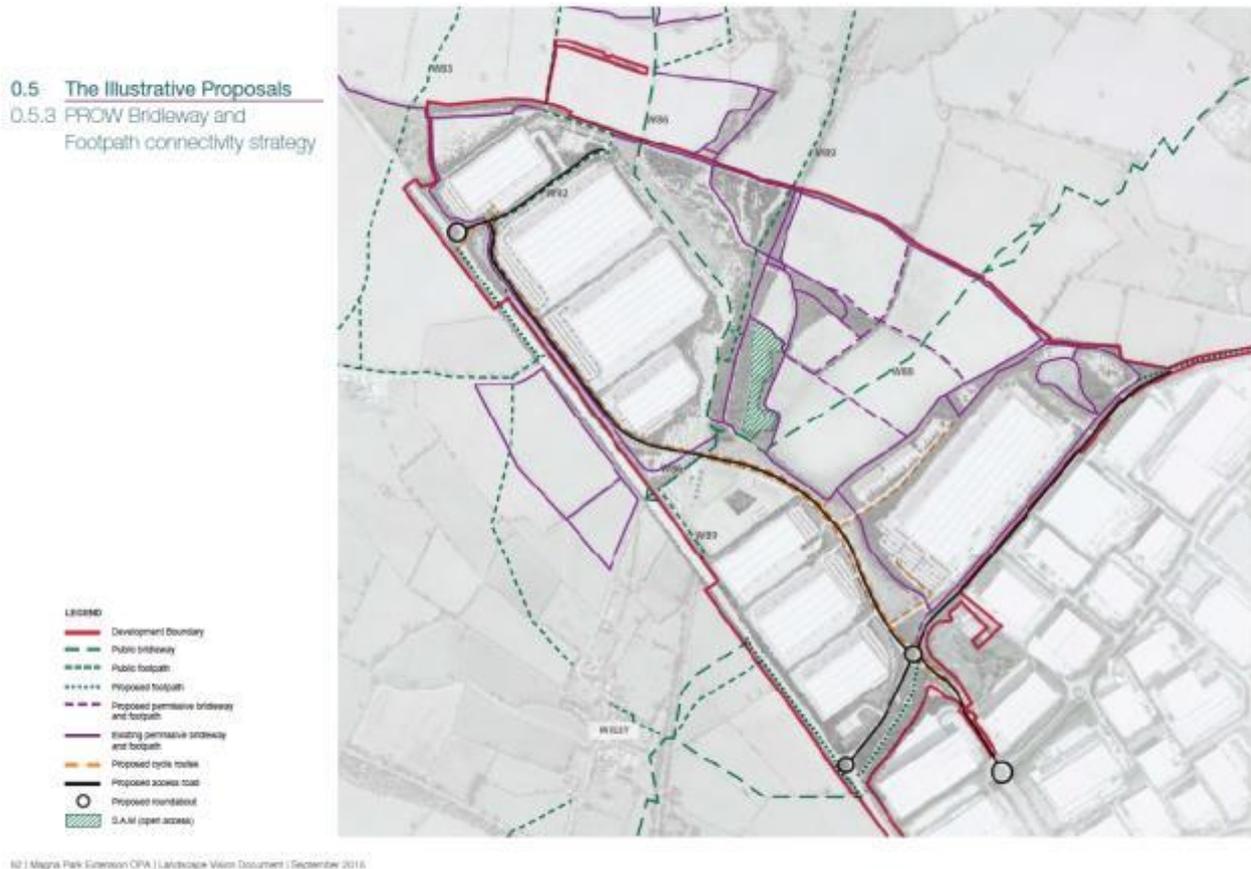


Figure 69: Existing Rights of Way around the site

- 6.10.2 There are a number of footpaths and bridleways crossing the site (see **Figure 69**). An important component of the proposed layout is the retention (and re-routing where necessary) of these existing rights of way, and the formalisation of permissive routes across the site (see **Figure 70**)
- 6.10.3 Leicestershire County Council Footpaths Officer initially raised concerns that the proposed development would have a significant detrimental impact on the use and enjoyment of the public paths in the area both directly in terms of requiring several paths to be re-aligned and less directly by completely changing the amenity value of all the paths in the neighbourhood as a consequence of transforming the landscape through which they pass. Further, concerns were raised that the scale of the development meant that no mitigating measures would be possible as the landscape will be totally transformed from one of open rural character offering wide vistas of rural countryside to one of urban commercial/industrial character.
- 6.10.4 The applicants provided further submissions in response to these concerns and upon considering this, the Footpaths Officer provided additional comments. It is still considered that the proposed development would have a significant impact on the public paths in the area both directly in terms of requiring several paths to be re-aligned and less directly by changing much of the landscape through which they pass irrevocably from an open agriculture character to suburban character.
- 6.10.5 However, due to the re-creation and management of the landscape as outlined in the applicants' Public Footpaths and Bridleways report, the potential negative effects of the development on public rights of way are mitigated. It is recognised that in some locations the proposed landscaping may indeed provide an improved experience for horse riders cyclists and pedestrians. It is therefore considered that the identified harm will be partly mitigated.

0.5 The Illustrative Proposals
 0.5.3 PFCW Bridleway and
 Footpath connectivity strategy



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Figure 70: Existing and Proposed Public Access Routes across the site

○ *Cumulative Footpaths Effects*

6.10.6 Due to the fact that the sites are remote from each other with the existing Magna Park located between them, it not considered that application 15/00865/OUT has any impact on the same footpaths as 15/01531/OUT and vice versa. Furthermore, the recently approved residential scheme at Coventry Road and the B2 consent at Leaders Farm again do not have any impact upon the same footpaths as 15/01531/OUT. As such, it is not considered that the proposals will have any cumulative impact on rights of way.

○ *Summary*

6.10.7 The increased accessibility across and around the site weighs in favour of the proposal. The harm which has been identified by the Rights of Way Officer will be mitigated as set out above. As such, the increased accessibility must be assessed against the harm of the development in the overall planning balance.

11. Design

6.11.1 Notwithstanding the fact that the exact locations and external appearances of the buildings within Zone 1 of the proposed development is a Reserved Matter, the Parameters Plan and Masterplan submitted respectively set out constraints for the development and demonstrate how the Site could be developed— see **Figures 71 and 72**. Furthermore, the proposed development within Zone 2 of the application site is a detailed submission (see **Figure 73**), and therefore it is possible to fully assess the design issues of this part of the site.



Figure 72 – Illustrative Master Plan

- Parcel D – The Meadow Land
- 6.11.6 Parcel D has an area of up to 28.12Ha and will contain the existing public and permissive rights of way.
- Parcel E – Magna Park Hub
- 6.11.7 Parcel E has an area of up to 6.58Ha and will contain the Logistics Institute of Technology, the Estate Office and the Innovation Centre. The maximum floorspace of any building within this Parcel would be 3,700sq m with a maximum ridge height of any building being 14.5m. The proposed finished floor level would be between 110.5m AOD and 113m AOD with a maximum unit height of no more than 125.00m AOD.
- Parcel F – Small Business
- 6.11.8 Parcel F has an area of up to 2.68Ha and will potentially provide new accommodation for existing businesses located within Bittesby House and its associated outbuildings. The Parcel would have a maximum floorspace of 7,000sq m. The maximum height of any building would be 11m. The proposed finished floor level would be no higher than 111.50m AOD with a resultant maximum ridge height of AOD 122.50.
- Parcel G – Distribution Units (Previously consented as part of 15/00919/FUL)
- 6.11.9 Parcel G is located alongside Mere Lane on the eastern edge of the site and has an area of 21.86Ha with a maximum floorspace of 100,844sq m. The maximum height of the building would be 23m. The proposed finished floor level would be 119.60m AOD with a resultant parapet height of 142.60m AOD. It is proposed that any yards would be positioned on NW and SE sides of the plot, car parking would be to the SW side and the Offices would face the Principal Access Corridor

- Parcel H – Distribution Units

6.11.10 Parcel H is located in the south eastern corner of the site adjacent to the Mere Lane / A5 roundabout and has a developable area of 13.85Ha with a maximum floorspace of 69,850sq m. The maximum height of the building would be 19.5m. The proposed finished floor level would be no higher than 120.50m AOD with a resultant maximum parapet height of 139m AOD. If the Parcel becomes subdivided into separate Plots there will be a minimum of a 10m landscape zone introduced between the plots. It is proposed that the yards would be positioned on NW and SE sides of the plot, the car parking to NE side and that the offices would face the Principal Access Corridor.

- Parcel I – Distribution Units

6.11.11 Parcel I is located between the A5 and the principle access corridor and adjacent to Bittesby House and has a developable area of 4.76Ha with a maximum floorspace of 23,100sq m. The maximum height of any building would be 16.5m. The proposed finished floor level would be no higher than 119m AOD with a resultant maximum unit height of 135.50m AOD. If the Parcel becomes subdivided into separate Plots there will be a minimum of a 10m landscape zone introduced between the plots. It is proposed that the yards would be positioned on SE side of the parcel, the car parking to NE side and Offices would face the Principal Access Corridor.

- Parcel J – Distribution Units

6.11.12 Parcel J is located to the west of the former railway embankment and has a developable area of 5.19Ha with a maximum floorspace of 28,000sq m. The maximum height of the building would be 16.5m. The proposed finished floor level would be no higher than 114.20m AOD with a resultant maximum unit height of 130.70m AOD. If the Parcel becomes subdivided into separate Plots there will be a minimum of a 10m landscape zone introduced between the plots. It is proposed that the yards would be positioned on NW side, car parking to SW & SE sides and Offices would only be located on SW elevation / western end of the unit(s).

- Parcel K – Distribution Units

6.11.13 Parcel K is located to the east of the north access point and has a developable area of 28.57Ha with a maximum floorspace of 163,000sq m. The maximum height of the building would be 18.5m. The proposed finished floor level would be no higher than 114.20m AOD with a resultant maximum unit height of 132.70m AOD. If the Parcel becomes subdivided into separate Plots there will be a minimum of a 10m landscape zone introduced between the plots. It is proposed that the yards would be positioned on NW & SE sides, HGV circulation would only be permitted to the NE side, car parking to SW side and the Offices would face the Principal Access Corridor.

- Parcel L – Distribution Units

6.11.14 Parcel L is located in the north western corner of the site adjacent to the northern access point and has a developable area of 8.01Ha with a maximum floorspace of 35,000sq m. The maximum height of the building would be 16.5m. The proposed finished floor level would be no higher than 115.70m AOD with a resultant maximum unit height of 132.20m AOD. If the Parcel becomes subdivided into separate Plots there will be a minimum of a 10m landscape zone introduced between the plots. It is proposed that the yards would be positioned on SE side only, there will be no yard or regularly circulating traffic on NW side, car parking will be to SW side and the Offices would face the Principal Access Corridor,

- Parcels M1 and M2 – Reed Beds and Bio-Discs

6.11.15 These Parcels have a combined area of 1.71Ha and include the creation of new and the expansion of existing Reed Beds and Bio-Discs for foul drainage purposes.

- Zone 2 Proposals

6.11.16 Zone 2 (See **Figure 73**) is the detailed element of the scheme, and as such, all aspects of design can be considered. The plans propose a mix of uses in Zone 2 – the HGV Driver

Training Centre, the HGV park with its fuelling and vehicle wash and the Railfreight Shuttle Terminal – and these are discussed in more detail below.



Figure 73 – Zone 2 Proposed Layout

6.11.17 The HGV Driver Training Centre will again be operated by a specialist contractor with the aim of contributing to alleviating the existing and intensifying shortage of qualified HGV drivers. The HGV Driver Training Centre is likely to be operated by a specialist contractor, and would share office accommodation with the HGV Park.



Figure 74 – Gatehouse and Training Centre Building Plans

6.11.18 The HGV Park will be for Magna Park HGV drivers only – both those for the existing park and for the extension. It is proposed that the HGV park would be equipped with electric charging points and the fuelling station has the potential to include a carbon-free compressed natural gas fuel option (CNG) and, if needed, also, low-carbon, liquid petroleum gas. As demonstrated by the recent application by Gasrec Limited at the site immediately to the north of the site for a similar CNG facility (16/00767/FUL), the HGV industry is rapidly moving to lower and no emission vehicles, and these options anticipate and provide for those trends. Electric and CNG-fuelled engines are also quieter than their petrol and diesel counterparts. As the HGV Park is likely to be operated by a specialist contractor, there may be a need for future applications to provide additional facilities, however, at the moment, the HGV Park would provide the minimum of a secure facility with gatehouse as well as a vehicle wash and fuel facilities.



Figure 75: Approved Elevations of 15/00919/FUL

6.11.19 The proposed Gatehouse and Training Centre building (see **Figure 74**) measures 26m long by 10m wide and will have a maximum parapet height of 9.6m (133m AOD). The building will be clad in Prisma Lilac with Sargasso Blue windows which mirrors the applicants current design ethos as demonstrated by 15/00919/FUL (see **Figure 75**) and the recently completed unit at Plot 2110 (see **Figure 76**)

6.11.20 The proposed Fuel Island and Vehicle Wash are relatively small scale providing fuel and wash facilities for 8 and 1 lorries respectively. The tallest element of the Vehicle Wash would be the 1.8m high steel Armco barriers along either side of the wash whilst the tallest element of the Fuel Island would be the 6m high lighting column. The plans also indicate provision of above ground fuel storage tanks, compressor units and a switchroom. Details of these elements can not be produced until such time that an operator is in place and their mode of operation is finalised. **Condition 57** is recommended to secure the submission of these details prior to the commencement of development of the Fuel Island.

6.11.21 Matters relating to levels, refuse & recycling facilities, cycle storage within the curtilage of the buildings; extraction / ventilation equipment and external lighting can all be controlled by way of condition (see **Conditions 11-15 and 42-46**) or considered as part of the Reserved Matters submission for each parameters zone. It is therefore considered that the proposal accords with Policy CS8 of the Harborough District Core Strategy.



Figure 76: Recently constructed unit at Plot 2110 of Magna Park (Source: Google StreetView)

○ Open Space & Green Infrastructure

6.11.22 A wide range of open space and green infrastructure have been proposed alongside the development proposal. The Open Space to be provided includes:

- provision of a Country Park and Meadow Land;
- additional hedgerow planting and new spinneys along the edges of Mere Lane and along the new road link to the A5;
- a network of SuDS ponds to manage run off and maintain water quality;
- measures to reinforce existing planting and to enhance wetland habitat will be incorporated; and
- attractive routes for cyclists and pedestrian links to a bus stop and to Magna Park.

6.11.23 The Landscaping Strategy has provided a suitable response to the proposal and will ensure that the long term impacts of the proposals are sufficiently mitigated. The detailed landscaping of the site can be considered by condition (see recommended **Condition 2**) or at the Reserved Matters stage for each parameter zone. To ensure the landscaping is appropriately managed and maintained, a condition seeking the submission of a Landscape Management Plan is recommended (see recommended **Conditions 9 & 41**).

○ *Summary*

6.11.24 The design of the proposal has been fully considered as part of the formulation of the recommendation by Officers. It is considered that, subject to the satisfactory consideration of Reserved Matters and inclusion of relevant conditions, the proposals accord with Policies CS11 and CS8 of the Harborough District Core Strategy.

12. Agriculture and Soils

6.12.1 The ES includes a section on the agriculture and soil quality of the Site.

6.12.2 The proposed development site is not classified as best and most versatile agricultural land under the Agricultural Land Classification (ALC) system. Information on the composition of the agricultural landscape is provided in the Agricultural Land Quality Report. Nevertheless, IDI Gazeley has taken steps to minimise the loss of, and impact on, agricultural areas and adopted proposals for soil management within the CEMP.

- 6.13.2 The Site is located within a predominantly agricultural area with some limited residential housing to the north-east and north-western boundaries of the Site, with B8 Storage and distribution uses to the south east of the site in the form of the existing Magna Park with small scale commercial business uses within the site at Bittesby House and Barns. The Site is located within an area of mixed agricultural and commercial/industrial use.
- 6.13.3 Potential sources of contamination identified at the Site are primarily from the agricultural use of the Site, including the farming processes and buildings, the presence of any Made Ground on-Site, and the presence of the disused Railway line. Potential sources of contamination identified in the surrounding area include the agricultural land use and the commercial/industrial warehouses in the existing Magna Park.
- 6.13.4 From available regulatory information, there are potential sources of contamination present on the Site, which relate to landfilled material, understood to have been deposited in the south of the Site, associated with the former aerodrome. Considering the future commercial use of the Site, possible pollutant linkages were identified.
- 6.13.5 It was recommended that intrusive Site investigation be undertaken at the Site, targeting historical sources of contamination, as well as gaining coverage of the Site area. It was concluded that in the unlikely event that significant contamination be identified, remedial works may potentially be required, in order to be protective of sensitive controlled water receptors, and the human health of end-users of the proposed Site development.
- 6.13.6 On the basis of the information reviewed as part of the Phase I Preliminary Environmental Risk Assessment, it is considered that the risk of significant pollutant linkages with respect to ground contamination is low to medium. It is therefore considered that the proposal complies with NPPF Para 120 and would be a significant consideration.

14. Other Matters

- *Country Park*
- 6.14.1 The proposed Bittesby Country Park and Meadow lies at the centre of the application site and are intended to function, with the Hub (with LIT and its campus and MPIC) and Bittesby House. The Country Park lies either side of and includes the former railway embankment and the site of the deserted Bittesby DMV. The Scheduled Monument covers 2.2 ha of the DMV on the east side of the embankment.
- 6.14.2 The Meadow lies to the east of the SM and like much of the rest of the Country Park land lies over a large area of archaeology. All of this land has been subject to extensive trial trenching. The richest area archaeologically outwith the DMV is the land covered by the Meadow. As explained in the application submissions, the applicant propose that there are substantial benefits for the preservation of this archaeology by removing the land in perpetuity from arable use and the ploughing that entails.
- 6.14.3 It is proposed that the Country Park and Meadow will be linked to the existing Magna Wood via a new tree and hedge belt, cycle and footpath, with the latter linking to the site's network of public rights of way and permissive footpath and bridleways and to Mere Lane lagoon. The Lagoon is already part of Magna Park, though it lies within the extension site, and is an established, biodiverse, public amenity and popular fishing spot.
- 6.14.4 The facilities proposed for the Country Park are:
- two new public car parks - next to the Lagoon that (to be delivered by planning permission 15/00919/FUL) and the second at Bittesby House
 - public lavatories to be provided in the conversion of the barns that adjoin Bittesby House
 - shared café facilities with MPIC

- a network of foot, cycle and bridleways, with some fully accessible for mobility and sight-impaired, and with scope for interpretive trails
- the Local Heritage Centre will also be located in the converted Bittesby House Barns, and will provide interpretive information on the site's heritage, restored biodiversity and enriched habitat and their management.

6.14.5 The Country Park and Meadow will retain the visual relationship between Bittesby House and the DMV, and the LHC will allow the narrative linking the assets to be explained in detail to visitors. The LIT campus, with its playing fields and supporting facilities that are to be shared with the community, also relates physically and visually to the Country Park and Meadow. Up to the 1950s, virtually the whole of the extension site was covered by small fields of ridge and furrow separated by hedges. Virtually all of this historic landscape has been lost due to modern agricultural practices.

6.14.6 Over and above the value of the Country Park and Meadow in contributing to the mitigation of the heritage, landscape and visual effects of the Hybrid application are the following economic, social and environmental benefits. These benefits are in line with relevant policy, are in the public interest and should be weighed in the planning balance:

- the removal from arable agricultural use of the land occupied by the Meadow, thus removing the regime which otherwise stands to prove harmful to the long-term preservation of the heritage assets which the land overlies;
- the very substantial enrichment of biodiversity over the agricultural use;
- the contribution to climate change resilience, including in the management of surface water run off to provide biodiverse wetland areas and related recreational amenities for the users of the country park
- the carbon sequestration value of the planting proposed over the agricultural use;
- the contribution to the district's country park and natural and semi-natural open spaces;
- the enhancements to public access, including the creation of networks that make it feasible for local communities to walk or cycle to the Country Park and for the Country Park to provide routes to jobs in the extension site and the rest of Magna Park;
- the basis, via the Local Heritage Centre, for interpretive material to increase the public's understanding of the site's heritage and landscape
- the creation of jobs directly in the creation and maintenance of the Country Park and Meadow and in its maintenance
- training in the skills entailed in the development, management and heritage conservation methods needed to deliver and maintain the Country Park and Meadow.

○ *Local Heritage Centre*

6.14.7 The LHC will be housed in the conversion of the Bittesby House barns and provide interpretive material and exhibitions on the site's history, heritage and landscape. The LHC's theme will be the interaction between the site's landscape and habitation and the economic and social force that have shaped both over time. It is proposed that the LHC will be partnered with the Lutterworth Museum and it is intended that the site archive will be deposited with the Museum. The Meadow will preserve the underlying archaeology in situ and thus the contribution this part of the site makes to the significance of the Scheduled Monument.

6.14.8 The LHC is a response both to the applicants obligations under NPPF 141 and to the particular opportunities that the proposals to extend Magna Park present. NPPF 141 obliges the applicant to record and advance the public's understanding of the significance of the heritage assets that the development affects; and the extension to Magna Park – with the Country Park and LIT particularly – makes it possible to do this on the site of these assets and within the landscape that will be managed to preserve them.

6.14.9 The particular opportunities that LHC responds to include the following:

- The very substantial increase in the knowledge of the site's history and heritage as a result of the work to understand the site:

- The Country Park and Meadow:
- The focuses of the national curriculum at Key Stage 1 on climate change and at Key Stage 2 on heritage and archaeology.
- The fact that Bittesby Parish, the boundary of which can be traced back to Domesday, remains almost wholly intact and is in still largely in single ownership.
- The evidence of a narrative link between Bittesby House and the deserted medieval village together with the decision to retain and re-use Bittesby House and its principal outbuildings.
- The public's interest in the Bitteswell Airfield, the site of the existing Magna Park, which played a key role in WWII and remained an RAF airfield until 1987, most famous locally as a base for the RAF's Vulcan fleet.
- The education and training potential of the approach to managing the landscape for heritage preservation and landscape resilience.

6.14.10 The LHC will be accommodated in a conversion of the Bittesby Barns (next to the lavatories for the Country Park). Its exhibitions budget allows for a mix of boards, film and exhibits. The concept needs to allow for the LHC to be unmanned much of the time, with the museologist's time focused on work with Lutterworth Museum, local schools and history/archaeology groups. The expectation is that exhibition materials will be shared with Lutterworth Museum, allowing both to be enriched by the other's focuses, artefacts and scholarship. The LHC's theme is aimed at explaining why the logistics industry (Magna Park) is as much a product of the area's location and landscape, but in the context of the needs of today's economy, as the site's historic habitations were of their own. The concepts that underpin the contemporary approach to the landscape's management are also about caretaking the environmental resource so as to protect the interests of the wider community and economy.

6.14.11 The LHC will help to deliver the applicants obligations under NPPF 141 – but will do considerably more than that. It is the applicant's intention is that the LHC will provide a showcase for the holistic approach to landscape design and management, the preservation of heritage assets and education proposed. The LHC will provide a chance to showcase an already interesting archive from the archaeological works to date – and one that will grow significantly once the excavations on the wider site are underway. Allowing local people to experience their own heritage on their doorstep is invaluable. In addition it is hoped that the history of Bittesby – the understanding of which has grown immeasurably as a consequence of the work for the Hybrid application – can be built on by encouraging a new generation of historians to engage with this fascinating past.

○ *Lorry Parking*

6.14.12 The application proposes the creation of a Lorry Park to serve the occupiers buildings within both the proposed development and the existing Magna Park. The facility would therefore have the potential to aid a reduction in current issues experienced in the areas surrounding Magna Park whilst also offsetting the impacts of the development itself. As the HGV Park is likely to be operated by a specialist contractor, there may be a need for future applications to provide additional facilities, however, at the moment, the HGV Park would provide the minimum of a secure facility with gatehouse as well as a vehicle wash and fuel facilities.

○ *Renewable Energy*

6.14.13 The proposed development would be required to meet the statutory minimum contained in the Building Regulations on sustainable build standards in accordance with CS Policy CS9. With regard to renewable energy.

6.14.14 The most sustainable form of energy is that which is not required in the first place. Consequently the energy demand reduction achieved by energy efficiency measures and good design standards is considered more sustainable than renewable energy. The energy efficiency measures should be incorporated where they are cost effective as this then reduces the burden of the absolute energy supplied by renewable sources.

- 6.14.15 The applicants have submitted a report which assesses the contributions of the proposal towards the reduction of Greenhouse Gases. The three principal measures for reducing the Hybrid application's carbon emissions are: the change of use from commercial agriculture on about half the site to 'green infrastructure' instead; the design approach to the buildings that incorporate energy savings measures together with the on-site generation of a significant proportion of the buildings' energy by PVs; and the savings in vehicle kilometres, and thus the associated carbon and pollutant emissions, of the scheme's Framework Travel Plan (FTP).
- 6.14.16 Other significant measures towards the reduction in carbon emissions as part of the development include:
- the Railfreight Shuttle and the significant savings in HGV kilometres arising both from replacing trips to DIRFT with no/low carbon traction units and from increasing the uptake of railfreight by Magna Park's existing and new occupiers;
 - the provision on site of LGP and electric fuelling options for HGVs; and
 - a scale and type of job creation – more than 5,700 jobs in occupations that are a good match to the local labour market – that should make a measurable contribution to reducing the district's high levels of out-commuting for work (currently 62% excluding those who 'work principally from home people), with consequent reductions in vehicle kilometres and the associated emissions and pollutants.
- 6.14.17 In brief, the assessment concludes the following:
- Reductions in GHGs from the change of use:
 - Emissions from the Developed Land Use: The land use change from the existing agricultural land to a mixture of meadowland, new woodland and industrial development is estimated to result in a total greenhouse gas sequestration of 21,054 tonnes CO₂ equivalent, over a period of 20 years. By far the largest component is the sequestration of carbon that arises from the land converted to woodland.
 - Emissions from the current commercial agricultural use: It is estimated that the current agricultural land use results in a GHG emissions of 194 tonnes CO₂ equivalent per year. This is primarily due to direct N₂O emissions from soil fertiliser applied to croplands⁷. Over a 20 year period, the total greenhouse gas emissions would therefore equate to 3,877 tonnes CO₂ equivalent.
 - Net impact of the development: The net impact of changing the land use (across a 20 year timescale) is therefore 24,931 tonnes of CO₂e. This figure is based on the reduction in emissions of 21,054 tonnes CO₂e arising from the change in land use and the avoided emissions of 3877 tonnes CO₂e that would be expected if current land use was continued. The change relates to vegetated areas only, i.e. the figures do not take into account emissions from industrial activity associated with the new development, but suggest a potential overall reduction in emissions of 628% from the proposed changes in land management.
 - GHG Reductions in BREEAM Very Good Buildings with Roof-mounted PVs
 - Carbon offset of 3,363 kilotonnes per annum from 2026 (completed development as a whole) against estimated (TAS TVL-calculated) emissions of 5,989 kilotonnes CO₂ per annum – by adopting the same energy saving measures and PV-generated energy provision as the permitted 15/00919/FUL building (Parcel G)
 - Potential carbon offset equivalent to, or greater than, the buildings' emissions should it prove technically feasible and commercially possible for all the buildings' energy needs to be met through PV and battery storage.
 - GHG Reductions from Savings in Vehicle Kilometres from the Delivery of the Framework Travel Plan
 - Savings of 55.46 – 67.30 million vehicle kilometres over the 2019-2031 (full occupation) period of the Hybrid development

⁷ In annual crops where there are no changes to the soil management practices, there is assumed to be no net carbon stock change (in line with IPCC 2006 Guidelines). This is because the surface is assumed to have reached an equilibrium with the atmosphere, and hence carbon losses equal carbon gains.

- Associated savings in emissions and pollutants

- 6.14.18 Overall, even on current commitments, the Hybrid scheme stands to make a very substantial contribution to the national, district and county carbon reduction and clean air targets. That contribution is the consequence of the proposed development mix, the masterplanning approach and high share of the site given to open space and green infrastructure, the landscape design approach including the significant commitment to new woodland planting in particular, the commitment to low energy building design and on-site renewable energy generation, and the robust Travel Plan.
- 6.14.19 While the development entails the loss of some 208 ha of land in the countryside (the 232.1ha Hybrid site excluding the land that is already within Magna Park's footprint and land in the public highway), almost half of this 208 ha is given to green infrastructure. The change of use makes a net positive contribution to carbon reduction through the combination of the sequestration value of the woodland and other planting and the savings in emissions which would occur were this part of the site to remain in commercial agricultural use.
- 6.14.20 Additionally, the more than 5,700 jobs would be housed in buildings which could, depending on the level of PVs it proves feasible to accommodate, become close to carbon neutral. Thus overall, it could prove possible for the development to become, in line with IDI Gazeley's ambition, carbon neutral or close to it at the level of the site.
- 6.14.21 The Travel Plan, on-site LPG/CNG/electric fuelling and the Railfreight Shuttle are all measures that aim – and as the quantified estimates show is possible – very substantially to reduce the GHG emissions and pollutants associated with the scheme's trip generation.
- 6.14.22 Finally, the level of job creation – more than 5,700 jobs – is on scale and of a type that should over time reduce Harborough's high levels of out-commuting for work. The consequence would be a reduction in trip-making, both the length of journeys and, with the Travel Plan, the share made by single occupier car use.
- 6.14.23 These initiatives are fully in line with HDC's Core Strategy policies:
- CS5 - Providing Sustainable Transport: locating the development optimally for its use (CS5a) and providing for the coordinated delivery of highway improvements (CS5b)
 - CS8 - Protecting and Enhancing Green Infrastructure: the provision both of open space (CS8c) and biodiversity assets (CS8d)
 - CS9 - Addressing Climate Change: using sustainable materials and construction methods (CSa); achieving BREEAM with aim from 2016 of achieving Excellent (CSdii); and the provision of on-site renewable energy generation – although well in excess of the minimum 10% sought by policy (CSdiii).
- 6.14.24 IDI Gazeley are committed to preparing, at each reserved matters stage of the development, a plan for reducing as far as practicable technically and commercially the carbon emissions of that stage. IDI Gazeley's aim is to keep pace with the technical innovations – in building materials, construction methods and energy efficiency, renewable energy generation and fuels, and in landscape design and management for climate change resilience – so that each phase of development will, as far as possible, represent an advance on the previous stage in respect to its impact on climate change.
- 6.14.25 A Condition seeking details of such measures is recommended at **Condition ??**. That the proposal has the potential to provide forms of sustainable energy production and a low carbon built are both issues which would weigh in favour of the proposal.

c) Section 106 Obligations & Viability

- 6.10 Planning obligations under Section 106 of the Town and Country Planning Act 1990 (as amended), commonly known as s106 agreements, are a mechanism for securing benefits to mitigate against the impacts of development.
- 6.11 Those benefits can comprise, for example, monetary contributions (towards public open space or education, amongst others), the provision of affordable housing, on site provision of public open space / play area and other works or benefits that meet the three legal tests under Regulation 122 of the CIL Regulations.
- 6.12 These legal tests are also set out as policy tests in paragraph 204 of the Framework whereby Planning obligations should only be sought where they meet all of the following tests:
- necessary to make the development acceptable in planning terms;
 - directly related to the development; and
 - fairly and reasonably related in scale and kind to the development..
- 6.13 Policy CS12 provides that new development will be required to provide the necessary infrastructure which will arise as a result of the proposal. More detailed guidance on the level of contributions is set out in The Planning Obligations Developer Guidance Note, 2009.
- 6.14 IDI Gazeley propose all of the following via the S106 agreement, the draft Heads of Terms of which is available at **Appendix D**, the heads of terms of which provide for:
- the funding and delivery of the highways works required to mitigate impacts, together with the schemes for the A5
 - IDI Gazeley's proposals for securing a development that is as close to carbon neutrality as technological innovations and commercial considerations allow over the lifetime of the development
 - the funding and delivery of schemes to modernise the street lighting within Magna Park
 - the extension of the existing Magna Park HGV Routeing Agreement and monitoring arrangements
 - the implementation of the Travel Plan for employee trips which will include the new Employee Routeing Plan
 - a Construction Job and Business Employment and Local Procurement Strategy and a plan for funding and delivering the strategy– the aim being both to increase the share of local residents who work in the new development and to increase the share of procurement that goes to local businesses
 - the management plan for the Zone 1 site that will cover the delivery and maintenance of Bittesby Park, the meadowland and all other landscape and public open space, the proposals for public access (including footpaths, bridleways, public car parks) – and will also cover the arrangements for securing the Logistics Institute of Technology, the Innovation Centre and the estate office with its exhibition centre and conferencing facility.
 - the management, operational and maintenance plan for the Zone 2 site – the Railfreight Shuttle Terminal and the HGV park and Driver Training Centre.
- 6.15 To ensure the delivery of the non-B8 uses in line with the further information provided in the Implementation Plan, IDI Gazeley have committed to:
- fund the Magna Park Delivery Body (MPDB);
 - agree an operating plan for the MPDB with HDC;
 - appoint a suitably qualified facilitator to take on the day to day duties of the MPDB; and
 - fund the appointed facilitator over the whole of the delivery period for the non-B8 uses.
- 6.16 To ensure the delivery of the Logistics Institute of Technology in line with the further information provided in the Implementation Plan, IDI Gazeley have committed to:
- finance and deliver the LIT building(s) and campus (playing fields and pitches) to a specification agreed by LIT's partners and secure reserved matters permission for their construction;

- lease the facilities to LIT partners on commercial terms for the operation of LIT to the detailed development and operating plan to be agreed with LIT's partners within six months prior to the occupation of the LIT; and
 - lease the LIT facility on commercial terms that will oblige the LIT operator to make the campus facilities (playing fields and pitches) available to the community on weekends and outside schools hours and terms.
- 6.17 To ensure the delivery of MPIC in line with the further information in the Implementation Plan, IDI Gazeley have committed to:
- identify and contract with a delivery partner for the delivery and operation of MPIC;
 - once the delivery partner is under contract, make HDC privy to the business plan for MPIC's operation;
 - finance and deliver the MPIC facility; and
 - lease the facility to the operator for on commercial terms that will deliver the objectives for MPIC.
- 6.18 To ensure the delivery of the Country Park and Meadow in line with the further information in the Implementation Plan, IDI Gazeley have committed to:
- finance and deliver a design scheme, operating, phasing and management plan to be drawn up and agreed with HDC;
 - finance and deliver the conversion of a Bittesby House barn to provide lavatory facilities for Country Park visitors; and
 - finance and deliver a public car park co-located with Bittesby House and the barn conversion for lavatories and for LHC.
- 6.19 To ensure the delivery of the Local Heritage Centre in line with the further information in the Implementation Plan, IDI Gazeley have committed to:
- design and finance the conversion of a Bittesby House barn to provide the LHC
 - appoint and finance the costs of a museologist for not less than three years commencing six months before the opening of the LHC who will be charged with developing the LHC business plan, including its partnership, community outreach and schools programmes; and
 - finance and deliver the agreed exhibition and LHC's other operating costs for not less than three years.
- 6.20 To ensure the delivery of the Zone 2 uses in line with the further information in the Implementation Plan, IDI Gazeley have committed to:
- finance and deliver the Zone 2 hardstanding in accordance with the phasing plan;
 - identify and contract with an operator (or operators) to deliver and operate the Driver Training Centre, HGV Park and Railfreight Shuttle and Terminal;
 - agree a delivery and operating plan for the facilities (Driver Training Centre, HGV Park and Railfreight Shuttle and Terminal) with HDC; and
 - lease the hardstanding to the appointed operator on commercial terms.
- 6.21 IDI Gazeley will also enter into a S278 Agreement (Highways Act 1980) with LCC Highways for the works to Mere Lane and the A4303 and with the Secretary of State for Transport (for Highways England) for the works to the A5 and junctions on it. IDI Gazeley already pays for the enforcement of the S106 Agreements it has entered into with HDC for Magna Park, and will also be required to finance the costs of enforcing the S106 undertakings put in place for the delivery of the hybrid planning application.
- 6.22 **Appendix C** identifies the developer contributions sought by consultees, an assessment as to whether the requests are CIL compliant and a suggested trigger point to indicate when the contribution should be made. With regards to the trigger points they should not necessarily be seen as the actual or final triggers points for the S106 agreement but treated as illustrative of the types of trigger points which may be appropriate. The Assessment concludes that all stakeholder

requests are CIL compliant. Furthermore, the Construction Job and Business Employment and Local Procurement Strategy suggested by the applicants is also considered to be CIL compliant.

- 6.23 As set out in LCC Highways comments at **Appendix C**, due to the presence of the Lutterworth Southern Bypass and operational weight restrictions on the local highway network, it is not considered that a traffic routing agreement would be necessary to make the development acceptable in highways terms. However, it is considered that, in terms of meeting the Air Quality Objectives, a HGV Routing Agreement so as to ensure that HGV's do not enter the Lutterworth Air Quality Management Area (other than for purposes of access) would meet the tests of Para 204 of the NPPF. The applicants have agreed to a monitoring regime for this which utilises an Automatic Number Plate Recognition (ANPR) system which monitors whether or not vehicles which enter or leave the site then travel through the Lutterworth AQMA. In order to HGV discourage drivers from doing this, fines will be levied against offending vehicles, which will then be passed on to the Council for Air Quality Monitoring purposes within the District.
- 6.24 Furthermore, WCC and LCC both consider that the development could result in a need to amend a number of Traffic Regulation Orders (TRO) in the vicinity of the development. The two Highways Authorities are currently proposing different solutions to this. WCC have suggested that the developers be obliged to make a financial contribution to be held in a bond, and that a Transport Review Group (TRG) is established. The TRG would identify areas in which concerns are being raised, identify the issue and work together to resolve it. The relevant parties of the TRG would then draw down funds from the bond in order to implement the works required. LCC are suggesting that the developers be obliged to contribute £200,000 for the review of TRO's in conjunction with WCC. Officers are not convinced that LCC's requirement of £200,000 for yet to be identified issues is CIL compliant and that LCC are not yet sure that the TRG can work, however if LCC can provide more evidence regarding the £200,000 obligation to justify it or the applicants can provide more evidence of how the TRG would work, then one or the other of the options can be included in the S106 to mitigate any yet to be identified harm which may occur. It is considered that all other contributions and obligations proposed by the Applicants would also be compliant with the Para 204 tests.
- 6.25 IDI Gazeley have developed and submitted an Implementation Plan which sets out the delivery of the non B8 elements of the proposal, and also provides a mechanism to secure this delivery. The Summary Table (see **Appendix E**) outlines the principal elements of the Implementation Plan (IP) for the funding, delivery and phasing of each of the Hybrid Application's non-B8 uses: the Logistics Institute of Technology (LIT), Magna Park Innovation Centre (MPIC), Holovis HQ, Bittesby Local Heritage Centre (LHC), Bittesby Country Park and Meadow, Bittesby House, and the Zone 2 uses – HGV Park, Driver Training Centre and Railfreight Shuttle and Terminal. The Implementation Plan sets out the proposals in full: their rationale in cluster theory, the needs each will meet, the proposals for their funding, delivery and operation, the sustainability benefits – economic, social and environmental – that would follow from their delivery, and the proposals for binding IDI Gazeley to their timely delivery.
- 6.26 The non-B8 uses have been conceived by IDI Gazeley with the objective of creating and capturing the benefits of a logistics cluster. Each non-B8 use, individually, meets evidenced needs that would otherwise be unlikely to be met, either to the same standard, in so optimal a location for their purposes, as valuably to the industry or the local economy, or as soon or at all. Each use is beneficial in its own right, but the greater value lies in their co-location with each other and as part of the concentration, at scale and on a single site, of blue-chip logistics businesses. These competing, inter-trading and complementary businesses share infrastructure, common markets, technologies and worker skills; these together add up to the logistics cluster and the agglomeration efficiencies – for local communities, the park's occupiers and the wider local and regional economies – that follow.
- 6.27 The non-B8 uses are feasible for the applicants to deliver because Magna Park already exists. The relationships between IDI Gazeley and the existing businesses are established, and there is a critical mass and established customer base for the new non-B8 uses to build on. The

Community Liaison Group is now established and provides a mechanism for ensuring that the new uses respond to the opportunities of being open to local communities and are valued and well-used by them.

- 6.28 The applicants propose that the delivery and ongoing oversight of the non-B8 uses will be the responsibility of the Magna Park Delivery Body (MPDB). The MPDB will have two purposes: securing the timely delivery of the non-B8 uses proposed by the Hybrid planning application; and ensuring the ongoing identification, coordination and optimisation of the cluster benefits that are the purpose for extending Magna Park. The MPDB will finance and appoint a suitably qualified full-time facilitator (or facilitating company) who will be responsible for securing the delivery of each use and share with the MPDB the responsibility for coordinating the cluster benefits, ensuring each use achieves its purposes and the park's businesses and the local community benefit as intended. The facilitator will report to IDI Gazeley's Board and work closely with Magna Park Management Ltd. MPDB will take responsibility for all community liaison, will convene the already established Community Liaison Group and operate the Liftshare scheme that is also already underway.
- 6.29 IDI Gazeley have undertaken to fund the MPDB and the facilitator, agree with HDC the terms of reference for the MPDB within six months of the grant of outline planning permission, and to appoint the facilitator within the following six months.

d) Assessment of Alternatives

- 6.30 As set out at **Para's 5.2.1 – 5.2.4 of the Overview Report**, there is an identified need for B8 floorspace in the area, and as part of the Local Plan preparation process, evidence has been gathered which demonstrates that Harborough District can accommodate up to 700,000sq m of B8 floorspace in the area around Magna Park.
- 6.31 As set out at **Paras 5.2.5 – 5.2.6 of the Overview Report**, HDC have assessed whether or not there are any available alternatives to provide the quantum of development which has been identified as being needed as part of the local Plan preparation. The only site within the area capable of providing the identified quantum of development is located between Lutterworth and Leicester. To date, no developers have been appointed to the project, and as such there is no realistic prospect of any planning application being forthcoming in the foreseeable future. As such, Officers are satisfied that, whilst it may come forward during HDC's Local Plan period, there is no certainty of this, and as such, it cannot currently be regarded as a suitable or available site on which to meet the identified need. It is therefore considered that there are no suitable and available alternatives for the quantum of provision identified within the locality other than two current applications.
- 6.32 Each application proposal and site (15/00865/OUT and 15/01531/OUT) is acceptable in its own rights. As set out in the individual application reports and **Section 5 of the Overview Report** to this Agenda, there are no technical reasons to object to either, or both applications, and both applications are recommended for approval. Therefore, whilst a comparison of the two applications has been carried out (see the **Summary Report**), if Members agree with the reasoning and conclusions as set out in the **Overview Report**, there is no need for Members to carry out a comparison of the two applications. It would therefore fall that, if Members agree that there are no technical issues with either application and that there are no cumulative concerns, then provided that Members agree that the benefits of the development outweigh the harms (in the case of this application, substantially so given the impact on the designated DMV) both applications should be approved. However, if Members have concerns regarding the capacity or need for, or cumulative impact of the proposals, a comparison of the two applications would have to be made.
- 6.33 Notwithstanding this, The EIA Regulations require an ES to include an outline of the main alternatives considered by the applicant, indicating the main reasons for the choice made, taking into account the environmental effects. This legal requirement is expressed in very general and high-level terms, requiring only the inclusion of an "outline" of "main" alternatives and an

"indication" of "main" reasons. Although a full description of alternatives and a full assessment of their likely environmental effects are not required, sufficient detail should be provided to allow for a meaningful comparison between the alternatives and the proposed development.

- 6.34 It is a matter for the applicant to decide which alternatives it intends to consider. The EIA Regulations do not expressly require that an applicant considers alternatives, although it is widely encouraged at the policy level, both European and domestic, and is a feature of EIA best practice. The consideration of alternatives in this ES complies with that requirement and has regard to the guidance in the Planning Practice Guidance (PPG) on Environmental Impact Assessment (which replaced paragraph 83 of the withdrawn Circular 02/99). The PPG states "Where alternative approaches to development have been considered, the Environmental Statement should include an outline of the main alternatives studied and the main reasons for the choice made, taking into account the environmental effects."
- 6.35 Alternatives should only be considered where they are feasible, realistic and genuine. This may depend on various factors, including planning policy, land ownership, financial viability, technical feasibility and design quality. Options which are unlikely to be acceptable or deliverable are not realistic alternatives and so do not need to be considered. Whilst environmental effects are relevant when choosing between alternatives, other factors are also relevant. The main selection criteria which the applicant has used when choosing between the alternatives which it has considered include: planning policy, viability, design quality, market requirements, site constraints and opportunities and environmental effects.
- 6.36 The applicants have considered a number of alternatives in relation to the proposed development. These are outlined below and the main reasons for choosing the proposed development in preference to them.
- 6.37 Schedule 4 to the EIA Regulations 2011 sets out the matters for inclusion in an ES, and states that these include (Part 1.2) "an outline of the main alternatives studied by the applicant and an indication of the main reasons for the choice made, taking into account the environmental effects." The National Planning Practice Guidance (PPG) on Environmental Impact Assessment (PPG, 10 4, paragraph 33) states, "Where alternative approaches to development have been considered, the Environmental Statement should include an outline of the main alternatives studied and the main reasons for the choice made, taking into account the environmental effects."
- 6.38 The Design and Access Statement (DAS) provides further information on the design and access arrangements for the site, and explains how these were formulated using a framework of sustainable design principles, including a landscape framework developed in the concept design stage. Section 5 of the DAS explains landscape framework outlines the structure for the layout and circulation shown in the proposed illustrative masterplan. It is the result of a careful analysis of the identified constraints and opportunities, discussions with HDC and input from the public consultation process.
- 6.39 The optioneering extended largely to the site selection and access arrangements. The scope for visual screening was landscape proposals followed in response to those considerations and landscape - given the objectives that needed to be met for the site.
- 6.40 The applicants operational criteria for the development which had to be met by the choice of site were:
- a site that was connected physically and functionally to the existing Magna Park
 - topography that would allow the buildings to fit within the landscape
 - the potential to use topography and landscape to minimise the visual intrusion from close and long distance views
 - minimal land take
 - orientation of building to optimise thermal advantages due to siting

- make full use of the park's existing highways and services infrastructure
- a site that would allow the new scheme to continue the development and environmental quality pioneered by Magna Park
- a scale and configuration of site that would meet operational needs of the future occupiers
- a site capable of efficient access by HGVs, car users, pedestrians and cyclists and which could provide for nearby public transport services.

6.41 The further criteria to be met by the siting of the development - to satisfy the pre-application advice and meet the public's concerns - were:

- minimal impact on existing permissive footpath and bridleway routes
- optimal opportunities to screen the scheme visually and at the same time to enhance the habitat value of the site - both maintaining and adding to foraging corridors
- minimal impact on the setting of Bittesby House as an undesignated heritage asset.

e) Phasing, implementation and delivery

6.42 The development has been programmed over a 9 year period. Construction is anticipated to start on Parcel G (as consented through 15/00919/FUL) in Spring 2018, and the Applicant's have advised that rest of the development would follow on from this start on Site in 2019. It is anticipated that thereafter, the development could be completed by 2026/7.

6.43 The applicants included an Indicative Phasing Plan (**Figure 78**) as part of the submitted documentation.

2018	2019	2020	2021	2022	2023	2024	2025	2026
100,844 sqm Parcel G: B8	Parcel H: B8 69,850 sqm Parcel F: B1 (LIT) 7,000 sqm Bittesby House – estate office	Parcel I: B8 23,100 sqm	Parcel E: D2 4,700 sqm	Parcel E: B1 (MPIC) 2,325 sqm	Parcel J: B8 28,000 sqm	Parcel K: B8 81,500 sqm	Parcel K: B8 81,500 sqm	Parcel L: B8 35,000 sq m
		Country Park Ph 1	Local Heritage Centre					Country Park Ph 2
		HGV Park	Railfreight Shuttle & Terminal Driver Training Centre					
Argosy Way extension	Gibbet Hill Improvement scheme						Northern A5 roundabout access	
A5/Mere Lane Roundabout								
A5 dualling								
A426/A4303 improvement scheme								

Figure 78: Indicative Phasing Plan

6.44 HDC Officers and IDI Gazeley both take the view that it would be necessary, reasonable and proportionate, in line with the 'tests' set by NPPF 206 and with regard to the contribution of the non-B8 uses to the planning case for Hybrid application, to impose a phasing condition should planning permission be granted. The enforceability of the proposed phasing would be tied to the undertakings on funding and delivery in the S106 agreement (see **Appendices C, D & E.**) The applicants have also submitted an Implementation Plan which can be tied to the delivery of the development through the S106 Agreement and also linked to a Phasing condition (see recommended **Conditions 4 & 36**)

f) Article 2(3) Development Management Procedure (Amendment) Order 2012

6.45 In assessing this application, the Case Officer has worked with the Applicant's in a positive and proactive manner consistent with the requirements of paragraphs 186-187 of the NPPF. This included the following:-

- Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
- Have encouraged amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development.
- Have proactively communicated with the Applicant's through the process to advise progress, timescales or recommendation.

7. Conclusion – The Planning Balance

- 7.1 The proposal relates to a considerable level of additional provision of B8 floorspace in the area to the west of Lutterworth adjacent to Magna Park. Policy CS7h of the Core Strategy stated that the policy seeks to protect “Magna Park’s unique role as a strategic distribution centre (B8 uses / Min size 10,000 m2) of national significance and an exemplar of environmental performance.” CS7h goes on to say, “No further phase of development or large scale expansion of the site, beyond the existing development footprint (to be defined in the Allocations DPD) will be supported.” On the basis of this, it is evident that the proposal is contrary to Policy CS7h, and therefore, does not comply with the Development Plan. However, as set out in the reports, it is acknowledged that elements of the Core Strategy are considered to be out of date, including Policy CS7h. On the basis of this, only limited weight can be given to the conflict with Policy CS7h of the Core Strategy.
- 7.2 The proposed development will deliver a distribution scheme that will provide a substantial quantum of B8 floorspace which will contribute to meeting the deliverable road based distribution land demand in the District and to meeting longer term needs across the County and the Region. This regional and potentially nationally significant benefit carries significant weight in favour of the proposal.
- 7.3 The proposed development would not harm any Conservation Areas or Listed Buildings. The proposal would lead to the loss of some archaeological features, however, this has been mitigated against by the requirement for these features to be fully recorded as part of the development. Given this mitigation, the harm identified to these archaeological non-designated assets is of limited importance and weight in terms of NPPF Paragraph 135. The proposed development would result in the demolition of Lodge, Emmanuel and Bittesby Cottages which are features associated with the Bittesby House, a non-designated heritage asset. The harm identified is of limited importance and weight in terms of NPPF Paragraph 135. The Scheduled Ancient Monument at the heart of the site will remain physically unaffected, however, the proposal will have an impact upon the setting of this asset. The harm identified is less than substantial of moderate magnitude, in terms of NPPF Para 134. Due to the national importance of the asset reflected in its designation, considerable importance and weight should be given to this harm in the overall balance. The design evolution of the scheme shows that the current scheme has sought to minimise the effects on the DMV and without reducing the footprint of the development, Officers consider that there is no realistic prospect of further reducing the harm.
- 7.4 Further, the proposal includes the re-use of Bittesby House and its principal outbuildings as a “heritage centre” – a living exhibition space that will account the history of the Magna Park site – and exhibit and interpret its Scheduled Monument, its other archaeology, its built development including the historic record of Bittesby House and the other buildings on the site, and the Bitteswell Aerodrome. It will also include exhibition space. Whilst the retention of these non designated heritage assets is considered to be a mitigation against the impact of the proposal, the re-use of the buildings for the purposes set out is considered to be a public benefit of the scheme and moderate weight should be afforded in favour of these public benefits of the development.
- 7.5 Whilst in the majority of cases a finding that the policies of the development plan are out of date would lead to the application of the presumption in favour of sustainable development to the proposal being considered, in this case, that presumption is disapplied. As set out in **Para 6.1.29** above, it is considered that there is less than substantial harm to the setting, and therefore the

significance, of the Scheduled Monument. It is established case law that the policies restrictive of development referred to in the second limb of para 14 of the NPPF apply not just where there is substantial harm, but also to cases where there is less than substantial harm. As such, in these circumstances, the presumption in favour of sustainable development does not apply and it is necessary to carry out a balance of the benefits and harms in accordance with Paragraph 134 of the Framework whilst applying considerable importance and weight to harm to designated heritage assets.

- 7.6 The proposed development, whilst on Greenfield land and within open countryside, is not subject to any statutory landscape designations (e.g. AONB - Area of Outstanding Natural Beauty or National Park). As such, any identified harm is only on a local level. The proposed development will have some significant adverse effects in landscape/visual terms, which weigh against the proposal. However, the proposals have been designed to minimise these effects with significant areas available for open space and structural landscaping and the maximum AOD height of the buildings being lower than those on the existing Magna Park. It is considered that harm caused by the proposal upon the surrounding landscape has been minimised, and as such, limited weight should be given to the potential impact of the proposal in landscape terms.
- 7.7 The Site is well connected to the local and strategic highway network within an accessible location, central to the Region's and Country's manufacturing and distribution core and able to take advantage of and provide service to these industries. The development also has the potential to provide for improved Public Transport services with new routes to Rugby, Hinckley and Leicester to be provided for.
- 7.8 The CHA are satisfied that, subject to appropriate mitigation measures, there would be no unacceptable adverse impact on the safety or free flow of traffic on the local road network. Furthermore, the Highways Agency has also confirmed that it is satisfied that the development would cause no adverse impact on the strategic road network. It is considered that, subject to the required mitigation, there would be no harm caused by the proposal upon the surrounding highway network and that there would be a net benefit to the network, and as such, considerable weight should be given to the potential public benefits of the proposal in highways terms.
- 7.9 The proposed development would provide a considerable amount of employment in the short term (construction) and a significant level in the longer term (operational phase). Furthermore, the development will result in a significant increase in GVA in the area and will benefit existing businesses. The educational element of the development will provide an additional option for students to follow with a vocational theme. The proposal also provides new and improved accommodation for existing businesses on site and a new Innovation Centre running on the same model as the Harborough Innovation Centre. The potential regional and national economic benefits should be afforded very considerable weight in favour of these public benefits of the development.
- 7.10 Concerns have been raised regarding the impact of the development on Air Quality on the area. However, due to advances in technology and stricter legislation with regard to vehicle emissions, notwithstanding concerns regarding the location of the proposed access, it is considered that the impact of the development will only be a short term impact on a limited number receptors, and as such, limited weight should be given to the potential impacts of the proposal on Air Quality.
- 7.11 The proposed development provides inherent mitigation against the impact of the development upon Ecology. Where negative effects have been identified in terms of species and habitats, mitigation measures are proposed to minimise any potential impact, and as such, minimal weight should be given to the potential impacts of the proposal on Ecology.
- 7.12 The proposal provides inherent mitigation against flood risk, in particular surface water run off, by means of, amongst others, surface water attenuation facilities. It is considered that the mitigation provided by the development will off-set any harm that may be caused, and as such, limited weight should be given to the potential impacts of the proposal on flood risk.

- 7.13 The proposed development would be visible from some local properties, and from some, highly visible, however, it is not considered that the proposal would have any demonstrable impact upon these properties at this stage, and as such, minimal weight should be given to the impacts of the proposal on residential amenity. Furthermore, whilst there may be some audible noise emanating from the development, given the existing background noise levels in the area, it is not considered that there would be any demonstrable harm caused by noise from the development which could not be adequately mitigated against.
- 7.14 The proposed development will remove the existing agricultural use of the Site, however, no part of the site has been identified as the 'best and most versatile' with 84% being classed as moderate to poor quality, and therefore the impact of the proposal on the best and most versatile agricultural land is neutral.
- 7.15 The potential provision of low carbon buildings and facilities and renewable energy facilities as part of the proposal is a significant consideration, and as such, moderate weight should be given to the potential benefits of the proposal low energy related issues.
- 7.16 It is acknowledged that the proposal has caused considerable concern within the local community, and this is evidenced by the level of objection which has been received. Notwithstanding this, the need for and benefits of the proposed development are very substantial, any reduced scale scheme would not meet the need as effectively and Officers are satisfied that these regional and national benefits very significantly outweigh the harms caused including the considerable importance and weight given to the harm to the DMV. As such Members are asked to endorse the officer recommendation that planning approval should be granted (subject to the suggested conditions and the signing of the s106 agreement/s38/2278 agreement)
- 7.17 In reaching this recommendation, Officers has taken into account the ES which was submitted under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations, the further statements submitted under Regulation 22(1) and the further clarification and errata statements. Officers consider that the ES and the further information provided complies with the above regulations and that sufficient information has been provided to assess the environmental impact of the proposals.

8. Suggested Planning Conditions

- 8.1 If Members are minded to approve the application, Officers recommend that the following conditions are attached to any approval. The conditions have taken into account the advice contained with Annex A of the former Circular 11/95 and the PPG.

○ *Zone 1 suggested conditions*

1 Duration of Consent

The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON: To accord with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2 Reserved Matters Application

Applications for approval of details of the layout, scale, appearance, landscaping, (hereinafter called "the reserved matters") for each of the Phases (as identified in the Phasing Programme approved under condition 3 below) shall be submitted to and approved in writing by the local planning authority before any development in that particular Phase begins, and the development shall be carried out as approved.

REASON: To conform with Section 92 (2) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

3 Parameters

The reserved matters submitted under Condition 2 shall be in strictly in accordance with the principles and parameters described and illustrated in the Design and Access Statement and the following Parameter Plans:

- 3657-34 Rev 18 - Parameters Plan
- 3657-36 Rev 06 - Parameters Plan (Building Heights)

Thereafter, the development shall be implemented in accordance with the approved details and retained as such in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To make sure that the development takes the form agreed by the authority and thus results in a satisfactory form of development.

4 Phasing

Prior to the approval of the first reserved matters application the Implementation Plan for the non B8 uses forming part of the development shall be submitted to and approved in writing by the local planning authority. No development shall commence in respect of any Phase, pursuant to this outline permission, other than in accordance with the approved Implementation Plan for the development hereby permitted, and which inter alia accords with the section 106 agreement triggers, where applicable. The Implementation Plan shall include (but is not limited to) the sequence of providing the following elements:

- Logistics Institute of Technology as set out in the section 106 agreement
- Magna Park Innovation Centre as set out in the section 106 agreement
- Holovis Headquarter as set out in the section 106 agreement
- Bittesby Country Park and Meadow as set out in the section 106 agreement
- Bittesby Local Heritage Centre as set out in the section 106 agreement
- Bittesby House Re-use as set out in the section 106 agreement
- HGV Park, Railfreight Shuttle and Terminal and Driver Training Centre as set out in the section 106 agreement
- Site accesses
- Major internal infrastructure including internal spine road, pedestrian and cycle crossings, footpaths, cycleways, services and Sustainable Urban Drainage Systems (SuDS)
- Confirmation of the scope and timescale for the implementation of the off-site highway infrastructure including highway improvements/traffic management measures and where required the undertaking of Road Safety Audits, the progressing of Traffic Regulation Orders and other consultation processes.
- The delivery of public transport services and accompanying infrastructure within the site and external to the development to include but not be limited to: bus stops (within a maximum 800m distance of each unit within the development); bus shelters, Real Time Information, raised kerbs, lighting and timetable information.

Thereafter, the development shall be implemented in accordance with the approved details and retained as such in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the development is comprehensively designed and phased to make sure that the development takes the form agreed by the authority and thus results in a satisfactory form of development.

5 Approved Plans

The development hereby permitted shall be carried out in accordance with the following approved drawings:

- 3657-30 Rev 05 – Red Line Boundary Plan
- 3657-31 Rev 01 – Site Location Plan
- 3657-32 Rev 04 – Blue Line Boundary Plan
- 3657-33 Rev 11 – Illustrative Masterplan (Zone 1)
- 3657-34 Rev 18 – Parameters Plan (Zone 1)
- 3657-36 Rev 06 – Parameters Plan (Building Heights (Zone 1)
- 3657-37 Rev 01 – Demolition Plan (Zone 1)
- 3657-41 Rev \$ – Illustrative Masterplan comparison (Zone 1)

- MPL410-AL-A01-CT-0-001
- MPL410-AL-A01-GE-2-001
- MPL410-AL-A01-GE-2-002
- MPL410-AL-A01-GE-2-003
- MPL410-AL-A01-GE-2-004
- MPL410-AL-A01-MP-0-001
- 074680-CA0-GF-DR-S-001-P07
- 074680-CA0-GF-DR-S-002-P07
- 074680-CA0-GF-DR-S-010-P00
- 074680-CA0-GF-DR-S-011-P00
- 074680-CA0-GF-DR-S-012-P00
- 074680-CA0-GF-DR-S-013-P00
- 074680-CA0-GF-DR-S-014-P00
- 074680-CA0-GF-DR-S-015-P00
- 47066811/A008/SK12 Rev C: Proposed Access Arrangements (Zone 1 – South)
- 47066811/A008/SK13: Proposed Access Arrangements (Zone 1 – North)

Thereafter, the development shall be implemented in accordance with the approved details and retained as such in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the scheme takes the form agreed by the authority and thus results in a satisfactory form of development and for the avoidance of doubt.

6 Construction Environmental Management Plan (CEMP)

No development shall take place, including any site works, until a Construction Environmental Management Plan (CEMP) for that phase has been submitted to, and approved in writing by, the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period for that phase of development to which it relates. The CEMP shall provide for, and include details of the timing of the provision of:

- The parking of vehicles for site operatives and visitors
- Loading and unloading of plant and materials
- Storage of plant and materials used in constructing the development
- The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- Wheel washing facilities
- Measures to control the emission of dust and dirt during construction
- Measures for the lighting of compounds and works during construction
- A scheme for recycling/disposing of waste resulting from demolition and construction work
- Hours of operation - the details shall include the hours of construction and the
- hours for the loading/unloading of materials
- The means of access and routing of demolition and construction traffic
- Location of contractors compound
- Management of surface water run-off including details of any temporary localised flooding management system and a scheme to treat and remove suspended solids from surface water run-off during construction
- The storage of fuel and chemicals
- Temporary highway works
- The means of access and routing of construction traffic
- Measures to protect the trees and hedges to be retained on the application site during the duration of the construction works;
- Measures to protect the wildlife habitats and wildlife corridors during the duration of the construction works.
- The provision of temporary drainage measures
- The storage of fuel and chemicals
- Details of any piling operation to be undertaken

- Details of a Construction Communications Strategy which contains points of contact and details for residents to report HGVs utilising inappropriate routes.

The approved CEMP shall be adhered to throughout the construction period for that phase of development to which it relates.

REASON: To ensure appropriate mitigation for the impacts caused by the construction phases of the development and to reflect the scale and nature of development assessed in the submitted Environmental Statement.

7 Risk Based Land Contamination Assessment

No development shall commence on site until a Risk Based Land Contamination Assessment has been submitted to and approved in writing by the Local Planning Authority, in order to ensure that the land is fit for use as the development proposes. The Risk Based Land Contamination Assessment shall be carried out in accordance with:

- BS10175 Year 2011 Investigation Of Potentially Contaminated Sites Code of Practice;
- BS8485 Year 2007 Code of Practice for the Characterisation and Remediation from Ground Gas in Affected Developments; and
- LR 11 Model Procedures for the Management of Land Contamination, published by The Environment Agency 2004.

Should any unacceptable risks be identified in the Risk Based Land Contamination Assessment, a Remedial Scheme and a Verification Plan must be prepared and submitted to and agreed in writing by the Local Planning Authority. The Remedial Scheme shall be prepared in accordance with the requirements of:

- CLR 11 Model Procedures for the Management of Land Contamination, published by The Environment Agency 2004.
- The Verification Plan shall be prepared in accordance with the requirements of:
- Evidence Report on the Verification of Remediation of Land Contamination Report: SC030114/R1, published by the Environment Agency 2010;
- CLR 11 Model Procedures for the Management of Land Contamination, published by The Environment Agency 2004.

If, during the course of development, previously unidentified contamination is discovered, development must cease on that part of the site and it must be reported in writing to the Local Planning Authority within 10 working days. Prior to the recommencement of development on that part of the site, a Risk Based Land Contamination Assessment for the discovered contamination (to include any required amendments to the Remedial Scheme and Verification Plan) must be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be implemented in accordance with the approved details and retained as such in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the land is fit for purpose and to accord with Core Strategy Policy CS11

8 Completion/Verification Report

Prior to occupation of any part of the completed development, a Verification Investigation shall be undertaken in line with the agreed Verification Plan for any works outlined in the Remedial Scheme relevant to either the whole development or that part of the development. Prior to occupation of any part of the completed development, a report showing the findings of the Verification Investigation shall be submitted to and approved in writing by the Local Planning Authority. The Verification Investigation Report shall:

- Contain a full description of the works undertaken in accordance with the agreed Remedial Scheme and Verification Plan;
- Contain results of any additional monitoring or testing carried out between the submission of the Remedial Scheme and the completion of remediation works;
- Contain Movement Permits for all materials taken to and from the site and/or a copy of the completed site waste management plan if one was required;
- Contain Test Certificates of imported material to show that it is suitable for its proposed use;
- Demonstrate the effectiveness of the approved Remedial Scheme; and
- Include a statement signed by the developer, or the approved agent, confirming that all the works specified in the Remedial Scheme have been completed.

REASON: To ensure that the land is fit for purpose and to accord with Core Strategy Policy CS11

9 Landscaping

No development shall commence in each phase unless there has been submitted to and approved in writing by the Local Planning Authority a Landscape and Biodiversity Management Plan for that phase which shall include the timescales for mitigation requirements, the specification, the timing of the completion of and the arrangements for the management and maintenance of:

- I. All areas of informal and formal open space to be included within the development, including the ecological protection along footpaths through the site
- II. Sustainable Urban Drainage Systems, watercourses and other water bodies
- III. Green Infrastructure linkages including pedestrian and cycle links, public rights of way and bridleways.
- IV. Areas of habitat creation in and around the Country Park and on the site boundaries which should be planted with locally native species.

These details shall be in accordance with the Illustrative Masterplan (MLP410-AL-A01-MP-0-001Rev 01) and shall include screening along noise sensitive boundaries. The Landscape Management Plan shall thereafter be complied with at all times.

REASON: To ensure the proper management and maintenance of the approved landscaping in the interests of amenity and the character and appearance of the area and to accord with Core Strategy Policy CS11

10 Landscape Phasing

The landscaping buffer to White House Farm shall be laid out in accordance with the Landscape Phasing Plan (Drawing MPL410-AL-SK038-04), with implementation to coincide with the commencement of development on the first Parcel shown on Parameter Plans 1 and 2 (Drawings 3657-34-29 and 3657-36-07).

REASON: To ensure that the proposed landscaping is afforded adequate opportunity to become suitably established so as to perform its required purpose in the interests of amenity and the character and appearance of the area and to accord with Core Strategy Policy CS11

11 Renewable Energy

The appearance details required in Condition 2 shall include energy efficiency measures to be used on the buildings. The details shall be implemented as approved.

REASON:

12 Refuse and Recycling

The layout and appearance details required in the reserved matters applications (condition 2) shall include details of the provision for the storage of refuse and materials for recycling have been submitted and approved in writing by the Local Planning Authority. The details shall be implemented as approved and shall thereafter be retained for use at all times.

REASON: To ensure the adequate provision of facilities and in the interests of visual amenity and to accord with Core Strategy Policy CS11

13 Cycle Storage

The layout and appearance details required in the reserved matters applications (condition 2) shall include details of secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

REASON: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles and to accord with Harborough District Core Strategy Policy CS11

14 Extraction Equipment and Air Conditioning Units

The appearance details required in Condition 2 shall include details showing ventilation and extraction equipment for the individual buildings. These facilities shall be fully implemented prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

REASON: To protect the amenities of existing and future residents and to accord with Core Strategy Policy CS11

15 External Lighting

The appearance details required in Condition 2 shall include a scheme for the external lighting of that phase (including details of permanent external lighting including layout plan, lighting type, luminaire type, intensity, mounting height, aiming angles and luminaire profiles). The scheme shall be implemented as approved.

REASON: In the interests of the visual amenity of the area and to accord with Core Strategy Policy CS11

16 Levels

The layout and landscape details required in the reserved matters applications (condition 2) shall include details of existing and proposed site levels, including finished floor levels of any buildings. The development shall thereafter be implemented in accordance with the approved details. These details will indicate that there will be no development or ground raising on any area that is designated as Flood Zone 2 or 3 as defined by the Environment Agency Flood Map for Planning.

REASON: To ensure that the work is carried out at suitable levels in relation to adjoining properties and the wider surroundings, having regard to amenity, landscape, biodiversity, access, highway and drainage requirements.

17 Foul Water Drainage

No development should commence on site until a foul drainage solution has been submitted and approved by the local planning authority. No building should be occupied until the works have been carried out in accordance with the solution unless otherwise approved in writing by the Local Planning Authority

REASON: To prevent pollution of the water environment.

18 Hedgerow Protection

In respect of any tree/hedgerow shown to be retained as part of any reserved matters approval scheme:

- a) no tree shall be cut down, uprooted or destroyed within 5 years of the date of the commencement of the respective Phase of development.
- b) If any retained tree is removed, uprooted or destroyed or dies within 5 years from the date of the commencement of development, another tree of the same size and species shall be planted at the same place within the first planting season following the loss of the retained tree.
- c) No development hereby approved shall begin until a scheme showing the exact position of protective fencing to enclose all retained trees beyond the outer edge of the overhang of their branches in accordance with the British Standard 5837 (2005): Trees in relation to construction has been submitted to and approved in writing by the local planning authority. Protective fencing in accordance with the approved scheme shall be erected prior to any equipment, machinery or materials being brought onto the site for the purpose of the approved development.
- d) Fencing shall be maintained until all construction equipment, machinery and surplus materials have been removed from the development site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made.

REASON: To protect trees/hedgerows which are to be retained in order to enhance the quality of the development, bio-diversity and the landscape of the area

19 Protected Species Survey

Prior to the commencement of each phase of development, a specification for supplementary ecological surveys (including birds, bats, newts and reptiles) on the development site to be carried out by a suitably qualified independent ecologist shall be submitted to and approved in writing by the Local Planning Authority. The specification shall include the methodology and timetable for the checking surveys and submission of a report detailing the results of the surveys. The report shall also identify any additional changes to approved mitigation measures required as a result of the surveys. The specification and mitigation measures shall be implemented as approved.

REASON: To ensure the protection of wildlife during the course of this development and to ensure that there is appropriate mitigation for any ecological interest on the site

20 Archaeology

No demolition/development shall take place until a Programme of Archaeological Mitigation and subsequent detailed Written Schemes of Investigation (WSI) have been submitted to and approved by the local planning authority in writing. For land that is included within the Programme, no demolition/development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and

- The schedule and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- The schedule for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI

REASON: To ensure satisfactory archaeological investigation and recording

21 Highways Details

Save for the formation of the access arrangements, including the connection to the A5, as shown in 47066811/A008/SK12 Rev C (or as amended by Road Safety Audit or Detailed Design) no part of the development hereby permitted shall commence on Zone 1 until such time as the access arrangements, including the connection to the A5, as shown on URS Drawing No 47066811/A008/SK12 Rev C (or as amended by Road Safety Audit or Detailed Design) have been implemented in full.

REASON: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with Paragraph 32 of the National Planning Policy Framework 2012.

22 Highways Details

No part of the development shall be occupied until such time as the offsite works shown on Hydrock drawing number C161222-207 Rev P4 (or as amended by Road Safety Audit or Detailed Design) have been implemented in full.

REASON: To mitigate the impact of the development, in the general interests of highway safety and in accordance with Paragraph 32 of the National Planning Policy Framework 2012.

23 Framework Travel Plan

No part of the development for employment uses hereby permitted shall be first occupied until an amended Framework Travel Plan for the employment uses which sets out actions and measures with quantifiable outputs and outcome targets has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the agreed Travel Plan shall be implemented in accordance with the approved details.

REASON: To reduce the need to travel by single occupancy vehicle and to promote the use of sustainable modes of transport in accordance with Chapter 4 of the National Planning Policy Framework 2012.

24 LIT Travel Plan

No part of the Logistics Institute of Technology development hereby permitted shall be first occupied until an amended Travel Plan for the Logistics Institute of Technology which sets out actions and measures with quantifiable outputs and outcome targets has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the agreed Travel Plan shall be implemented in accordance with the approved details.

REASON: To reduce the need to travel by single occupancy vehicle and to promote the use of sustainable modes of transport in accordance with Chapter 4 of the National Planning Policy Framework 2012.

25 Gatehouses

Any new gatehouse(s) shall be situated a minimum of 60m (travel distance) from the proposed vehicular access. No gates, barriers, bollards, chains or other such obstructions shall be erected within a distance of 60 metres of the highway boundary, nor shall any be erected within a distance of 60 metres of the highway boundary unless hung to open away from the highway.

REASON: To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic including pedestrians in the public highway in accordance with Paragraph 32 of the National Planning Policy Framework 2012.

26 Connectivity with Magna Park

The first reserved matters application in respect of the matters of layout shall include a scheme of vehicular, cycle and pedestrian access connecting Zone 1 of the application site to the existing Magna Park development, together with a timetable for its provision. The development shall be carried out in accordance with the approved details and timetable and the relevant route(s) shall thereafter be so maintained such that unfettered vehicular, cycle and pedestrian access on the route(s) through and up to the edge of the site are available at all times.

REASON: To ensure the opportunities for appropriate vehicular, cycle and pedestrian access (including public transport vehicles) are maximised, and to ensure the proper planning of the site in conjunction with the adjacent land.

27 Groundwater protection

Prior to each phase of development approved by this planning permission no development shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1. A preliminary risk assessment which has identified:
 - all previous uses;
 - potential contaminants associated with those uses;
 - a conceptual model of the site indicating sources, pathways and receptors;
 - potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

REASON: To ensure the protection of the underlying Secondary A aquifer.

28 Protection of the water environment

Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hard standings susceptible to oil contamination shall be passed through an oil separator designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

REASON: To protect the water environment.

29 Gibbet Hill Works

No more than 100,844sqm of the development hereby permitted may be occupied until improvement works at A5 / A426 Gibbet Hill roundabout as shown in AECOM drawing No. 60470988/A001/SK32 (or as amended by a Road Safety Audit or Detailed Design) are complete and open to traffic unless otherwise agreed with Highways England. The approved scheme must comply with the requirements of the Design Manual for Roads and Bridges, including those relating to road safety and non-motorised user audits. For the avoidance of doubt, the 100,844 sqm unit referenced above relates to the unit approved under 15/00919/FUL was granted on 25 October 2016.

REASON: To ensure that the A5 continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 by minimising disruption on the trunk road resulting from traffic entering and emerging from the application site and in the interests of road safety.

30 A5 Works

Prior to the occupation of the final 35,000 sqm of the development hereby permitted, improvement works to the A5 as detailed in URS Drawing No. 47066811/A008/SK13 (or as amended by Road Safety Audit or Detailed Design) must be complete and open to traffic unless otherwise agreed with Highways England. The approved scheme must comply with the requirements of the Design Manual for Roads and Bridges, including those relating to road safety and non- motorised user audits.

REASON: To ensure that the A5 continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 by minimising disruption on the trunk road resulting from traffic entering and emerging from the application site and in the interests of road safety.

31 HGV Routing

Prior to first occupation a HGV Routing Strategy which identifies clear HGV routing and identifies the routes through the villages of Monks Kirby, Pailton, Street Ashton and Stretton under Fosse as unsuitable shall be submitted and approved in writing by the Local Planning Authority.

REASON:

32 Surface Water

No development approved by this planning permission shall take place until such time as a surface water drainage scheme has been submitted to, and approved in writing by, the local planning authority. The scheme shall include the utilisation of holding sustainable drainage techniques with the incorporation of sufficient treatment trains to maintain or improve the existing water quality; the limitation of surface water run-off to equivalent greenfield rates; the ability to accommodate surface water run-off on-site up to the critical 1 in 100 year event plus an appropriate allowance for climate change, based upon the submission of drainage calculations; and the responsibility for the future maintenance of drainage features. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing and phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Full details for the drainage proposal should be supplied, including but not limited to, headwall details, pipe protection details (e.g. trash screens), long sections and full model scenario's for the 1 in 1, 1in 30 and 1 in 100 year + climate change. Where discharging to a sewer, this should be

modelled as surcharged for all events above the 1 in 30 year, to account for the design standards of the public sewers.

REASON: To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site.

33 Construction Surface Water Management Plan

No development approved by this planning permission shall take place until such time as details in relation to the management of surface water on site during construction of the development has been submitted to, and approved in writing by, the Local Planning Authority.

Details should demonstrate how surface water will be managed on site to prevent an increase in flood risk during the various construction stages of development from initial site works through to completion. This shall include temporary attenuation, additional treatment, controls, maintenance and protection. Details regarding the protection of any proposed infiltration areas should also be provided.

REASON: To prevent an increase in flood risk, maintain the existing surface water runoff quality and to prevent damage to the final surface water management systems through the entire development construction phase.

34 SuDS Maintenance Plan & Schedule

No development, approved by this planning permission, shall take place until such time as details, in relation to the long term maintenance of the sustainable surface water drainage system on the development, have been submitted to, and approved in writing by, the Local Planning Authority. Details of the SuDS Maintenance Plan should include for routine maintenance, remedial actions and monitoring of the separate elements of the system, and should also include procedures that must be implemented in the event of pollution incidents within the development site.

REASON: To establish a suitable maintenance regime, that may be monitored over time; that will ensure the long term performance, both in terms of flood risk and water quality, of the sustainable drainage system within the proposed development.

- *Zone 2 suggested conditions*

35 Duration of Consent

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

36 Phasing

Prior to the commencement of above ground works of any part of Zone 2, a Site Wide Phasing Programme shall be submitted to and approved in writing by the local planning authority. The Phasing Programme shall include details of the proposed sequence of development across the entire site, the extent and location of individual development phases including reference to the type and extent of any development envisaged in each phase, and a description. The Phasing Programme shall state when each of the following will be delivered:

- i. Site accesses
- ii. Confirmation of the scope and timescale for the implementation of the off-site highway infrastructure including highway improvements/traffic management measures and where required the undertaking of Road Safety Audits, the progressing of Traffic Regulation Orders and other consultation processes.

Thereafter, the development shall be implemented in accordance with the approved details and retained as such in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the development is comprehensively designed and phased to make sure that the development takes the form agreed by the authority and thus results in a satisfactory form of development.

37 **Approved Plans**

The development hereby permitted shall be carried out in accordance with the following approved drawings:

- 3657-90 Rev 01 – Gatehouse and Training Centre Plans (Zone 2)
- 3657-91 Rev 05 – Proposed Site Layout (Zone 2)
- 3657-92 Rev 01 – Gatehouse and Training Centre sections (Zone 2)
- 3657-93 Rev 03 – Fuel Island (Zone 2)
- 3657-94 Rev 02 – Vehicle Wash (Zone 2)
- 3657-96 Rev 01 – Gatehouse and Training Centre elevations (Zone 2)
- 3657-110 Rev 03 – Proposed Fencing Plan (Zone 2)
- 3657-111 Rev 03 – External Works Finishes (Zone 2)

Thereafter, the development shall be implemented in accordance with the approved details and retained as such in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the scheme takes the form agreed by the authority and thus results in a satisfactory form of development and for the avoidance of doubt.

38 **Construction Environmental Management Plan (CEMP)**

No development shall take place, including any site works, until a Construction Environmental Management Plan (CEMP) for that phase has been submitted to, and approved in writing by, the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period for that phase of development to which it relates. The CEMP shall provide for, and include details of the timing of the provision of:

- The parking of vehicles for site operatives and visitors
- Loading and unloading of plant and materials
- Storage of plant and materials used in constructing the development
- The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- Wheel washing facilities
- Measures to control the emission of dust and dirt during construction
- Measures for the lighting of compounds and works during construction
- A scheme for recycling/disposing of waste resulting from demolition and construction work
- Hours of operation - the details shall include the hours of construction and the hours for the loading/unloading of materials
- The means of access and routing of demolition and construction traffic
- Location of contractors compound
- Management of surface water run-off including details of any temporary localised flooding management system and a scheme to treat and remove suspended solids from surface water run-off during construction
- The storage of fuel and chemicals
- Temporary highway works
- The means of access and routing of construction traffic
- Measures to protect the trees and hedges to be retained on the application site during the duration of the construction works;
- Measures to protect the wildlife habitats and wildlife corridors during the duration of the construction works.
- The provision of temporary drainage measures
- The storage of fuel and chemicals
- Details of any piling operation to be undertaken
- Details of a Construction Communications Strategy which contains points of contact and details for residents to report HGVs utilising inappropriate routes.

The approved CEMP shall be adhered to throughout the construction period for that phase of development to which it relates.

REASON: To ensure appropriate mitigation for the impacts caused by the construction phases of the development and to reflect the scale and nature of development assessed in the submitted Environmental Statement.

39 Risk Based Land Contamination Assessment

No development shall commence on site until a Risk Based Land Contamination Assessment has been submitted to and approved in writing by the Local Planning Authority, in order to ensure that the land is fit for use as the development proposes. The Risk Based Land Contamination Assessment shall be carried out in accordance with:

- BS10175 Year 2011 Investigation Of Potentially Contaminated Sites Code of Practice;
- BS8485 Year 2007 Code of Practice for the Characterisation and Remediation from Ground Gas in Affected Developments; and
- LR 11 Model Procedures for the Management of Land Contamination, published by The Environment Agency 2004.

Should any unacceptable risks be identified in the Risk Based Land Contamination Assessment, a Remedial Scheme and a Verification Plan must be prepared and submitted to and agreed in writing by the Local Planning Authority. The Remedial Scheme shall be prepared in accordance with the requirements of:

- CLR 11 Model Procedures for the Management of Land Contamination, published by The Environment Agency 2004.
- The Verification Plan shall be prepared in accordance with the requirements of:
- Evidence Report on the Verification of Remediation of Land Contamination Report: SC030114/R1, published by the Environment Agency 2010;
- CLR 11 Model Procedures for the Management of Land Contamination, published by The Environment Agency 2004.

If, during the course of development, previously unidentified contamination is discovered, development must cease on that part of the site and it must be reported in writing to the Local Planning Authority within 10 working days. Prior to the recommencement of development on that part of the site, a Risk Based Land Contamination Assessment for the discovered contamination (to include any required amendments to the Remedial Scheme and Verification Plan) must be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be implemented in accordance with the approved details and retained as such in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the land is fit for purpose and to accord with Core Strategy Policy CS11

40 Completion/Verification Report

Prior to occupation of any part of the completed development, a Verification Investigation shall be undertaken in line with the agreed Verification Plan for any works outlined in the Remedial Scheme relevant to either the whole development or that part of the development. Prior to occupation of any part of the completed development, a report showing the findings of the Verification Investigation shall be submitted to and approved in writing by the Local Planning Authority. The Verification Investigation Report shall:

- Contain a full description of the works undertaken in accordance with the agreed Remedial Scheme and Verification Plan;
- Contain results of any additional monitoring or testing carried out between the submission of the Remedial Scheme and the completion of remediation works;
- Contain Movement Permits for all materials taken to and from the site and/or a copy of the completed site waste management plan if one was required;
- Contain Test Certificates of imported material to show that it is suitable for its proposed use;
- Demonstrate the effectiveness of the approved Remedial Scheme; and
- Include a statement signed by the developer, or the approved agent, confirming that all the works specified in the Remedial Scheme have been completed.

REASON: To ensure that the land is fit for purpose and to accord with Core Strategy Policy CS11

41 Landscaping

No above ground works shall commence unless there has been submitted to and approved in writing by the Local Planning Authority a Landscape and Biodiversity Management Plan for that phase which shall include the timescales for mitigation requirements, the specification, the timing of the completion of and the arrangements for the management and maintenance of:

- I. All areas of informal and formal open space to be included within the development.
- II. Sustainable Urban Drainage Systems, watercourses and other water bodies
- III. Areas of habitat creation on the site boundaries which should be planted with locally native species.

These details shall be in accordance with the Illustrative Masterplan (MLP410-AL-A01-MP-0-001Rev 01). The Landscape Management Plan shall thereafter be complied with at all times.

REASON: To ensure the proper management and maintenance of the approved landscaping in the interests of amenity and the character and appearance of the area and to accord with Core Strategy Policy CS11

42 Renewable Energy

Prior to the commencement of above ground works of any part of Zone 2, details of energy efficiency measures to be used on the buildings shall be submitted to and approved by the LPA. The details shall be implemented as approved and retained in perpetuity unless otherwise agreed in writing by the LPA.

REASON:

43 Refuse and Recycling

Prior to the commencement of above ground works of any part of Zone 2, details of the provision for the storage of refuse and materials for recycling shall be submitted to and approved by the LPA. The details shall be implemented as approved and retained in perpetuity unless otherwise agreed in writing by the LPA.

REASON: To ensure the adequate provision of facilities and in the interests of visual amenity and to accord with Core Strategy Policy CS11

44 Cycle Storage

Prior to the commencement of above ground works of any part of Zone 2, details of secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

REASON: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles and to accord with Harborough District Core Strategy Policy CS11

45 Extraction Equipment and Air Conditioning Units

Prior to the commencement of above ground works of any part of Zone 2, details showing ventilation and extraction equipment for the individual buildings. The details shall be implemented as approved and retained in perpetuity unless otherwise agreed in writing by the LPA.

REASON: To protect the amenities of existing and future residents and to accord with Core Strategy Policy CS11

46 External Lighting

Prior to the commencement of above ground works of any part of Zone 2, a scheme for the external lighting of that phase (including details of permanent external lighting including layout plan, lighting type, luminaire type, intensity, mounting height, aiming angles and luminaire profiles). The details shall be implemented as approved and retained in perpetuity unless otherwise agreed in writing by the LPA.

REASON: In the interests of the visual amenity of the area and to accord with Core Strategy Policy CS11

47 Levels

Prior to the commencement of above ground works of any part of Zone 2, details of existing and proposed site levels, including finished floor levels of any buildings. The development shall thereafter be implemented in accordance with the approved details.

REASON: To ensure that the work is carried out at suitable levels in relation to adjoining properties and the wider surroundings, having regard to amenity, landscape, biodiversity, access, highway and drainage requirements.

48 Foul Water Drainage

No development should commence on site until a foul drainage solution has been submitted and approved by the local planning authority. No building should be occupied until the works have been carried out in accordance with the solution unless otherwise approved in writing by the Local Planning Authority

REASON: To prevent pollution of the water environment.

49 Hedgerow Protection

In respect of any tree/hedgerow shown to be retained as part of any reserved matters approval scheme:

- a) no tree shall be cut down, uprooted or destroyed within 5 years of the date of the commencement of the respective Phase of development.
- b) If any retained tree is removed, uprooted or destroyed or dies within 5 years from the date of the commencement of development, another tree of the same size and species shall be planted at the same place within the first planting season following the loss of the retained tree.
- c) No development hereby approved shall begin until a scheme showing the exact position of protective fencing to enclose all retained trees beyond the outer edge of the overhang of their branches in accordance with the British Standard 5837 (2005): Trees in relation to construction has been submitted to and approved in writing by the local planning authority. Protective fencing in accordance with the approved scheme shall be erected prior to any equipment, machinery or materials being brought onto the site for the purpose of the approved development.
- d) Fencing shall be maintained until all construction equipment, machinery and surplus materials have been removed from the development site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made.

REASON: To protect trees/hedgerows which are to be retained in order to enhance the quality of the development, bio-diversity and the landscape of the area

50 Protected Species Survey

Prior to the commencement of each phase of development, a specification for supplementary ecological surveys (including birds, bats, newts and reptiles) on the development site to be carried out by a suitably qualified independent ecologist shall be submitted to and approved in writing by the Local Planning Authority. The specification shall include the methodology and timetable for the checking surveys and submission of a report detailing the results of the surveys. The report shall also identify any additional changes to approved mitigation measures required as a result of the surveys. The specification and mitigation measures shall be implemented as approved.

REASON: To ensure the protection of wildlife during the course of this development and to ensure that there is appropriate mitigation for any ecological interest on the site

51 Highways Details

No part of the development hereby permitted shall be occupied on Zone 2 until such time as the access arrangements shown on Chetwoods Architect drawing number 3657-91 Rev 05 have been implemented in full.

REASON: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with Paragraph 32 of the National Planning Policy Framework 2012.

52 Gatehouses

Any new gatehouse(s) shall be situated a minimum of 60m (travel distance) from the proposed vehicular access. No gates, barriers, bollards, chains or other such obstructions shall be erected

within a distance of 60 metres of the highway boundary, nor shall any be erected within a distance of 60 metres of the highway boundary unless hung to open away from the highway.

REASON: To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic including pedestrians in the public highway in accordance with Paragraph 32 of the National Planning Policy Framework 2012.

53 Protection of the water environment

Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hard standings susceptible to oil contamination shall be passed through an oil separator designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

REASON: To protect the water environment.

54 Surface Water

No development approved by this planning permission shall take place until such time as a surface water drainage scheme has been submitted to, and approved in writing by, the local planning authority. The scheme shall include the utilisation of holding sustainable drainage techniques with the incorporation of sufficient treatment trains to maintain or improve the existing water quality; the limitation of surface water run-off to equivalent greenfield rates; the ability to accommodate surface water run-off on-site up to the critical 1 in 100 year event plus an appropriate allowance for climate change, based upon the submission of drainage calculations; and the responsibility for the future maintenance of drainage features. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing and phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Full details for the drainage proposal should be supplied, including but not limited to, headwall details, pipe protection details (e.g. trash screens), long sections and full model scenario's for the 1 in 1, 1 in 30 and 1 in 100 year + climate change. Where discharging to a sewer, this should be modelled as surcharged for all events above the 1 in 30 year, to account for the design standards of the public sewers.

REASON: To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site.

55 Construction Surface Water Management Plan

No development approved by this planning permission shall take place until such time as details in relation to the management of surface water on site during construction of the development has been submitted to, and approved in writing by, the Local Planning Authority.

Details should demonstrate how surface water will be managed on site to prevent an increase in flood risk during the various construction stages of development from initial site works through to completion. This shall include temporary attenuation, additional treatment, controls, maintenance and protection. Details regarding the protection of any proposed infiltration areas should also be provided.

REASON: To prevent an increase in flood risk, maintain the existing surface water runoff quality and to prevent damage to the final surface water management systems through the entire development construction phase.

56 SuDS Maintenance Plan & Schedule

No development, approved by this planning permission, shall take place until such time as details, in relation to the long term maintenance of the sustainable surface water drainage system on the development, have been submitted to, and approved in writing by, the Local Planning Authority. Details of the SuDS Maintenance Plan should include for routine maintenance, remedial actions and monitoring of the separate elements of the system, and should also include procedures that must be implemented in the event of pollution incidents within the development site.

REASON: To establish a suitable maintenance regime, that may be monitored over time; that will ensure the long term performance, both in terms of flood risk and water quality, of the sustainable drainage system within the proposed development.

57 Fuel Tanks

Prior to the commencement of any above grounds works on Zone 2, full details of the above ground fuel storage tanks, compressor units and switch room shall be submitted to and approved in writing by the LPA. The development shall there after be carried out in accordance with the approved details

REASON:

INFORMATIVE NOTES

1. The Environment Agency would like to highlight the importance of managing the surface water from this development as it has the potential to significantly increase the surface water run-off from the development area. This in turn could lead to an increase in the potential for fluvial flooding. We therefore advise the LLFA that any surface water scheme for this development should aim to keep the run-off rate as close to the Greenfield rate as practicable.
2. The application form states that foul drainage is to be disposed of via a Package Treatment Plant. If an Existing private sewage treatment plant is to be used the Applicant must ensure that the plant has sufficient capacity to deal with any increase in flow and loading which will occur as a result of the development. If the foul water generated is to drain to a New private sewage treatment plant then the following will apply:
 - If you wish to discharge treated sewage effluent into a surface water or to ground you may require an Environmental Permit from us. In some cases you may be able to register an exemption. You should apply online at <http://www.environment-agency.gov.uk/business/topics/permitting> or contact us for an Environmental Permit application form and further details on 08708 506506. The granting of planning permission does not guarantee the granting of a permit under the Environmental Permitting Regulations 2010. A permit will be granted where the risk to the environment is acceptable.
 - Any facilities for the storage of oils, fuels or chemicals shall be provided with secondary containment that is impermeable to both the oil, fuel or chemical and water, for example a bund, details of which shall be submitted to the local planning authority for approval. The minimum volume of the secondary containment should be at least equivalent to the capacity of the tank plus 10%. If there is more than one tank in the secondary containment the capacity of the containment should be at least the capacity of the largest tank plus 10% or 25% of the total tank capacity, whichever is greatest. All fill points, vents, gauges and sight gauge must be located within the secondary containment. The secondary containment shall have no opening used to drain the system. Associated above ground pipework should be protected from accidental damage. Below ground pipework should have no mechanical joints, except at inspection hatches and either leak detection equipment installed or regular leak checks. All fill points and tank vent pipe outlets should be detailed to discharge downwards into the bund.

The above are the requirements of: Control of Pollution (Oil Storage) (England) Regulations 2001; the Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) Regulations 2010; Building Regulations 2010.
3. During the period of construction, oil and fuel storage will be subject to the Control of Pollution (Oil Storage) (England) Regulations 2001. The Regulations apply to the storage of oil or fuel of any kind in any kind of container which is being used and stored above ground, including drums and mobile bowsers, situated outside a building and with a storage capacity which exceeds 200 litres. A person with custody or control of any oil or fuel breaching the Regulations will be guilty of a criminal offence. The penalties are a maximum fine of £5000 in Magistrates' Court or an unlimited fine in Crown Court. Further details of the Regulations are available from the Environment Agency.
4. The appropriate Pollution Prevention guidelines available at www.gov.uk should be adhered to throughout the construction phase and for the lifetime of the development.

5. It is noted that the flow control details for the 3.3 % AEP (1in 30) and the 1 % AEP (1 in 100) events are different for both the Minor and Major attenuation features on Plot 7300, the detailed design should clarify which control is to be utilised. The LLFA have not objected on this factor as there is no flooding during the 1 in 100 year simulations as such the control in this scenario would meet the requirements. The LLFA would prefer that pond are not modelled as a tank and that open areas above the cover level are left without data rather than a value of 0. The water level does not reach the cover level therefore the LLFA are not raising an objection on this point, but this should be modelled correctly in the detailed design.
6. If there are any works proposed as part of an application which are likely to affect flows in a watercourse or ditch, then the applicant may require consent under s.23 Land Drainage Act 1991. This legislation is separate from the planning process. Guidance on this process and a sample application form can be found via the following website: <http://www.leicestershire.gov.uk/Flood-risk-management> No development should take place within 5 metres of any watercourse or ditch without first contacting the County Council for advice.
7. The LLFA note that the industry best practice at the time of developing the FRA may have been CIRIA C697 in relation to the SuDS design, but that new guidance has been produced in the form of CIRIA C753. The LLFA would recommend that the SuDS designs refer to the new guidance, including where the following aspects are detailed: treatment requirements and maintenance schedules for the surface water system.
8. Please note, it is the responsibility of the LPA under the DEFRA/DCLG legislation (April 2015) to ensure that a system to facilitate the future maintenance of SuDS features can be managed and maintained in perpetuity before commencement of the works.

Appendix A: LCC Highways Comments



RESPONSE OF THE LOCAL HIGHWAY AUTHORITY TO CONSULTATION BY THE LOCAL PLANNING AUTHORITY

REVISED OBSERVATIONS

DETAILS OF APPLICATION

Planning Ref No:	2015/1531/03/HCON/REVOBS3
CE/EN Ref:	Refer to Location Centre.
Application Address:	Land At, Mere Lane, Bittesby
Parish:	Bittesby CP
Applicant:	IDI Gazeley
Brief Description of Development:	<p>1) Outline application for the demolition of Lodge, Emmanuel and Bittesby Cottages and erection of up to 419,800 sq m Storage and Distribution (B8) with ancillary offices (B1a), up to 3,700 sq m for a Logistics Institute of Technology (D1) with associated playing field, up to 9,000 sq m small business space (B1a, B1b), change of use of Bittesby House barns to exhibition centre (D1), the creation of a Country Park, other open space and landscaping works on land to the north of Mere Lane, formation of access road from Magna Park, creation of roundabouts, partial realignment of Mere Lane, upgrading of A5 to dual carriageway, creation of roundabout access on A5, creation of SuDS facilities and associated infrastructure and landscaping works (siting, extent and use of the defined parcels, the maximum quanta and height of buildings, the restriction on the siting of yards, demolitions and means of access to be considered only); and</p> <p>2) Detailed application for the creation of a 137 space HGV parking facility, associated gatehouse and HGV Driver Training Centre, vehicle wash and fuelling facilities, and a rail freight shuttle terminal, with associated hardstanding, landscaping works and SUDS facilities on land adjacent to Asda George Headquarters, A4303</p>

GENERAL INFORMATION

County Council Member:	Mrs. R. Page
Road Class:	Adopted - Class A
Other Information:	...gatehouse & HGV Driver Training Centre, vehicle wash & fuelling facilities, & a rail freight shuttle terminal, with associated hardstanding, landscaping works & SUDS facilities on land adjacent to Asda George Headquarters, A4303.
District Planning Officer:	Mark Patterson.
Classified roads:	A5, A4305, C7701. Bridleways, Footpaths

Substantive Response provided in accordance with article 22(5) of The Town and Country Planning (Development Management Procedure) (England) Order 2015:

Advice: The County Highway Authority advice is that, in its view the residual cumulative impacts of development can be mitigated and are not considered severe in accordance with Paragraph 32 of the NPPF, subject to the Conditions and Contributions as outlined in this report.

ADVICE TO LOCAL PLANNING AUTHORITY

Background

The County Highway Authority (CHA) provided highways observations in May 2017 which considered the impact of the current application cumulatively with the concurrent application at Symmetry Park (HDC re: 15/00865/OUT).

Since those observations were issued in May 2017, two further applications have been approved in the vicinity of the site. These are:

- 15/01665/OUT – Erection of up to 250 dwellings with associated access, pedestrian links, public open space, car parking, landscaping and drainage (means of access to be considered only) | Land At Coventry Road Lutterworth
- 16/01288/OUT – Outline application for B1 employment uses and 70 full sized allotments including car parking, landscaping and surface water drainage infrastructure | Land South Of Lutterworth Road Lutterworth

Additional information has been submitted by the Applicant on 24 July 2017 to account for these developments. These observations have been prepared in response to HDC's consultation to consider the impact of both the major B8 applications cumulatively with the above two applications.

The CHA advises that these observations are read in conjunction with those of May 2017.

Road Safety Considerations

To ensure the latest Road Safety considerations have been taken into account, the CHA has rechecked the PIC data in the study area of the proposed development. There were a further 7 collisions in the period from 1 November 2016 to 31 July 2017. All of these collisions were classed as slight in severity and do not raise any additional road safety concerns.

Site Access

Site access proposals are as described in the previous observations and consist of:

- Zone 1: a new roundabout on the A5 from Mere Lane and secondary access through the existing Magna Park site to a new roundabout on Mere Lane as shown in URS Drawing no. 47066811/A008/SK12 Rev C. These are as approved under the DHL application (HDC re: 15/00919/FUL)
- Zone 2: an additional access arm on the roundabout, which joins to the south of the A4303 serving land under the Applicant's control.

These accesses continue to be acceptable in consideration with the two additionally approved applications. For further details please refer to the Highways Observations of May 2017.

Off-Site Implications

The two additionally approved applications do not impact on the likely trip generation for the site. For further details please refer to the Highways Observations of May 2017.

Off-site impact was reviewed within the additional submission to assess the likely impact of the development. The cumulative assessment of this application and the Symmetry Park application

was undertaken using the Leicester and Leicestershire Integrated Transport Model. However, due to the scale of the two additional developments which have since been consented, it was not considered appropriate or proportionate to test this additional cumulative impact scenario using LLITM. Instead the assessment was undertaken by manually overlaying the likely traffic generation from the additional developments (based on the respective TAs) on to the previous cumulative impact assessment.

This assessment was undertaken by both this applicant, as well as that of Symmetry Park. In order to ensure a robust assessment, the CHA has considered the worst case from both assessments at each of the key areas of impact, as follows:

- M1J20
- A4303/A436 (Whittle Roundabout)
- A4303/Hunter Boulevard/Coventry Road
- A5/A4303/Lutterworth Road/Coal Pit Lane (Cross in Hand)
- A5/A426/Gibbet Lane (Gibbet Hill)

The results of the assessment demonstrated that the previous conclusions regarding the severity of impact and requirements for mitigation remain applicable. The specific outcomes of the additional assessment are summarised below.

M1J20

In the without development scenario the junction will operate within capacity. When both developments are included there is additional queuing on the A4304 arm in the AM peak and the A4303 in the PM peak scenario. However, in the context of Paragraph 32 of the NPPF, the impact of development is not considered severe and the CHA advises that no mitigation is necessary.

Nonetheless, it should be noted that Highways England may have additional requirements for operational performance at this junction and their views on this junction should be considered in addition to those of the CHA.

A4303/A436 (Whittle Roundabout)

Previous assessments concluded that there would be material and severe impact at the Whittle Roundabout as a result of the proposed development and a mitigation scheme was therefore proposed, as shown on Hydrock drawing C161222-207 Rev P4. This mitigation scheme is understood to have been conditioned as part of the DHL application and was brought forward to mitigate the impact of all three major planning applications. The CHA has reviewed the additional assessment taking into consideration the additional permissions which have been granted and advises that the mitigation scheme remains appropriate to mitigate the severe impacts of development. It is therefore advised that this mitigation scheme is secured through planning condition.

A4303/Hunter Boulevard/Coventry Road

The additional assessment has demonstrated that based on the impact of all the developments in the area there will be additional queuing of the A4303 arm in the AM peak. This worst case scenario shows that there is a queue of 17 pcu however the additional queues cannot be considered to be severe when compared to the without development scenario. No mitigation is therefore required at this junction.

A5/A4303/Lutterworth Road/Coal Pit Lane (Cross in Hand)

Previous analysis demonstrated that as a result of the new access off Mere Lane, some traffic would be able to go through the existing Magna Park development, thereby relieving demand at the Cross in Hand junction. This continues to be applicable and as such no mitigation is

required at this junction. However, in order to realise the benefits of this arrangement, it will be necessary to ensure that the existing Magna Park and the proposed Zone 1 site operates as a single unit by permitting unrestricted access through the site. The CHA therefore advises that this is secured through a S106 agreement. It should further be noted that the A5 arms of the Cross in Hand junction fall with the Strategic Road Network and comments from Highways England should also be considered.

A5/A426/Gibbet Lane (Gibbet Hill)

The Gibbet Hill junction falls outside the Leicestershire County Council highway network. It is understood that a mitigation measure has been proposed as part of the DHL application and conditioned by Highways England and/or Warwickshire County Council. The CHA would request consultation as part of the detailed design process on the approved scheme to ensure that any impacts on the Leicestershire highway network are acceptable.

Transport Sustainability

Measures to promote travel by sustainable modes are unaffected by the additional developments at Leaders Farm and Coventry Road. However, queries have been raised regarding the public transport requirements and following a review of the proposals, a number of clarifications and amendments to the observations of May 2017 are provided in the following paragraphs.

It is recognised that the X45 service is now operational from Thurmaston, via Leicester, to Magna Park and this service largely fits with the 6am/2pm/10pm shift patterns. As this current application will attract a larger number of employees, it is considered appropriate and necessary to ensure that a similar level of public transport accessibility can be achieved from other areas of employee residences (mainly Hinckley and Nuneaton). Accordingly, as part of this application the CHA advises a further obligation to ensure that services are available to serve the development at shift changeover times (6am, 2pm and 10pm) to be available on all days (including weekends and bank holidays) and at times to coincide with office hours (9am and 5pm) on all weekdays.

In recognition of the development proposed at Symmetry Park, the CHA considers that, should both developments be permitted, there may be opportunities for the two Applicants to work collaboratively to achieve a good level of public transport accessibility. However, this would be a private matter for the two Applicants to consider outside the planning arena, provided that the obligations are met.

Contribution towards review of Traffic Regulation Orders

In the observations of May 2017, a contribution of £200,000 was considered necessary to review the TROs around the application site. This has since been queried by the Applicant, and the Applicant has proposed a Transport Working Group to be set up in lieu of a contribution. The CHA advises that the contribution would be necessary to take a comprehensive review and proactive approach to ensure that any environmental weight limits would continue to be appropriate, particularly in recognition of Warwickshire County Council's intention to review HGV signing and routeing within their network. Whilst the Applicant proposes a Transport Working Group to address any potential HGV concerns, the CHA advises that it is unable to support such a measure for the following reasons:

- Details have not yet been provided on the specific manner in which the Group is intended to operate. However, it is understood largely to be a reactive forum with a system of penalties. It is unclear how penalties would be applied or enforced, and how money collected from penalties would be spent.

- The CHA does not consider that a Transport Working Group would have the appropriate authority or expertise to implement measures on the public highway network. As such, any action is likely to be limited without the intervention of the CHA.

Whilst the CHA would encourage the Applicant to engage with the community, a Transport Working Group is not considered to be an appropriate mechanism for ensuring that sufficient safeguards are in place to maintain the current levels of weight restrictions within Leicestershire.

Accordingly, the CHA continues to advise a £200,000 contribution towards to the review of Traffic Regulation Orders and HGV signing.

Conditions

Notwithstanding any conditions requested by Highways England or Warwickshire County Council, the CHA advises the following conditions to be included as part of the any planning permission to mitigate the impacts of development.

1. Save for the formation of the access arrangements, including the connection to the A5, as shown in 47066811/A008/SK12 Rev C (or as amended by Road Safety Audit or Detailed Design) no part of the development hereby permitted shall commence on Zone 1 until such time as the access arrangements, including the connection to the A5, as shown on URS Drawing No 47066811/A008/SK12 Rev C (or as amended by Road Safety Audit or Detailed Design) have been implemented in full.

REASON: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with Paragraph 32 of the National Planning Policy Framework 2012.

2. No part of the development hereby permitted shall be occupied on Zone 2 until such time as the access arrangements shown on Chetwoods Architect drawing number 3657-91 Rev 05 have been implemented in full.

REASON: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with Paragraph 32 of the National Planning Policy Framework 2012.

3. No part of the development shall be occupied until such time as the offsite works shown on Hydrock drawing number C161222-207 Rev P4 (or as amended by Road Safety Audit or Detailed Design) have been implemented in full.

REASON: To mitigate the impact of the development, in the general interests of highway safety and in accordance with Paragraph 32 of the National Planning Policy Framework 2012.

4. No development shall commence on the site until such time as a construction traffic management plan, including as a minimum details of wheel cleansing facilities, vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The construction of the development shall thereafter be carried out in accordance with the approved details and timetable.

REASON: To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area.

5. No part of the development for employment uses hereby permitted shall be first occupied until an amended Framework Travel Plan for the employment uses which sets out actions and measures with quantifiable outputs and outcome targets has been submitted to and agreed in

writing by the Local Planning Authority. Thereafter the agreed Travel Plan shall be implemented in accordance with the approved details.

REASON: To reduce the need to travel by single occupancy vehicle and to promote the use of sustainable modes of transport in accordance with Chapter 4 of the National Planning Policy Framework 2012.

6. No part of the Logistics Institute of Technology development hereby permitted shall be first occupied until an amended Travel Plan for the Logistics Institute of Technology which sets out actions and measures with quantifiable outputs and outcome targets has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the agreed Travel Plan shall be implemented in accordance with the approved details.

REASON: To reduce the need to travel by single occupancy vehicle and to promote the use of sustainable modes of transport in accordance with Chapter 4 of the National Planning Policy Framework 2012.

7. Any new gatehouse(s) shall be situated a minimum of 60m (travel distance) from the proposed vehicular access. No gates, barriers, bollards, chains or other such obstructions shall be erected within a distance of 60 metres of the highway boundary, nor shall any be erected within a distance of 60 metres of the highway boundary unless hung to open away from the highway.

REASON: To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic including pedestrians in the public highway in accordance with Paragraph 32 of the National Planning Policy Framework 2012.

8. The first reserved matters application in respect of the matters of layout shall include a scheme of vehicular, cycle and pedestrian access connecting Zone 1 of the application site to the existing Magna Park development, together with a timetable for its provision. The development shall be carried out in accordance with the approved details and timetable and the relevant route(s) shall thereafter be so maintained such that unfettered vehicular, cycle and pedestrian access on the route(s) through and up to the edge of the site are available at all times.

REASON: To ensure the opportunities for appropriate vehicular, cycle and pedestrian access (including public transport vehicles) are maximised, and to ensure the proper planning of the site in conjunction with the adjacent land.

Contributions

The CHA advises the following Contributions and Obligations to be secured through S106 Agreement.

1. A Construction Traffic Routeing Agreement to be submitted to and approved in writing by the Local Planning Authority. During the period of construction, all traffic to and from the site shall use the agreed route at all times.

REASON: To ensure that all construction traffic associated with the development does not use unsatisfactory roads to and from the site.

2. Provision of bus services calling at new bus stop(s) within the development site as agreed with the Local Planning Authority. The bus services shall be scheduled to coincide with the 6am, 2pm and 10pm shift changes seven days a week (including Bank Holidays) and the 9am and 5pm office hours Monday to Friday. Any new bus stop infrastructure must include, but not be limited to: bus stops (within 400m walking distance of each building within the development), bus shelters, Real Time Information, raised kerbs, lighting and timetable information. The bus services shall be operation at 25% occupation of the development, unless an alternative date is agreed to in writing by the Local Planning Authority, and until five years following 50%

occupation. All details of the bus services and any amendments are to be submitted to and approved in writing by the Local Planning Authority. The bus services may be secure through area-wide initiatives provided that the minimum service level provision is met.

REASON: To encourage employees to use bus services as an alternative to the private car.

3. One Travel Pack per employee, to be provided from first occupation. This can be provided through Leicestershire County Council at a cost of £52.85 per pack. If not supplied by LCC, a sample Travel Pack shall be submitted to and approved in writing by LCC which may involve an administration charge.

REASON: To inform new employees from first occupation what sustainable travel choices are available in the surrounding area.

4. One six-month buss pass per employee to be provided on commencement of bus service(s) provision at Magna Park. This can be provided through Leicestershire County Council at an average cost of £360.00 per pass.

REASON: To encourage employees to use bus services as an alternative to the private car.

5. A Framework Travel Plan monitoring fee of £11,337.50 for Leicestershire County Council's Travel Plan Monitoring System

REASON: To enable Leicestershire County Council to provide support to the appointed Travel Plan Co-ordinator, audit annual Travel Plan performance reports to ensure that Travel Plan outcomes are being achieved, and to take responsibility for any necessitated planning enforcement.

6. A Site-Wide Travel Plan Co-ordinator to be funded and employed by the Applicant from the commencement of development until 5 years following full occupation. Specifically, the Site-Wide Travel Plan Co-ordinator shall undertake tasks in accordance with the Framework Travel Plan for the promotion of public transport services.

REASON: To ensure effective implementation and monitoring of the Framework Travel Plan submitted in support of the Planning Application.

7. Prior to the proposed downgrading of the existing Mere Lane (between the proposed roundabout at Argosy Way and the proposed roundabout at the A5) and the provision of the realigned Mere Lane to vehicular traffic, all necessary orders and agreements shall be in place.

REASON: To ensure clear and legal designation of highway rights

8. A contribution of £200,000 prior to first occupation, to review the Traffic Regulation Orders and HGV signing, in collaboration with Warwickshire County Council.

REASON: To ensure that Heavy Goods Vehicles are directed on to appropriate strategic routes.

9. A contribution of £10,000 for a Traffic Regulation Order to deliver the change in speed limit on Mere Lane.

REASON: To ensure that legal orders are in place to support the delivery of the proposed highway works.

10. The existing Magna Park Distribution Park and Zones 1 and 2 of the development hereby permitted shall operate as a single unit, with unrestricted access between all three sites.

REASON: To ensure a satisfactory form of development.

Informatives

1. Planning Permission **does not** give you approval to work on the public highway. To carry out off-site works associated with this planning permission, separate approval must first be obtained

from Leicestershire County Council as Local Highway Authority. This will take the form of a major section 184 permit/section 278 agreement. It is strongly recommended that you make contact with Leicestershire County Council at the earliest opportunity to allow time for the process to be completed. The Local Highway Authority reserve the right to charge commuted sums in respect of ongoing maintenance where the item in question is above and beyond what is required for the safe and satisfactory functioning of the highway. For further information please refer to the 6Cs Design Guide which is available at <https://www.leicestershire.gov.uk/environment-and-planning/planning/6cs-design-guide>

2. Planning permission does not give you approval to work on the public highway. If the proposal requires the permanent removal (“stopping up”) or diversion of highway to enable the development to take place, then you must complete the legal processes required before commencing works. Further information is available at: - <https://www.leicestershire.gov.uk/roads-and-travel/local-authoritysearches/highwayextinguishments>.

If you are unsure whether your proposal affects public highway, you can establish the Highway Authority’s formal opinion of the adopted highway extent in relation to the proposal. Further information is available at <https://www.leicestershire.gov.uk/hre>

3. Any works to highway trees will require separate consent from Leicestershire County Council as Local Highway Authority (telephone 0116 305 0001). Where trees are proposed to be removed, appropriate replacements will be sought at the cost of the applicant.

4. To erect temporary directional signage you must seek prior approval from the Local Highway Authority in the first instance (telephone 0116 305 0001).

5. A minimum of 6 months’ notice will be required to make or amend a Traffic Regulation Order of which the applicant will bear all associated costs. Please email road.adoptions@leics.gov.uk to progress an application.

6. All proposed off site highway works, and internal road layouts shall be designed in accordance with Leicestershire County Council’s latest design guidance, as Local Highway Authority. For further information please refer to the 6Cs Design Guide which is available at <https://www.leicestershire.gov.uk/environment-and-planning/planning/6csdesign-guide>.

Date Received	Inspector	Signed Off
24 July 2017	Eri Wong	24 October 2017

Note: Response provided by the Local Highway Authority under the delegated authority of the Director of Environment and Transport.

Appendix B: Applicants Statement of Conformity with draft Policy BE2

Now Planning

Magna Park -Hybrid Planning Application 15/01531/OUT
Compliance Statement: Policy BE2.2, HDC Submission Local Plan 2011-2031, September 2017
24 October 2017

The Purpose of the Note

1. This note responds on behalf of Gazeley to the request by the case officer for the Hybrid planning application to provide an assessment of the extent to which the proposals comply with the criteria set by draft policy BE2.2 Strategic Distribution that is included in HDC's Submission Local Plan. BE2.1 safeguards Magna Park, restricts redevelopment on the existing site to distribution units of 9,000 sq m or greater and precludes other uses save for where they are ancillary to Magna Park's strategic distribution purposes.
2. The response to the BE2.2 criteria is set out below, following a brief review of the key considerations that provide the context for Gazeley's response. The context has two parts: a consideration for the weight that can be accorded to policy BE2.2 itself compared to the weight that can be given to the evidence base on which the policy relies; and the relevant parts of the Hybrid application proposals, including the grant of planning permission in October 2016 for, in effect, the first phase together with the highways improvements that planning permission will deliver and which are also needed to accommodate the traffic generated by the remainder of the Hybrid proposals.

The 'weight' to be accorded to Policy BE2.2 compared to that of its evidence base

3. Because the Submission Local Plan has yet to be submitted or examined, the weight that HDC can apply to the plan's policies is limited. That is particularly the case where a policy has attracted objections and may therefore change. Policy BE2 is one such.
4. Policy BE2, however, is supported by an objectively prepared evidence base which HDC consider to be up-to-date and sound. HDC is able to give that evidence base substantial weight.
5. The main parts of the evidence base for Policy BE2 are: the final report of the Submission Draft Local Plan's Sustainability Appraisal; the 2016 Leicester and Leicestershire Strategic Distribution Sector Study (SDSS) report which updated and 'refreshed' the 2014 SDSS and its recommendations; and the Magna Park Employment Sensitivity Study 2017 which draws on both the 2016 SDSS and the Housing Needs and Economic Development Needs Assessment prepared for HDC.
6. The principal conclusions of each which bear directly on Gazeley's response to the Policy BE2.2 criteria are set out briefly below.
 - The Sustainability Appraisal Final Report (SA) finds:
 - There is a strong case for Harborough to continue to make a substantial long term contribution to non rail-served strategic warehouse, logistics and distribution development in the county.
 - There is a need to meet the logistics sector's requirements by supporting further development at Magna Park to help maintain and expand the county's competitive advantage in the sector.
 - The preferred approach to meeting the sector's quantitative needs and sustaining its competitive advantage is the 'high growth' strategic option for the district, capped at 700,000 sq m over the plan period. The cap is to ensure that local housing supply can accommodate the job growth while contributing to the Local Plan's objective of reducing out-commuting.
 - The SA's appraisal of reasonable alternatives (site specific and strategic growth options) for meeting the sector's needs takes no account of the environmental mitigation proposed or possible, other than 'routine' mitigation. The SA's assessments accordingly have no regard to the mitigation proposed by the options represented by the planning applications before HDC, nor of any other elements of the application

Now Planning

other than the distribution floorspace quantum and, in general terms, the land quantum affected).

- The SA's assessment of Local Plan Policy BE2 acknowledges that BE2 does not specify specific locations, but takes the view that some 'broad assumptions' can be made about the possible effects the development would have. The SA finds that there are 'some areas in the vicinity of Magna Park that are valuable for landscape character, open space, agricultural land and biodiversity', but that these areas could 'possibly be avoided, with mitigation and enhancement measures also possible'. The SA concludes that the 700,000 sq m could be accommodated by the proposed level of housing, and endorses the cap on grounds ensuring that cumulative effects on traffic and congestion are avoided.
- SDSS 2016 concludes:
 - There is a need by 2031 in the county for a minimum of an additional 152 ha of land for strategic distribution floorspace on non rail-served sites (strategic distribution is confined to units of 9,000 sq m or more). 152 ha equates to a need for a minimum additional 608,000 sq m of floorspace (using SDSS's 40% plot ratio).
 - The supply needs to be on sites that can offer a variety of plot sizes that are well connected to the strategic highway network, including plots capable of accommodating very large scale units of circa 100,000 sq m.
 - Although the SDSS lists existing land supply in the county with capacity for circa 402,000 sq m, it explains that the vast share of the supply does not meet the SDSS criteria for plot and unit size.
 - The Hybrid application site lies within an 'Area of Opportunity' for non rail-served sites. Such sites, to meet the SDSS criteria, would need to provide access to the A5, A426 and A4303 strategic routes (each of which has good connections to the motorway network in locations where there is sufficient network capacity).
 - Other criteria that the SDSS advised HDC to reflect in their new Local Plan strategy for meeting the needs of the strategic distribution sector were the following:
 - provision of sites that are sufficiently large and flexible in their configuration to accommodate the size of warehouse units now required by the market;
 - sites that are accessible to labour, including the ability to be served by sustainable transport, and located close to areas of employment need; and
 - sites that are located away from incompatible land-uses.
 - There is also a need by 2031 for a minimum of an additional 50 ha of land for strategic railfreight interchanges (SRFIs) in or serving the county, rising to 115 ha by 2036, after accounting for the existing and planned supply of SRFIs.
- The Magna Park Employment Growth Sensitivity Study advises:
 - A reasonable target for the share of strategic distribution jobs under the 700,000 sq m capped high growth scenario to be taken by Harborough residents would be 25%, all matters considered (including the effects on planned housing supply in the district and Housing Market Area over the Local Plan period). The present share (2011 Census) is 19%.
 - An increase to 25% would assist the objective of reducing out-commuting for Harborough but without having a significant effect on planned housing supply in the district or in the areas beyond the Harborough's Strategic Housing Market Area.

The Relevance of the Hybrid Application's Ancillary Proposals to Policy BE2.2b and B2.2c

7. The Hybrid application will deliver, in addition to the 419,800 sq m of strategic distribution floorspace proposed (of which, 100,844 sq m already benefits from planning permission) two further uses, both ancillary, but which relate directly to two of the BE2.2 criteria:
 - BE2.2b (impact on proposed and planned strategic rail freight interchanges):

- the Railfreight Shuttle and Terminal which is proposed so as to encourage, by providing an on-demand service and temporary container storage, the take-up of railfreight by the largely road-based distribution firms who choose to locate at Magna Park and pay a premium over other location options for doing so (the premium is for the on-site management of Magna Park). Magna Park's occupiers together already account for 16% of all trips to and from DIRFT; and
- BE2.2c (increase employment opportunities for local residents, including training and apprenticeships):
 - the proposed Logistics Institute of Technology (LIT) will deliver the district's first further and higher education institute – a partnership between industry, Aston University and North Warwickshire – which is aimed at providing the education, skills, professional and technical qualifications (as well as the applied research) needed to meet the rising needs of the dynamic, growing and increasingly high value-added logistics sector.

The relevance of the DHL Supply Chain planning permission to BE2 and BE2.2e

8. The grant of planning permission (25 October 2016) for a 100,844 sq m warehouse building on a 56.41 ha site within the Hybrid site accounts for:
 - 14.4% of the capped total of 700,000 sq m promoted by Policy BE2.2 (leaving 599,156 sq m remaining of the capped quantum); and
 - 24% of the Hybrid application's distribution floorspace (leaving 318,956 sq m still to be determined) and 27% of the Hybrid's 82.84 ha that is allocated for this floorspace (the Hybrid application seeks planning permission for the siting, extent and use of each part of the Zone 1, outline application site, and for the parcels with buildings also the maximum floorspace quantum and building height and the permissible siting of yards and HGV circulation).
9. The same planning permission (15/00919/FUL) also delivers the major share of the highways improvements needed to accommodate the traffic generated by the Hybrid scheme: the extension of Argosy Way across Mere Lane to connect the existing and extension sites; a new roundabout junction of the A5 with Mere Lane to provide a direct access into Magna Park from the A5; further dualling of the A5; and an improvement scheme for the Whittle roundabout to improve its capacity and function.
10. Critically, the Hybrid's already permitted highways improvements will make conditions better at the Whittle junction than they would be without the Hybrid development, even when the scheme is occupied and fully operational; and will have the same effect on the capacity and function of the Cross-in-Hand junction because of the new access into Magna Park directly from the A5 (which will divert traffic destined for, or originating from, the north on the A5 away from the Cross-in-Hand junction).

Compliance with the Criteria set by Policy BE2.2 Strategic Distribution

BE2.2a: form an extension of Magna Park or on a site adjoining Magna Park

11. The Hybrid application would form an extension to Magna Park, and thus complies with the BE2.2a criterion.
12. Moreover, the extension will remain in the same ownership and under the same proactive management regime (for which occupiers pay a premium) with the same objectives for occupier efficiency, environmental sustainability, community liaison and capturing the cluster advantages of a large scale, blue chip, strategic distribution site.
13. The evidence base that underpins the BE2.2 criterion (SDDS update 2016 Part A) explains what is meant by an 'extension site' in the SDSS's recommendation of a sequential approach to site selection, with extensions to existing sites the first preference in the sequence.
14. The SDSS 2016 advises that an 'extension' site means the following (in italics), each aspect of which is satisfied by the Hybrid proposals in the ways explained:

- *At least one of the plots extends an existing site.* Plot G in the Hybrid application contains the permitted scheme 15/00919/FUL, and the extension to Argosy Way across Mere Lane (also permitted) links the Hybrid directly to Magna Park, and the rest of the Hybrid application site forms a contiguous boundary with Plot G/the permitted site of the 100,844 sq m building;
 - *The new plots can be accessed via the existing site's connections to the public road network and internal estate roads.* The Hybrid application site is accessed via an extension of Magna Park's Argosy Way across Mere Lane, and from Mere Lane via a new roundabout with the A5. Both also already have planning permission.
 - *Where reasonable and practicable, some or all of the utilities currently connected to and serving the existing site can be extended.* The Hybrid application will make use of the foul and surface water facilities that form part of the existing site (as well as add to both).
 - *There is adequate road capacity with the improvements proposed* which is the case for the Hybrid application.
 - *All existing suitable plots have been taken up* which is the case for Magna Park now.
15. The SDSS 2016 also stresses that the sites to which an extension relates to should be: *appropriately located relative to the markets to be served; offer plots which are sufficiently large and flexible in configuration to respond to the market's requirements; be accessible to labour and capable of being served by sustainable transport; and located away from incompatible uses.* The Hybrid proposals satisfy all of these criteria too.
16. Policy BE2.1 acknowledges Magna Park's commercial success, and the written justification for the policy notes the significant part Magna Park has played in giving the district the competitive advantages it enjoys in the strategic distribution sector and which the SDSS's recommendations are focused on protecting.

BE2.2b: support or at least have no adverse impact on the viability and deliverability of a SRFI

17. The Hybrid application proactively supports DIRFT (and would other nearby SRFIs) through the provision of the proposed Railfreight Shuttle and Terminal.
18. The purpose of the Railfreight Shuttle and Terminal is to make it more cost-efficient for the largely road-based firms who elect to operate from Magna Park (and pay a premium in management charges to do so) to use railfreight, and thus to increase the take-up by Magna Park's firms of rail services.
19. The Shuttle and Terminal would provide an on-demand container pick-up and delivery service to DIRFT (and other SRFIs), timed with the departure and arrival of trains, and a temporary container storage facility (pending departure and, on arrival, pick-up) that would:
- make it more economic for Magna Park's largely road-based occupiers to take up rail alternatives for at least parts of their supply chain; and
 - overcome the obstacle to railfreight take-up by occupiers of Magna Park's plots which lack the space to allow containers to be held before they are taken to a SRFI or to wait to be unloaded once they have been delivered.
20. The Shuttle service will be provided by low or no carbon traction units – using either LPG or CNG fuel or electric traction to the SRFI – putting the road leg of the journey to the SRFI on a par with railfreight in emission terms.
21. For these reasons, and taking into account the evidence which shows that the predominant need over the Local Plan period is for road-only strategic distribution sites, we conclude that the Hybrid proposals will support, rather than have an adverse impact on, the viability and deliverability of SRFIs within or serving Leicestershire and neighbouring authorities.

BE2.2c. Increase employment opportunities for local residents, including training and apprenticeships

22. The Hybrid application includes two key measures for meeting this criterion:

- The legally binding undertaking proposed in the draft S106 (an undertaking that is in the sealed Section 106 that covers Plot G) to provide an Employment Coordinator whose task will be to maximise the employment, training and business opportunities for local people and local businesses.
 - The Logistics Institute of Technology (LIT – see paragraph 8, bullet 3 above). The 3,700 sq m LIT facility (with its 1.05 ha playing field) is based on a full-time student equivalent of 400 per annum – with training, education and work placements/experience for c 1,000 annually (when fully operational). The obligation to deliver LIT will also form part of the S106 agreement, and its phasing (as will that of all the non-warehousing uses) will be covered by a condition to the planning permission should consent be granted.
23. The Hybrid scheme will create (gross) almost 5,800 jobs – across the full spectrum of occupations. Just under 40% of the jobs will be in upper and mid-level professional, managerial, technical and skilled occupations, with a further 25% in administrative, secretarial, personal service, sales and customer services occupation. The jobs to be created are a good match with the district's occupational profile.
24. As the district's first (only) further and higher education institution, LIT will have a particular appeal for district residents and will offer education and qualifications from Levels 1-7. Furthermore (and thus the purpose of being located on the extension site for Magna Park), a high proportion of the education, training, professional and other qualifications offered by LIT will be work-based, and many of the industry participants will be based at Magna Park.
25. Employment at Magna Park therefore will offer a route into LIT, and LIT will offer a route into employment at Magna Park.

BE2.2d. Include measures to enable an increase in the proportion of employees commuting from within the district

26. A target of 25% of the additional jobs to be taken by district residents – as set out in the evidence base (Magna Park Employment Sensitivity Study) – should be achievable.
27. The measures to ensure that it is are:
- i. the provision of the Employment Coordinator referred to above (para 22, bullet 1 above);
 - ii. LIT, which works hand-in-glove with the objective of increasing Magna Park's value to the district's residents (para 22 bullet 2 above);
 - iii. on-site bus stops that place all employees within 400 metres of a bus stop together with the provision LIT's dedicated bus services (LIT has its own Travel Plan);
 - iv. cycle and footpath links across the site that link to Magna Park's existing network (which links to Lutterworth and Bitteswell);
 - v. very substantial financial contributions to induce sustainable travel choices by employees:
 - o £718,750 to LCC to secure a bus service to the extended site (paid for through the S106 obligation that is sealed for 15/00919/FUL – Plot G of the Hybrid) that will operate to match the shift pattern seven days a week throughout the year as well as to match the office hours of office-based workers Monday-Friday;
 - o during the six months following the occupation of each phase of the Hybrid scheme, the provision of bus passes (worth up to £350 each) for 30% of confirmed employees; and
 - vi. the establishment of the Magna Park Delivery Body to oversee the delivery of the Hybrid's non-warehousing uses and to continue to identify and capture, including for local residents, the benefits of the logistics cluster that the extension to Magna Park will create.

BE2.2e: not lead to severe traffic congestion anywhere on the nearby SRN, particularly the A5, whether in the district or outside

28. The transport evidence, all of which has been assessed for technical robustness and acknowledged as sound by Highways England and the two county highway authorities (Leicester

and Warwickshire), shows that the Hybrid proposals will not lead to severe congestion anywhere on the strategic road network, including the A5.

29. Instead, the principal improvement schemes will make conditions better at key junctions than they would be without the development: A426/A4303 (Whittle junction); A5/A4303 (Cross-in-Hand) and A426/A5 (Gibbet Hill).
30. The Whittle and Cross-in-hand junction schemes are already permitted, and the design details are being worked up with the expectation that the S278 agreements for their delivery will be sealed before the end of 2017.
31. The scheme for Gibbet Hill is required to accommodate the traffic generated by the rest of the Hybrid scheme, but that scheme too would improve conditions at the A5/A426 junction over 'without development conditions' (including the completion of DIRFT phase III).

BE2.2f: ensure 24 hour operations do not have an unacceptable environmental, community or landscape impact on the immediate and wider surrounding area

32. The Hybrid application proposals incorporate all of the measures necessary to ensure there are no unacceptable environmental impacts, including no unacceptable landscape impacts or community impacts, either on the immediate or the surrounding area.
33. Instead, the Hybrid application would lead to the delivery of a wide range of environmental, landscape and community benefits over and above the gain in jobs and the benefits associated with LIT (responses to BE2.2c and BE2.2d above), the inducements to sustainable transport use (response to BE2.2d above) and the improved function of the Whittle, Cross-in-Hand and Gibbet Hill junctions over conditions without the development (response to BE2.2e above).
34. These further benefits include:¹
 - a substantial reduction in the greenhouse gases generated by 103 ha of the Zone 1 site compared to its agricultural use – the net effect of the change of use and the carbon sequestration value of the tree plantations, hedges, meadow and wetland on this land;
 - an undertaking through the S106 agreement to continue to innovate, at each phase, in adopting measures that will reduce the scheme's greenhouse gas emissions and contribute to HDC's and KCC's undertakings to respond to the challenges of climate change;
 - the dual use with the community of LIT's 1.05 ha playing fields;
 - a Local Heritage Centre which will exhibit and interpret the history of the site's habitation in response to the landscape and the economy that has shaped it – from the Roman period to the present day – in part targeting Key Stages 1 and 2 of the national curriculum;
 - the 70 ha Country Park and Meadow, with a supporting car park, toilet facilities and café (shared with MPIC);
 - the protection in perpetuity of the currently permissive only bridleways and footpaths across the site as well as the management responsibility in perpetuity for the public rights of way;
 - the 2,325 sq m Magna Park Innovation Centre which will provide easy-in, easy-out office space for new and growing small businesses, particularly those who provide and innovate services and products for the logistics sector;
 - the 7,000 sq m HQ for Holovis, a rapidly growing global 'immersive experience' high tech company and one of the partners of LIT;
 - the conservation and re-use of Bittesby House and the preservation of its relationship to the scheduled monument; and
 - the conservation and preservation in perpetuity of the scheduled monument at the centre of the Country Park, including the removal from agricultural use of the Meadow so as to protect from ploughing the below ground archaeology.

¹ The evidence for these statements is provided in the further information submitted to HDC in July 2017, in particular the Implementation Plan and the Update on the Reduction in Greenhouse Gases

Conclusion:

35. The Hybrid application complies fully with the criteria set by Policy BE2.2 of HDC's Submission Local Plan and the evidence base on which the policy relies. The Hybrid proposals contribute sustainably and beneficially, in the ways sought by policy and evidence, to meeting the area's needs for additional strategic distribution floorspace over the period to 2031.

APPENDIX C: PLANNING OBLIGATIONS (HEAD OF TERMS)

Request by LCC	Obligation for Highways contributions		
Amount /Detail	Delivery	CIL Justification	Policy Basis
<p>1. A Construction Traffic Routeing Agreement to be submitted to and approved in writing by the Local Planning Authority. During the period of construction, all traffic to and from the site shall use the agreed route at all times.</p> <p>2. Provision of bus services calling at new bus stop(s) within the development site as agreed with the Local Planning Authority. The bus services shall be scheduled to coincide with the 6am, 2pm and 10pm shift changes seven days a week (including Bank Holidays) and the 9am and 5pm office hours Monday to Friday. Any new bus stop infrastructure must include, but not be limited to: bus stops (within 400m walking distance of each building within the development), bus shelters, Real Time Information, raised kerbs, lighting and timetable information.</p> <p>The bus services shall be operation at 25% occupation of the development, unless an alternative date is agreed to in writing by the Local Planning Authority, and until five years following 50% occupation. All details of the bus services and any amendments are to be submitted to and approved in writing by the Local Planning Authority. The bus services may be secure through area-wide initiatives provided that the minimum service level provision is met.</p> <p>3. One Travel Pack per employee, to be provided from first occupation. This can be provided through Leicestershire County Council at a cost of £52.85 per pack. If not supplied by LCC, a sample Travel Pack shall be submitted to and approved in writing by LCC which may involve an administration charge.</p> <p>4. One six-month buss pass per employee to be provided on</p>	<p>1. Prior to Commencement of each Phase of the Development</p> <p>2. Prior to Commencement of each Phase of the Development</p> <p>3. Prior to Commencement of each Phase of the Development</p> <p>4. Prior to first operation of the development</p>	<p>1. To ensure that all construction traffic associated with the development does not use unsatisfactory roads to and from the site.</p> <p>2. To encourage employees to use bus services as an alternative to the private car.</p> <p>3. To inform new employees from first occupation what sustainable travel choices are available in the surrounding area.</p> <p>4. To encourage employees to use bus</p>	<p>Core Strategy: Policy CS12, Appendix 2 (Infrastructure Schedule),</p> <p>Leicestershire Planning Obligations Policy Adopted 3rd December 2014.</p>

<p>commencement of bus service(s) provision at Magna Park. This can be provided through Leicestershire County Council at an average cost of £360.00 per pass.</p>		<p>services as an alternative to the private car.</p>	
<p>5. A Framework Travel Plan monitoring fee of £11,337.50 for Leicestershire County Council's Travel Plan Monitoring System</p>	<p>5. Prior to commencement of the development</p>	<p>5. To enable Leicestershire County Council to provide support to the appointed Travel Plan Co-ordinator, audit annual Travel Plan performance reports to ensure that Travel Plan outcomes are being achieved, and to take responsibility for any necessitated planning enforcement.</p>	
<p>6. A Site-Wide Travel Plan Co-ordinator to be funded and employed by the Applicant from the commencement of development until 5 years following full occupation. Specifically, the Site-Wide Travel Plan Co-ordinator shall undertake tasks in accordance with the Framework Travel Plan for the promotion of public transport services.</p>	<p>6. Prior to Commencement of each Phase of the Development</p>	<p>6. To ensure effective implementation and monitoring of the Framework Travel Plan submitted in support of the Planning Application.</p>	
<p>7. Prior to the proposed downgrading of the existing Mere Lane (between the proposed roundabout at Argossy Way and the proposed roundabout at the A5) and the provision of the realigned Mere Lane to vehicular traffic, all necessary orders and agreements shall be in place.</p>	<p>7. Prior to first occupation of the development</p>	<p>7. To ensure clear and legal designation of highway rights.</p>	
<p>8. A contribution of £200,000 prior to first occupation, to review the Traffic Regulation Orders and HGV signing, in collaboration with Warwickshire County Council.</p>	<p>8. Prior to first occupation of the development</p>	<p>8. To ensure that Heavy Goods Vehicles are directed on to appropriate strategic routes.</p>	
<p>9. A contribution of £10,000 for a Traffic Regulation Order to deliver the change in speed limit on Mere Lane.</p>	<p>9. Prior to first occupation of the development</p>	<p>9. To ensure that legal orders are in place to support the delivery of the proposed highway works</p>	
<p>10. The existing Magna Park Distribution Park and Zones 1 and 2 of the development hereby permitted</p>	<p>10. Prior to first occupation of the development</p>	<p>10. To ensure a satisfactory form of development.</p>	

shall operate as a single unit, with unrestricted access between all three sites.			
Request by LCC	Obligation for Monitoring fee		
Amount /Detail	Delivery	CIL Justification	Policy Basis
To be agreed	Payment prior to Xth dwelling /To be agreed	To be advised	Core Strategy: Policy CS12, Appendix 2 (Infrastructure Schedule), Leicestershire Planning Obligations Policy Adopted 3rd December 2014.
Request by WCC Highways	Obligation for Highways contributions		
Amount /Detail	Delivery	CIL Justification	Policy Basis
1. Prior to first occupation Warwickshire County Council requires the provision of £200,000.00 to enable the following; a. the implementation of measures and traffic regulation orders to prevent HGV traffic routeing through the villages of Monks Kirby, Pailton, Street Ashton and Stretton under Fosse; and, b. the implementation of a clear HGV signage strategy which directs HGVs on suitable and strategic routes.	Prior to first occupation of the development	1. To ensure that Heavy Goods Vehicles are directed on to appropriate strategic routes.	Core Strategy: Policy CS12, Appendix 2 (Infrastructure Schedule),
Request by HDC	Obligation for Air Quality Monitoring		
Amount /Detail	Delivery	CIL Justification	Policy Basis
ANPR Scheme to be implemented to monitor HGV's leaving site and travelling through Lutterworth AQMA, penalties to be imposed by IDI Gazeley upon any breaches, any income from these penalties to be paid to HDC for the purposes of Air Quality	To be agreed	To ensure that the development does result in a breach Air Quality Objective levels within Lutterworth Town Centre and at properties on the A5	Core Strategy Policy CS14 NPPF Para 124

monitoring in the area.			
Offer from Applicant			
Amount /Detail	Delivery	CIL Justification	Policy Basis
<p>1. MAGNA PARK DELIVERY BODY (MPDB) A body established by Gazeley with the following objectives: securing the timely delivery of the non-B8 uses proposed by the planning application; and ensuring the ongoing identification, coordination and optimisation of the cluster benefits that are the purpose for extending Magna Park</p> <p>2. CONSTRUCTION JOB AND BUSINESS EMPLOYMENT STRATEGY To submit to the Council for approval the Construction Job and Business Strategy not less than three months prior to the commencement of each Phase of the Development and not to commence each Phase of the Development unless and until three months have lapsed since the submission of the Construction Job and Business Strategy.</p> <p>3. LOGISTICS INSTITUTE OF TECHNOLOGY (LIT) Gazeley will: (a) fund the LIT capital costs subject to the academic partners' taking all possible efforts to secure contributions to those costs (from grant, DfT, industry) (b) design, project manage, construct and deliver the LIT's buildings and campus (c) lease the buildings and campus to LIT on a peppercorn for a period of not less than 20 years – on terms that oblige dual use of the campus's playing fields and pitches with the community</p> <p>4. MAGNA PARK INNOVATION CENTRE Gazeley will fund and deliver MPIC – with the aim of identifying a risk and profit sharing development partner who would lease the building and operate MPIC</p>	<p>1. Prior to commencement of the Development</p> <p>2. Commencement and Occupation of each Phase of the Development</p> <p>3. Start not later than the practical completion of B8 development in excess of 194,000sq m (in accordance with the Parameter Plan) The LIT will be built over two years post grant of reserved matters for the LIT</p> <p>4. Start not later than the completion of B8 development in excess of 194,000 sq m (in accordance with the Parameter Plan) The Magna Park Innovation Centre will be built over two years post grant</p>	<p>1. To ensure that the development provides employment benefits to the local community</p> <p>2. To ensure that the development provides employment benefits to the local community</p> <p>3. To ensure that the development provides educational benefits to the local community</p> <p>4. To ensure that the development provides economic benefits to the local community</p>	Core Strategy Policy CS7

<p>Gazeley will finance and deliver MPIC's buildings and campus to the partners agreed specification Gazeley will lease the facilities to the MPIC operator on for a term not less than 20 years with the obligation to collaborate with LIT and its applied research and with Magna Park's logistics businesses.</p>	<p>of reserved matters for the Magna Park Innovation Centre</p>		
<p>5. HOLOVIS HQ Gazeley will enter into either a lease to transfer of land in respect of Parcel F</p>	<p>5. The Lease or transfer of Parcel F shall be completed not later than the commencement of Parcel H (in accordance with the Parameter Plan)</p>	<p>5. To ensure that the development provides economic benefits to the local community</p>	
<p>6. BITTESBY COUNTRY PARK (CP) AND MEADOW Gazeley will: (a) design, fund and deliver the CP and Meadow (b) draw up the planting scheme and management plan (c) Fund and deliver the agreed design and public access scheme for the CP and Meadow (d) Finance and deliver the agreed management plan (e) Finance and deliver a public car park co-located with Bittesby House (f) Finance and deliver a lavatory block as part of the Bittesby House complex</p>	<p>6. Submit and agree with HDC, LCC Archaeology and Historic England a design scheme, operating and management plan for the CP and Meadow (including for the preservation of the heritage assets and the provision of public access) within 12 months of the grant of OPP Phase 1 – start delivery not later than the completion of any B8 development in excess of 194,000 sq m Phase 2 – start delivery within 1 year following completion of the last B8 unit Begin the Meadow works in line with the commencement of Phase 2 of the Country Park</p>	<p>6. To ensure that the development provides environmental benefits to the local community</p>	
<p>7. BITTESBY LOCAL HERITAGE CENTRE (LHC) Gazeley will fund the conversion of a Bittesby House barn and the preparation and delivery of the exhibition materials over a three year period MPDB will appoint and fund a suitably qualified museologist to deliver a brief agreed with LCC Conservation, Historic England and HDC. The appointed museologist will be obliged to work with local partners (particularly the Lutterworth Museum) and raise funds to maintain LHC beyond year 3</p>	<p>7. Submit and agree a business plan for the operation of the LHC as part of the relevant reserved matters application to be submitted within 12 months of grant of planning permission. Design and finance the Bittesby House barn conversion and the exhibition materials it will contain Appoint and finance the salary and operating costs of a museologist for a minimum of three years Submit reserved matters approval for details of the barn conversion within 12 months of grant of planning permission</p>	<p>7. To ensure that the development provides heritage and educational benefits to the local community</p>	

<p>8. BITTESBY HOUSE RE-USE Gazeley will fund and deliver the conversion and fitting out of the building and the landscaping of its grounds. The car park for Bittesby House will also serve the Country Park</p> <p>9. HGV PARK, DRIVER TRAINING CENTRE AND RAILFRAIGH SHUTTLE AND TERMINAL Gazeley will fund and deliver the hardstanding; contract with a suitable operator or operators to deliver the objectives set for the three uses, and lease the hardstanding to the contracted operator. Gazeley will finance and deliver the Zone 2 hardstanding and landscape. Gazeley will identify and contract with an operator(or operators). Gazeley will agree a delivery and operating plan with HDC. Gazeley will lease the hardstanding to the appointed operator (or operators for a period not less than 10 years)</p> <p>10. CARBON NEUTRALITY INNOVATION PLAN Gazeley will, at each reserved matters stage of the development, submit to the Council a plan for reducing as far as practicable technically and commercially the carbon emissions of that Phase. Each Phase shall not be occupied until the Carbon Neutrality Innovation Plan has been agreed with the Council. Gazeley's aim is to keep pace with the technical innovations – in building materials, construction methods and energy efficiency, renewable energy generation and fuels, and in landscape design and management for climate change resilience – so that each Phase of Development will, as far as possible, represent an advance on the previous stage in respect to its impact on climate change.</p>	<p>8. Not later than the commencement of development in excess of 194,000 sq m of distribution warehousing (in accordance with the Parameter Plan) Detailed design/reserved matters application submitted within 6 months of grant of planning permission.</p> <p>9. Hard standing element of HGV park to be delivered not later than the commencement of B8 development greater than 100,844 sq m GIA (Parcel G)</p> <p>10. Submission of reserved matters for each Phase of the Development</p>	<p>8. To ensure that the development provides a viable future use for a non-designated heritage asset</p> <p>9. To ensure that the development provides environmental benefits to the local community</p> <p>10. To ensure that the development provides environmental benefits to the local community</p>	
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<p>11. TRANSPORT REVIEW GROUP Gazeley will establish the Transport Review Group prior to the commencement of construction of each Phase of the Development to participate in the discharge of the responsibilities of the Transport Review Group in accordance with the provisions relating thereto in the Travel Plan until the expiry of five years from full Occupation of each Phase of the Development</p>	<p>11. Commencement of construction of the Development</p>	<p>11. To ensure that the development provides environmental benefits to the local community</p>	
<p>12. HGV ROUTEING AND SIGNAGE REVIEW Gazeley will make a contribution prior to occupation of the Development for a comprehensive review and proactive approach to ensure that any environmental weight limits for HGV Routeing and Signage (to be supported by a Bond) would continue to be appropriate in collaboration with Warwickshire County Council and the Transport Review Group.</p>	<p>12. Occupation of Development</p>	<p>12. To ensure that the development provides environmental benefits to the local community</p>	

APPENDIX D – Draft S106 Heads of Terms



IDI GAZELEY ("GAZELEY")

LAND ADJOINING MAGNA PARK LUTTERWORTH ("The Site")

DRAFT HEADS OF TERMS FOR SECTION 106 AGREEMENT WITH HARBOROUGH DISTRICT COUNCIL ("THE COUNCIL") AND LEICESTERSHIRE COUNTY COUNCIL ("THE COUNTY") IN RESPECT OF PLANNING APPLICATION 15/001531/OUT AT THE SITE

Note: These Heads of Terms are subject to the agreement between the parties that the restrictions and provisions are necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development and thus satisfy the requirements of Regulation 122 of the Community Infrastructure Levy Regulations 2012

Description of Development

- (A) Outline application for the demolition of existing buildings & erection of up to 426,000 sq m Storage & Distribution (B8) with ancillary offices (B1a), up to 3,700sq m for a Logistics Institute of Technology (D1), associated playing field, up to 9,000 sq m small business space (B1a, B1b), up to 300 sq m estate office with conference facility & exhibition centre (D1), the creation of a Country Park, other open space & landscaping works on land to the north of Mere Lane, formation of access road from Magna Park, creation of roundabouts, partial realignment of Mere Lane, upgrading of A5 to dual carriageway, creation of roundabout access on A5, creation of SuDS facilities & associated infrastructure & landscaping works (siting, extent & use of the defined parcels, the maximum quanta & height of buildings, the restriction on the siting of yards, demolitions & means of access to be considered only); &
- (B) Detailed application for the creation of a 140 space HGV parking facility, assoc. gatehouse & HGV Driver Training Centre, vehicle wash & fuelling facilities, & a rail freight shuttle terminal, with associated hardstanding, landscaping works & SUDS facilities on land adjacent to Asda George Headquarters, A4303



Obligations to the Council

1. **MAGNA PARK DELIVERY BODY (MPDB)**

A body established by Gazeley with the following objectives: securing the timely delivery of the non-B8 uses proposed by the planning application; and ensuring the ongoing identification, coordination and optimisation of the cluster benefits that are the purpose for extending Magna Park

TRIGGER: Prior to commencement of the Development

2. **CONSTRUCTION JOB AND BUSINESS EMPLOYMENT STRATEGY**

2.1 To submit to the Council for approval the Construction Job and Business Strategy not less than three months prior to the commencement of each Phase of the Development and not to commence each Phase of the Development unless and until three months have lapsed since the submission of the Construction Job and Business Strategy.

2.2 Following approval of the Construction Job and Business Strategy by the Council Gazeley will implement and where necessary procure implementation and promote the objectives of the approved Construction Job and Business Strategy and ensure that so far as is reasonably practicable the objectives are met at Gazeley's expense and in collaboration with the Council. Such objectives shall include measure to encourage increasing the share of each occupier's jobs that are taken by Harborough residents; and to increase the share of each occupier's supplies and services that is procured from Harborough businesses

2.3 To submit to the Council for approval the Construction Job and Business Employment Strategy not less than three months prior to the occupation of each Phase of the Development and not to occupy each Phase of the Development unless and until three months have lapsed since the submission of the Construction Job and Business Employment Strategy.

2.4 Following approval of the Construction Job and Business Employment Strategy by the Council and Gazeley will implement and where necessary procure implementation and promote the objectives of the approved Construction Job and Business Employment Strategy and ensure that so far as is reasonably practicable the objectives are met at Gazeley's expense and in collaboration with the Council.

2.5 Gazeley and the Council shall use reasonable endeavours to work together collaboratively to ensure the implementation of the approved Job and Business Employment Strategy for each Phase of the Development during demolition and the construction and fitting out and operation of the Development.

2.6 Nothing in the Construction Job and Business Employment Strategy shall require Gazeley to act in a way or publish a document which contravenes English or European legislation, including (but not limited to) employment, training, discrimination or equal opportunities legislation

2.7 Nothing in the Construction Job and Business Employment Strategy shall require Gazeley to make any financial contribution to the Council

TRIGGER: Commencement and Occupation of each Phase of the Development

3. **LOGISTICS INSTITUTE OF TECHNOLOGY (LIT)**

3.1 Gazeley will:

- (a) fund the LIT capital costs subject to the academic partners' taking all possible efforts to secure contributions to those costs (from grant, DfT, industry)
- (b) design, project manage, construct and deliver the LIT's buildings and campus
- (c) lease the buildings and campus to LIT on a peppercorn for a period of not less than 20 years – on terms that oblige dual use of the campus's playing fields and pitches with the community



TRIGGER: Start not later than the practical completion of B8 development in excess of 194,000 sq m (in accordance with the Parameter Plan)

The LIT will be built over two years post grant of reserved matters for the LIT

4. **MAGNA PARK INNOVATION CENTRE**

4.1 Gazeley will fund and deliver MPIC – with the aim of identifying a risk and profit sharing development partner who would lease the building and operate MPIC

4.2 Finance and deliver MPIC's buildings and campus to the partners agreed specification

4.3 Lease the facilities to the MPIC operator on for a term not less than 20 years with the obligation to collaborate with LIT and its applied research and with Magna Park's logistics businesses.

TRIGGER: Start not later than the completion of B8 development in excess of 194,000 sq m (in accordance with the Parameter Plan)

The Magna Park Innovation Centre will be built over two years post grant of reserved matters for the Magna Park Innovation Centre

5. **HOLOVIS HQ**

5.1 Gazeley will:

Enter into either a lease to transfer of land in respect of Parcel F (as shown on the Parameter Plan) to Holovis;

TRIGGER: The Lease or transfer of Parcel F shall be completed not later than the commencement of Parcel H (in accordance with the Parameter Plan)

6. **BITTESBY COUNTRY PARK (CP) AND MEADOW**

6.1 Gazeley will:

(a) design, fund and deliver the CP and Meadow

(b) draw up the planting scheme and management plan

(c) Fund and deliver the agreed design and public access scheme for the CP and Meadow

(d) Finance and deliver the agreed management plan

(e) Finance and deliver a public car park co-located with Bittesby House

(f) Finance and deliver a lavatory block as part of the Bittesby House complex

TRIGGER: Submit and agree with HDC, LCC Archaeology and Historic England a design scheme, operating and management plan for the CP and Meadow (including for the preservation of the heritage assets and the provision of public access) within 12 months of the grant of OPP

Phase 1 – start delivery not later than the completion of any B8 development in excess of 194,000 sq m

Phase 2 – start delivery within 1 year following completion of the last B8 unit

Begin the Meadow works in line with the commencement of Phase 2 of the Country Park

7. **BITTESBY LOCAL HERITAGE CENTRE (LHC)**

7.1 Gazeley will fund the conversion of a Bittesby House barn and the preparation and delivery of the exhibition materials over a three year period

7.2 MPDB will appoint and fund a suitably qualified museologist to deliver a brief agreed with LCC Conservation, Historic England and HDC



- 7.3 The appointed museologist will be obliged to work with local partners (particularly the Lutterworth Museum) and raise funds to maintain LHC beyond year 3
- TRIGGER:** Submit and agree a business plan for the operation of the LHC as part of the relevant reserved matters application to be submitted within 12 months of grant of planning permission.
- Design and finance the Bittesby House barn conversion and the exhibition materials it will contain
- Appoint and finance the salary and operating costs of a museologist for a minimum of three years
- Submit reserved matters approval for details of the barn conversion within 12 months of grant of planning permission
8. **BITTESBY HOUSE RE-USE**
- 8.1 Gazeley will fund and deliver the conversion and fitting out of the building and the landscaping of its grounds. The car park for Bittesby House will also serve the Country Park
- TRIGGER:** Not later than the commencement of development in excess of 194,000 sq m of distribution warehousing (in accordance with the Parameter Plan)
- Detailed design/reserved matters application submitted within 6 months of grant of planning permission.
9. **HGV PARK, DRIVER TRAINING CENTRE AND RAILFRAIGH SHUTTLE AND TERMINAL**
- 9.1 Gazeley will fund and deliver the hardstanding; contract with a suitable operator or operators to deliver the objectives set for the three uses, and lease the hardstanding to the contracted operator
- 9.2 Finance and deliver the Zone 2 hardstanding and landscape
- 9.3 Identify and contract with an operator(or operators)
- 9.4 Agree a delivery and operating plan with HDC
- 9.5 Lease the hardstanding to the appointed operator (or operators for a period not less than 10 years)
- TRIGGER:** Hard standing element of HGV park to be delivered not later than the commencement of B8 development greater than 100,844 sq m GIA (Parcel G)
10. **CARBON NEUTRALITY INNOVATION PLAN**
- 10.1 Gazeley will, at each reserved matters stage of the development, submit to the Council a plan for reducing as far as practicable technically and commercially the carbon emissions of that Phase. Each Phase shall not be occupied until the Carbon Neutrality Innovation Plan has been agreed with the Council.
- 10.2 Gazeley's aim is to keep pace with the technical innovations – in building materials, construction methods and energy efficiency, renewable energy generation and fuels, and in landscape design and management for climate change resilience – so that each Phase of Development will, as far as possible, represent an advance on the previous stage in respect to its impact on climate change.
- TRIGGER:** submission of reserved matters for each Phase of the Development

Obligations to the County



11. CONSTRUCTION TRAFFIC ROUTEING AGREEMENT

- 11.1 A Construction Traffic Routeing Agreement to be submitted to and approved in writing by the County Council for each Phase of the Development. During the period of construction, all traffic to and from the site shall use the agreed route at all times.

TRIGGER: Prior to Commencement of each Phase of the Development

12. TRAVEL PLAN CO-ORDINATOR

- 12.1 Appointment of a Travel Plan Co-ordinator from Commencement of Development until 5 years after occupation of each Phase of the Development. The Travel Plan Co-ordinator shall be responsible for the implementation of measures, as well as monitoring and implementation of remedial measures.

TRIGGER: Prior to Commencement of each Phase of the Development

13. BUS SERVICE

- 13.1 Provision of a bus service (by way of a financial contribution) being an extension to Nuneaton from Magna Park for a minimum of 5 years.

TRIGGER: Occupation of B8 uses authorised by the Development

14. TRAVEL PACK

- 14.1 One Travel Pack per employee, to be provided from first occupation of each Phase of the Development. The Travel Pack shall be provided through the County Council at a cost of £52.85 per pack (being a total contribution of £264,250 based upon 5,000 employees at the Development) or provided by Gazeley. If not supplied by the County, a sample Travel Pack shall be submitted to and approved in writing by the County prior to Occupation of each Phase of the Development.

TRIGGER: Each Phase of the Development

15. TRAVEL PLAN MONITORING FEE

- 15.1 A Travel Plan monitoring fee of £11,337.50 to be paid prior to commencement of the development.

TRIGGER: Commencement of Development

16. TRANSPORT REVIEW GROUP

- 16.1 Gazeley will establish the Transport Review Group prior to the commencement of construction of each Phase of the Development to participate in the discharge of the responsibilities of the Transport Review Group in accordance with the provisions relating thereto in the Travel Plan until the expiry of five years from full Occupation of each Phase of the Development

TRIGGER: Commencement of construction of the Development

17. HGV ROUTEING PLAN

- 17.1 Prior to Occupation of Development Gazeley will submit to the Council for approval in writing the HGV Routeing Plan to prevent Lorries of 7.5 tonnes or greater travelling to or from the Development from driving through Lutterworth Town Centre).

- 17.2 Gazeley will use monitoring and enforcement measures to ensure that those traveling to and from the Site during the construction of the Development comply with the HGV Routeing Plan.

- 17.3 Gazeley will use monitoring and enforcement measures To comply with the HGV Routeing Plan to ensure those travelling to and from the Site comply with the HGV Routeing Plan.

TRIGGER: Occupation of the Development



18. HGV ROUTEING AND SIGNAGE REVIEW

- 18.1 Gazeley will make a contribution prior to occupation of the Development for a comprehensive review and proactive approach to ensure that any environmental weight limits for HGV Routeing and Signage (to be supported by a Bond) would continue to be appropriate in collaboration with Warwickshire County Council and the Transport Review Group.

TRIGGER: Occupation of Development

19. General Terms

- 19.1 Liability under the Agreement does not attach to owners of a legal interest in the Site once they have parted with their interest in the site.
- 19.2 Gazeley shall pay the Council's and the County's reasonable legal costs and disbursements in connection with the negotiation, preparation and completion of the Section 106 Agreement in a sum to be agreed.

Osborne Clarke LLP

8 November 2017

Summary: the Implementation Plan for the Non-B8 Uses

1. The Summary Table below outlines the principal elements of the Implementation Plan (IP) for the funding, delivery and phasing of each of the Hybrid Application's non-B8 uses: the Logistics Institute of Technology (LIT), Magna Park Innovation Centre (MPIC), Holovis HQ, Bittesby Local Heritage Centre (LHC), Bittesby Country Park and Meadow, Bittesby House, and the Zone 2 uses – HGV Park, Driver Training Centre and Railfreight Shuttle and Terminal. The Implementation Plan sets out the proposals in full: their rationale in cluster theory, the needs each will meet, the proposals for their funding, delivery and operation, the sustainability benefits – economic, social and environmental – that would follow from their delivery, and the proposals for binding IDI Gazeley to their timely delivery.
2. The non-B8 uses have been conceived with the objective of creating and capturing the benefits of a logistics cluster. Each non-B8 use, individually, meets evidenced needs that would otherwise be unlikely to be met, either to the same standard, in so optimal a location for their purposes, as valuably to the industry or the local economy, or as soon or at all. Each use is beneficial in its own right, but the greater value lies in their co-location with each other and as part of the concentration, at scale and on a single site, of blue-chip logistics businesses. These competing, inter-trading and complementary businesses share infrastructure, common markets, technologies and worker skills; these together add up to the logistics cluster and the agglomeration efficiencies – for local communities, the park's occupiers and the wider local and regional economies – that follow.
3. Critically, these efficiencies and the spillover benefits they generate are much easier to co-ordinate, and more likely to be realised, where a distribution park is in single ownership or management. That is the case here. Their capture is the purpose of extending Magna Park and the reason for including the non-B8 uses that are also proposed.
4. The non-B8 uses are feasible because Magna Park already exists. The relationships between IDI Gazeley and the existing businesses are established, and there is a critical mass and established customer base for the new non-B8 uses to build on. The Community Liaison Group is now established and provides a mechanism for ensuring that the new uses respond to the opportunities of being open to local communities and are valued and well-used by them.
5. The delivery and ongoing oversight of the non-B8 uses will be the responsibility of the Magna Park Delivery Body (MPDB). The MPDB will have two purposes: securing the timely delivery of the non-B8 uses proposed by the Hybrid planning application; and ensuring the ongoing identification, coordination and optimisation of the cluster benefits that are the purpose for extending Magna Park. The MPDB will finance and appoint a suitably qualified full-time facilitator (or facilitating company) who will be responsible for securing the delivery of each use and share with the MPDB the responsibility for coordinating the cluster benefits, ensuring each use achieves its purposes and the park's businesses and the local community benefit as intended. The facilitator will report to IDI Gazeley's Board and work closely with Magna Park Management Ltd. MPDB will take responsibility for all community liaison, will convene the already established Community Liaison Group and operate the Liftshare scheme that is also already underway.
6. IDI Gazeley undertakes to fund the MPDB and the facilitator, agree with HDC the terms of reference for the MPDB within six months of the grant of outline planning permission, and to appoint the facilitator within the following six months.

APPENDIX E – Implementation Plan Summary

Summary Table

<p>1 The Non-B8 Use</p>	<p>2 The Use's Objectives</p>	<p>3 Funding and Delivery of the Use</p>	<p>4 Operational Responsibility</p>	<p>5 Proposed Phasing Condition</p>	<p>6 Proposed \$106 Undertakings</p>	<p>7 Summary of Benefits</p>	<p>8 Next Steps (should planning permission be granted)</p>
<p>Logistics Institute of Technology (LIT) Partners: <ul style="list-style-type: none"> NWLS FE College Aston University Holwits IDI Gazeley </p>	<ul style="list-style-type: none"> Address the sectors skill gaps and shortages – Levels 2-7 and routes to 9 and 10 Professional qualifications Improve image of the industry Attract new talent to the sector Increase sector's knowledge intensity Exploit co-location with LIT's applied research function: <ul style="list-style-type: none"> drive next generation of sustainable, innovative supply chain businesses - transfer research into commercial applications in new and existing businesses Industry outreach Fill gap in FE/HEI infrastructure in SW Leicestershire 	<p>IDI Gazeley will:</p> <ul style="list-style-type: none"> fund the facilities' capital costs subject to the academic partners' taking all possible efforts to secure contributions to those costs (from grant, DfT, industry) design, project manage, construct and deliver the LIT's buildings and campus lease the buildings and campus to LIT on a peppercorn for a period of not less than 20 years – on terms that oblige dual use of the campus's playing fields and pitches 	<p>LIT's academic partners will be responsible for:</p> <ul style="list-style-type: none"> LIT's operation, including all operational funding student fee income – DfE, industry and private; research income - public grant and industry collaboration student recruitment curriculum course and qualification delivery applied research industry outreach <p>IDI Gazeley will be responsible for liaison with</p>	<ul style="list-style-type: none"> Start not later than the completion of B8 development in excess of 194,000 sq m Build over two years post grant of reserved matters 	<ul style="list-style-type: none"> Finance and deliver the LIT's buildings and campus to the partners agreed specification Lease the facilities to LIT on a commercial terms and with the obligation to share the playing fields and pitches with the community out of LIT hours 	<ul style="list-style-type: none"> 83 FTE jobs SW Leicestershire's first further and higher education institution Significant contribution to improving the sector's image Significant contribution to the sector's upskilling Indirect contribution to increasing the share of the county's workforces with qualifications at NV/Q4 and above, raising average incomes and increasing GVA per head Training, education and work placements for c 1,000 annually. Seamless progression 	<ul style="list-style-type: none"> Detailed development and operating plan to follow within six months prior to the occupation of LIT Detailed design work/reserved matters application submitted within 12 months prior to the planned occupation of LIT

1 The Non-B8 Use	2 The User's Objectives	3 Funding and Delivery of the Use	4 Operational Responsibility	5 Proposed Phasing Condition	6 Proposed \$106 Undertakings	7 Summary of Benefits	8 Next Steps (should planning permission be granted)
<p>Magna Park Innovation Centre (MPIC)</p>	<ul style="list-style-type: none"> ▪ Dual use of campus with community ▪ Capture cluster potential of co-location with industry, MPIC, Holovis, Country Park 	<p>with the community</p>	<p>Magna Park's operators</p>	<ul style="list-style-type: none"> ▪ Start not later than the completion of B8 development in excess of 194,000 sq m ▪ Build over two years post grant matters 	<ul style="list-style-type: none"> ▪ Identify and contract with a MPIC operator ▪ Fund and deliver MPIC ▪ Lease the facility on commercial terms to the operator who will contract to deliver the objectives for MPIC 	<ul style="list-style-type: none"> ▪ 145 FTE jobs by year 3 of MPIC's operation ▪ 3 FTE jobs in MPIC's operation ▪ c. 15 new businesses over 5 years from year 3 of MPIC's operation, with at least half forming part of the logistics sector's supply chain 	<ul style="list-style-type: none"> ▪ Procurement of an operator to achieve the MPIC purposes and objectives within 12 months prior to the occupation of MPIC ▪ Detailed design work/reserved matters application submitted within 18 months prior to the occupation of MPIC
<ul style="list-style-type: none"> ▪ Support new start and growing firms in or related to the logistics sector ▪ Capture commercially LIT's research innovations in new, growing small businesses ▪ Capture the cluster advantages of co-location with LIT 	<p>IDI Gazeley will fund and deliver MPIC – with the aim of identifying a risk and profit sharing development partner who would lease the building and operate MPIC</p>	<p>Oxford Innovation or other suitably experienced, commercially-focused operator under contract to IDI Gazeley to achieve the MPIC purposes and objectives.</p>	<ul style="list-style-type: none"> ▪ Business support programmes (20 annually with c 35 firms) ▪ Applied research – c 3 programmes annually with industry ▪ R&D transfer – c 2 annually 	<p>from Levels 1-7, and routes to masters and PhDs</p> <ul style="list-style-type: none"> - Higher, advanced and degree apprenticeships - Professional qualifications from CILT (200 pa) 	<ul style="list-style-type: none"> ▪ Procurement of an operator to achieve the MPIC purposes and objectives within 12 months prior to the occupation of MPIC 		

1 The Non-B8 Use	2 The Use's Objectives	3 Funding and Delivery of the Use	4 Operational Responsibility	5 Proposed Phasing Condition	6 Proposed S106 Undertakings	7 Summary of Benefits	8 Next Steps (should planning permission be granted)
	<ul style="list-style-type: none"> and MPL's logistics firms Provide a creative and supportive focus for the Magna Park and Lutterworth business communities Deepen the knowledge intensity of LLEP area's economy Improve survival rates of small firms Capture the cluster potential of co-location with LIT, industry and Country Park Act as a focus point for MPL community Plug local property market gap for high quality licenced (easy-in, easy-out) small business office space 		<ul style="list-style-type: none"> Operating income from: <ul style="list-style-type: none"> Licence, desk, membership and virtual office fees Conference fees Other income 			<ul style="list-style-type: none"> c 1 new start-up or growth opportunity p.a. from year 3 of LIT's and MPL/C's operation The logistics sector's first dedicated innovation centre The indirect contribution to improving Harborough district's rate of enterprise growth (now lagging the region and England) The indirect contribution to increasing the county's knowledge intensity The provision in Lutterworth of a high quality small business space available to entrepreneurs on licence Support for Magna Park's and Lutterworth's business community 	

1 The Non-B8 Use	2 The Use's Objectives	3 Funding and Delivery of the Use	4 Operational Responsibility	5 Proposed Phasing Condition	6 Proposed S106 Undertakings	7 Summary of Benefits	8 Next Steps (should planning permission be granted)
Holovis HQ	<ul style="list-style-type: none"> Enable the expansion of a local high tech business in its established location Cluster coordination for mutual benefit Support Holovis as a partner of LIT 	IDI Gazeley will: <ul style="list-style-type: none"> Lease Parcel F to Holovis Design and build the building on behalf of Holovis 	Holovis	<ul style="list-style-type: none"> Begun not later than the commencement of Parcel H (in accordance with the Parameter Plan 	N/A	<ul style="list-style-type: none"> 150 FTE additional jobs in Holovis by year 3, with potential to create at least 39 more 100 FTE jobs safeguarded The enhancement to Holovis's productivity and global competitiveness The reduction in the environmental costs of Holovis's activities The operational benefits of engagement with LIT and the rest of MPL's businesses The gains to Harborough's economy in GVA, high quality jobs and their accessibility by sustainable modes to local people The gains from co-location with LIT and the rest of the MPL cluster 	<ul style="list-style-type: none"> Contract with Holovis (MOU is in place; contract is subject to planning) Detailed design/reserved matters application submitted not later than 12 months prior to the planning occupation of the

1 The Non-B8 Use	2 The User's Objectives	3 Funding and Delivery of the Use	4 Operational Responsibility	5 Proposed Phasing Condition	6 Proposed \$106 Undertakings	7 Summary of Benefits	8 Next Steps (should planning permission be granted)
Bitesby Country Park and Meadow	<ul style="list-style-type: none"> Contribute to filling district-wide shortage of country park open space, particularly large scale Preserve and enhance the scheduled monument in perpetuity Optimise public access – divert as needed public rights of way and permissive paths, and make the permissive accesses permanent Support the CP with interpretive facilities and lavatories Enrich biodiversity Optimise carbon sequestration Contribute to public health Demonstrate contemporary landscape management techniques for biodiversity, CO2e emission 	<ul style="list-style-type: none"> IDI Gazeley will design, fund and deliver the CP and Meadow IDI Gazeley will draw up the planting scheme and management plan 	<ul style="list-style-type: none"> IDI Gazeley through Magna Park Management Ltd will operate and maintain the CP 	<ul style="list-style-type: none"> Submit and agree with HDC, LCC Archaeology and Historic England a design scheme, operating and management plan for the CP and Meadow (including for the preservation of the heritage assets and the provision of public access) within 12 months of the grant of OPP Phase 1 – start delivery not later than the completion of any B8 development in excess of 194,000 sq m Phase 2 – start delivery within 1 year following completion of the last B8 unit Begin the Meadow works in line with the commencement of Phase 2 of the Country Park 	<ul style="list-style-type: none"> Fund and deliver the agreed design and public access scheme for the CP and Meadow Finance and deliver the agreed management plan Finance and deliver a public car park co-located with Bitesby House Finance and deliver a lavatory block as part of the Bitesby House complex 	<ul style="list-style-type: none"> The preservation of the scheduled monument and DMV in perpetuity The preservation in situ of the archaeology underlying the Meadow in perpetuity The enhancements to public access, including the creation of networks of walks and paths linked to the wider network The contribution to public health and wellbeing The contribution to the public's appreciation of the site's heritage assets and the landscape and management approaches which are designed to improve the area's resilience to climate change A very substantial increase in the Country Park and 	<ul style="list-style-type: none"> Design Phase 1 of the CP and seek reserved matters PP following the occupation of the first phase of development after Parcel G. Submit reserved matters PP for Phase 2 of the CP within 6 months of the start of the final phase / B8 unit.

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<p>Bitesby Local Heritage Centre (LHC)</p>	<ul style="list-style-type: none"> reduction and climate change resilience Involve local groups in the archaeology still to be done Optimise the opportunities to achieve the CP and Meadow purposes 	<ul style="list-style-type: none"> IDI Gazeley will fund the conversion of a Bitesby House barn and the preparation and delivery of the exhibition materials over a three year period MPDB will appoint and fund a suitably 	<ul style="list-style-type: none"> Appointed museologist 	<ul style="list-style-type: none"> The appointment of a museologist not later than six months in advance of the opening of LHC Submit and agree the business plan for LHC not later than three months in advance of the opening of LHC LHC to be operational within 	<ul style="list-style-type: none"> Submit and agree a business plan for the operation of the LHC Design and finance the Bitesby House barn conversion and the exhibition materials it will contain 	<ul style="list-style-type: none"> Increase the public's appreciation of the site's history and heritage Contribution to schools curriculum at Key Stages 1 and 2 Provide the heritage industry with a test bed for the holistic approach to 	<ul style="list-style-type: none"> Seek reserved matters PP for details of the barn conversion not later than 12 months prior to the opening of the LHC

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Bittesby House re-use	<ul style="list-style-type: none"> modern – airfield, the logistics) Support Key Stage 1 (climate change) and Stage 2 (heritage) curriculum Involve local groups in the exhibition / events Support local archaeological research Educate re modern landscape management Provide support for the CP 	<ul style="list-style-type: none"> qualified museumist appointed to deliver a brief agreed with LCC Conservation, Historic England and HDC The appointed museumist will be obliged to work with local partners (particularly the Lutterworth Museum) and raise funds to maintain LHC beyond year 3 	IDI Gazeley	6 months of opening Country Park Phase 1	N/A	<ul style="list-style-type: none"> landscaped management and archaeological preservation Provide a focus and forum for local groups' involvement Support for the Country Park Resource for Holovis and LIT to stimulate new ideas and test innovations, e.g., in how information is presented and displayed 	Detailed design/reserved matters application submitted not later than 6 prior to the planned occupation of Bittesby House for its proposed purposes
<ul style="list-style-type: none"> Conserve and enhance the non-designated heritage asset in its optimal viable use Signal the material evidence of the narrative relationship with the DMV Provide a marketing suite at the heart of the 	<ul style="list-style-type: none"> IDI Gazeley will fund and deliver the conversion and fitting out of the building and the landscaping of its grounds. The car park will also serve the Country Park 	<ul style="list-style-type: none"> Not later than the commencement in excess of 194,000 sq m of distribution warehousing 	<ul style="list-style-type: none"> The conservation of the non-designated heritage asset The provision of the focus the industry/needs to support collaboration between business, professional bodies and interest groups – 				

1 The Non-B8 Use	2 The Use's Objectives	3 Funding and Delivery of the Use	4 Operational Responsibility	5 Proposed Phasing Condition	6 Proposed \$106 Undertakings	7 Summary of Benefits	8 Next Steps (should planning permission be granted)
HGV Park, Driver Training Centre and Railfreight Shuttle and Terminal	<ul style="list-style-type: none"> Provide these facilities for all MPL occupiers Contribute to regional shortage of truck park facilities Reduce call on local SRN laybys Reduce severe shortage of HGV drivers Attract a younger cohort to HGV driving Improve the standard of HGV drivers Improve the image of the occupation Work with LIT to innovate 	<ul style="list-style-type: none"> IDI Gazeley will fund and deliver the handstanding, contract with a suitable operator or operators to deliver the objectives set for the three uses, and lease the handstanding to the contracted operator 	The contracted operator(s)	<ul style="list-style-type: none"> Hand standing element of HGV park to be delivered not later than the commencement of B8 development greater than 100,844 sq m GIA (Parcel G) 	<ul style="list-style-type: none"> Finance and deliver the Zone 2 handstanding and landscape Identify and contract with an operator (or operators) Agree a delivery and operating plan with HDC Lease the handstanding to the appointed operator (or operators for a period not less than 10 years) 	<ul style="list-style-type: none"> 38 FTE jobs Reduction in the regional shortage of HGV parking facilities Reduction in the pressure on nearby laybys CPC training and certification in Category C and C+E HGVs to c 500 drivers p.a. 38 jobs in the facilities (gatehouse, DTC, HGV Park, Railfreight Shuttle) Savings of around 200,000 miles a year of diesel emissions 	<ul style="list-style-type: none"> Magna Park Delivery Body obligation to fund and appoint an operator for the Country Park (CP)

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	<p>approaches to reducing the environmental impact of the industry</p> <ul style="list-style-type: none"> ▪ Provide an on-demand service to DIRFT and Rugby ▪ Raise the share of MPL's traffics that are rail born ▪ Intensify satellite function with DIRFT <p>Increase take-up of railfreight by MPL occupiers (by reducing costs entailed in timing of pick-ups and storage of containers</p> <ul style="list-style-type: none"> ▪ Provide the Shuttle service with low or no carbon traction units 					<p>through use of the Shuttle</p> <ul style="list-style-type: none"> ▪ Savings of over 4 million HGV miles a year through the increased take-up of railfreight ▪ A reduction in the shortage of HGV drivers in the sub-region ▪ An improvement in the image of HGV driving as a career ▪ The cost efficiencies to operators of having, on-site, easily accessed high quality training facilities. 	

SUMMARY REPORT

Extraordinary Planning Committee Summary Report

1. Purpose of the Report

- 1.1 The purposes of this report are as follows:
- To address the cumulative impacts of both applications together.
 - To make comparisons between the two applications to aid the decision making process if Members do not agree with Officers assessment of the cumulative impacts.
 - To explain the options Members have with regard the determination of the applications
- 1.2 This overview report is in addition to each of the detailed reports on the two applications. This overview report is not intended to reflect all the material considerations for the applications. Members are referred to the detailed reports for full consideration of the merits of the applications.

2. Cumulative Impacts

- 2.1 The following sub-headings highlight the key areas in which cumulative impacts have been identified and the views taken by officers. Members are referred to the individual reports for full details of all the issues pertinent to the applications. The cumulative issues have been identified as follows:
- 1) Landscape and Visual
 - 2) Highways
 - 3) Socio-Economics
 - 4) Air Quality
 - 5) Residential Amenity
 - 6) Agriculture and Soils

1. Landscape and Visual

○ *Cumulative Visual Effects*

- 2.1.1 In terms of cumulative visual effects, there are no locations where both developments (except for the proposed Zone 2 lorry park element) could be seen simultaneously. Therefore, cumulative visual effects are focused around sequential impacts as perceived from the local road network. There is also a possibility that there would be sequential effects for users of rights-of-way, but due to the distances and time to travel along the routes these cumulative effects are not considered to be significant. Residential properties would not be affected by cumulative visual effects as they are static.
- 2.1.2 In addition to effects along specific sections of road there is a need to consider the aggregate sequential effects. TLP consider that in a situation with *DB Symmetry* scheme and without the *IDI Gazeley* scheme there would still be some local Minor adverse effects travelling along the A4303 and Coventry Road/Brookfield Road with the *DB Symmetry* scheme visible. However, the sensitivity of receptors is generally Low on these routes. Likewise, in a situation with the *IDI Gazeley* scheme and without the *DB Symmetry* scheme, there would be an impact on users of the A5. Again, the sensitivity of receptors is generally Low on this route. In a situation with both *DB Syymetry* and *IDI Gazeley* schemes, there will be additional adverse sequential effects with the introduction of the *IDI Gazeley* scheme extending north west along the A5. Travellers following the A5, and in combination with Mere Lane and the A4303 and Coventry Road/Brookfield Way would experience sections of High magnitude visual effects with some lengths of routes experiencing Moderate and locally significant adverse cumulative effects from new B8 related development

both during Construction and at Year 1. By Year 15 the establishment of structural planting associated with all schemes is likely to reduce effects to non-significant levels subject to the implementation of suitable landscape schemes.

- *Cumulative Landscape Effects*

- 2.1.3 The assessment of cumulative landscape effects is based on a composite landscape character area, Magna Park Hinterland. A cumulative assessment that included Magna Park and both the Gazeley Hybrid and the Symmetry Park applications was requested by TLP from both applicants to appreciate the overall effects of the potential combined proposed development on the locality. This is in contrast, to only assessing effects on the host landscape character area of each scheme as originally carried out in both ES's. The extent of the Magna Park Hinterland has been indicated to be the area broadly around the combined developments, with a further 250-750m buffer beyond.
- 2.1.4 It is considered that the Magna Park Hinterland has a Low-Medium sensitivity on account of the existing presence of development and main roads within or adjacent to it. It is TLP's opinion that while this is a reasonable assessment in places, the sensitivity would locally increase to Medium particularly where the interface is more with the countryside, such as in the core of the Area of Separation, and to the northwest of Mere Lane (albeit that 15/00919/FUL is already consented immediately north of Mere Lane).
- 2.1.5 In a situation where both the *IDI Gazeley* and the *DB Symmetry* schemes were present, it is considered that there would be a Moderate and significant effect on the local landscape. The magnitude of change in this situation is considered to be High. This significant effect reflects the greater total aggregation of developments both schemes and in particular, the addition of the Gazeley Hybrid scheme to the northwest of Magna Park. TLP broadly agree with the assessment of these adverse significant effects on the Magna Park Hinterland. It is considered that there would be no significant cumulative landscape effects on other character areas including High Cross Plateau.

2. Highways

- 2.2.1 The overall effects on severance¹, driver delay, pedestrian delay, pedestrian amenity, fear and intimidation, and accidents/safety with both 15/00865/OUT and 15/01531/OUT are similar to the assessment of 15/00865/OUT standalone – that the environmental effects of transport are not significant. This is mainly because there are few sensitive receptors in the study area due to the location of the developments and with 15/00919/FUL already consented, there is already a base level of vehicles / HGVs in the study area at peak times, so any increases both 15/00865/OUT and 15/01531/OUT generate are not significant.
- 2.2.2 The only exception in terms of environmental effects, that is different to the standalone assessment for proposed 15/00865/OUT, is Mere Lane which has a minor adverse significance of effect. This is due to the access proposals for 15/01531/OUT. The proposed mitigation for the operational phase of 15/00865/OUT therefore remains the same as the proposals identified in **para's 6.2.7 – 6.2.11 of the DB Symmetry report**. This also relates to the operational mitigation for 15/01531/OUT as outlined in **para's 6.3.9 – 6.3.21 of the IDI Gazeley report**. For all other transport-related effects assessed, there are no significant adverse residual effects as a result of both developments cumulatively.

¹ severance is the perceived division that can occur within a community when it becomes separated by a major traffic artery.

3. Socio-Economics

- 2.3.1 The EIA Regulations require assessment of the cumulative effects of the proposed development and other major local developments that are in cross proximity to the site. The applicants have assessed the employment quantum associated with each development, and also other commitments within the locality.
- 2.3.2 In total if developed and occupied these developments would contain around 15,500 jobs. Not all these jobs would be in Harborough District and hence comparable calculations of 'local' jobs to those set out above are not possible. But the developments would be competing in the same broad labour market.
- 2.3.3 In addition there are around 8,700 dwellings proposed in the vicinity. Using a broad rule of thumb of one worker per dwelling these would account for the equivalent of around 56% of the labour force of the employment developments.
- 2.3.4 In addition the applicants have provided a further sensitivity test for land adjacent to Glebe Farm where there is a proposal for 278,709sq m of B8 space which if developed and occupied would accommodate 3,484 jobs on the basis of an employment density ratio of 80sq m per worker.
- 2.3.5 Cumulatively if all developments went ahead and were occupied there would be an additional 21,298 jobs in the sub-regional economy or 24,782 if land adjacent to Glebe Farm, were included. This should be seen in the context of a projected labour force growth of between 94,000-102,000 over the period 2018-31 in the Magna Park's workforce catchment area.
- 2.3.6 In terms of the impact of the developments on Housing growth in the area, HDC have separately commissioned GL Hearn to assess the impact of employment growth at Magna Park upon housing need. The findings of this report – which as background evidence to the draft Local Plan carry considerable weight as a material consideration – are set out in **Para's 4.123 – 4.135 of the Overview Report**. In summary, it concludes that 700,000sqm of floorspace with 25% of the workforce being drawn from within the District, can be accommodated with a slight increase in housing need to 557dpa compared to the OAN of 532dpa. It is considered that such an increase can be accommodated within the 20% flexibility allowance allowed for within the draft Local Plan which sets a target of 640dpa. Furthermore, the report concludes that such growth would result in a 3% increase in housing need for Oadby and Wigston, less than a 1% increase for Hinckley and Bosworth. In terms of Coventry and Warwickshire, there would be no impact on housing need as a result of such a level of development, and Daventry's housing need would increase by 6dpa. None of these impacts on housing need are considered to be significant or demonstrable. There will also be no significant strain on existing healthcare and community facilities.

4. Air Quality

- 2.4.1 The potential combined effects of the proposed *IDI Gazeley* scheme and *DB Symmetry*, which will generate higher volumes of traffic on the local road network, have been assessed by both applicants. These changes will lead to an increase in concentrations of PM₁₀ and PM_{2.5} at all existing receptors, but all levels are predicted to be well below the relevant objectives, and the impacts will all be *negligible*. In the case of nitrogen dioxide, annual mean concentrations are predicted to be well below the air quality objective, with or without the *IDI Gazeley* and *DB Symmetry* schemes, in all scenarios that have been assessed. In 2019 (Opening Year), *slight adverse* impacts are predicted at a small number of receptors close to the A5, and close to the new access junction to Symmetry Park, on the A4303. In 2025 (Completion Year)

there is a *moderate adverse* impact predicted at three receptors adjacent to the A5, and *slight adverse* impacts predicted at four other receptors, based on the worst-case sensitivity test. The overall operational effects of the combined schemes are judged to be not significant.

5. Residential Amenity

- 2.5.1 The impact upon residential amenity of a number of other committed developments have been assessed. Due to the location of the application site away from urban areas, there are few other proposals which have an impact upon the properties assessed above. The only proposal identified which has an impact upon any of these properties is 15/00865/OUT. Due to the geographical remoteness of the two application sites, the main sections of the sites do not have cumulative impacts upon any of the properties, however, Zone 2 of 15/01531/OUT is located in close proximity to 15/00865/OUT in that they share a common boundary. As such, it is considered that the cumulative impact of the two applications upon the following properties should be assessed:
- Glebe Farm Cottage
 - Woodbrigg Farm
 - Moorbarns Bungalow and Liberties Hotel
 - Fairacres
 - Cross in Hands Farm
 - Moorbarns Farm
- Glebe Farm Cottage / Woodbrigg Farm / Moorbarns Bungalow / Fairacres / Moorbarns Farm
- 2.5.2 If both 15/00865/OUT and 15/01531/OUT were to be consented and developed, the buildings proposed under 15/00865/OUT would screen the development at 15/01531/OUT from all of the above properties, and as such it is not considered that there would be any cumulative impact in terms of the residential amenity of these as a result of both developments being approved.
- 'Cross in Hand' Farm
- 2.5.3 As set out in **Para 6.9.20 of the IDI Gazeley report**, it is not considered that 15/01531/OUT would have any demonstrable impact upon residential amenity at Cross in Hands Farm. Furthermore, as set out in **Para 6.6.20 of the DB Symmetry report**, it is not considered that this development would have a demonstrable impact upon the residential amenity of the property. Furthermore, given the relatively oblique views towards the two sites from the front of the property and the fact that the garden of the property is screened from the development by the house, it is not considered that the combination of the two developments would result in any overbearingness or loss of privacy, particularly given that the applicants are proposing a bund along the A5 and that container storage element (with a maximum height of 6m) is located on the southern edge of the site, away from the property. Furthermore, given the property's proximity to the A5 and its resultant high background noise levels, it is not considered that these two developments together would demonstrably increase the noise environment experienced at the property. As such it is not considered that there would be any cumulative impact in terms of the residential amenity of these as a result of both developments being approved.

6. Agriculture and Soils

- 2.6.1 Cumulatively, only a very small element of the two sites has been identified as 'best and most versatile'; 0.56% is grade 3a (good), 83.3% is grade 3b (moderate), 0.82% is grade 4 (poor) and 15.32% is non-agricultural. It is therefore considered that cumulatively the proposals comply with NPPF Para 112.

3. Comparison of Key Issues

- 3.1 The following sub-headings highlight the key comparative issues for the applications and the views taken by officers. Members are referred to the individual reports for full details of all the issues pertinent to the applications. The common issues have been identified as follows:
- 1) Site Context
 - 2) Scale Proposed
 - 3) Sequential Assessment
 - 4) Heritage and Archaeological Issues
 - 5) Landscape and Visual Impact Issues
 - 6) Highways Issues
 - 7) Employment Issues
 - 8) Education Issues
 - 9) Lorry Parking Facilities
 - 10) Open Space Issues
 - 11) Other Issues

1. Site Context

- 3.1.1 The **DB symmetry** site (15/01531/OUT) is Greenfield land to the south of the A4303 and would be seen as being adjacent to Magna Park. The **IDI Gazeley** site (15/01531/OUT) is also Greenfield land, to the north of Mere Lane, with direct connections with the existing Magna Park and is considered to be an extension to the existing Park.

2. Scale Proposed

- 3.2.1 The **DB Symmetry** proposal is for up to 278,709sqm of B8 storage and distribution floorspace with ancillary offices. The application does not define the split of storage and distribution and office floorspace.
- 3.2.2 The **IDI Gazeley** proposal is for 419,800sqm of B8 storage and distribution floorspace with ancillary offices. 100,844sqm previously approved through 15/00919/FUL, therefore proposal is for 318,956sqm additional floor space. The application does not define the split of storage and distribution and office floorspace
- 3.2.3 The **IDI Gazeley** proposal also seeks consent for up to 3,700sqm of D1 floorspace for the education facility, up to 2,325sqm of B1a and D1 floorspace for the Innovation Centre, up to 7,000sqm of B1a and B1b floorspace for the small business units and the re-use of Bittesby House and its principal outbuildings as a heritage and Exhibition centre .

3. Sequential Assessment

- 3.3.1 A sequential test is not required of the applicants for these proposals. However, notwithstanding this, as detailed in **Para 4.110 of the Overview Report**, the SDS sets out a sequential approach to identifying the preferred direction of travel when considering storage and distribution proposals. The SDS states that the extension of existing sites is sequentially preferable, followed by satellite site, then brownfield sites and finally greenfield sites. Both sites are considered to be suitable, viable and will be available for development within a reasonable timescale. It must also be recognised that the SDS is a background evidence report prepared in order to enable Policy to be developed. As such, although it falls to be considered as a material consideration and carries moderate weight in the decision making process, it is not considered that the sequential approach could be considered to be a determining factor in a comparison of the two applications.

- 3.3.2 As discussed at **Para 3.1.1**, The **DB Symmetry** site is located to the south of the A4303, entirely on Greenfield land. The site would have its own dedicated site access, its own dedicated lorry park and would share no facilities or services with the existing Magna Park. On the basis of this, in terms of the SDS Sequential approach, the Symmetry site would be considered to be a satellite site to the existing Magna Park site.
- 3.3.3 The **IDI Gazeley** site is located to the north of Mere Lane, again entirely on Greenfield land. The site would have its own dedicated site access at its north western end, and will also have a shared access with the existing Magna Park at Mere Lane, allowing traffic to pass through the existing Magna Park to the proposed site. Furthermore, the detailed part of the scheme proposes a dedicated Magna Park lorry park for the use of drivers visiting both the existing and proposed Magna Park. The detailed part of the scheme also proposes a dedicated Magna Park rail freight shuttle terminal for use by occupiers of both the existing and proposed Magna Park. The southern part of the outline part of the proposed site and would utilise the existing foul water facilities within the existing Magna Park which have recently been granted consent to be increased (16/00359/FUL). On the basis of this, in terms of the SDS Sequential approach, the **IDI Gazeley** site would be considered to be an extension to the existing Magna Park site.
- 3.3.4 On the basis of the above, in terms of the SDS approach to assessing potential sites, it is considered that the **Gazeley** proposal is sequentially preferable to the **symmetry** proposal, however, given the very limited practical distinctions between the proposals, only very limited weight should be given to this.

4. Heritage Issues

- 3.4.1 The **DB Symmetry** site is not within a Conservation Area and there are no designated Heritage assets within or adjacent to the site. There are some non-designated archaeological features present within the site, however, a condition is recommended to ensure the investigation and recording of these. This condition would ensure that there is a nett benefit to heritage matters as a result of the scheme.
- 3.4.2 The **IDI Gazeley** site is also not within a Conservation Area, however, the site contains a designated heritage asset (NPPF para 132) in the Scheduled Monument (Bittesby Deserted Medieval Village) some non-designated archaeological features which are within, and part of, the setting of the SM, and a non-designated heritage Asset in the form of Bittesby House and its associated outbuildings, which also form part of the setting of the SM.
- 3.4.3 Lodge, Emmanuel and Bittesby Cottages to be demolished are not designated heritage assets but do add positive value to the setting of Bittesby House. Officers consider that the loss of these properties, whilst regrettable, will not harm the significance of the non-designated heritage asset. Bittesby House is considered to be an integral part of the setting of the SM, and it is considered that its loss would cause *substantial harm* (NPPF para 133) to the setting of the SM. As a result of this, following a request from the Case Officer, the scheme has been amended to include the retention of Bittesby House and its relevant outbuildings. This amendment has reduced the impact upon the setting and significance of the SM to *less than substantial harm* (NPPF para 134).
- 3.4.4 The question of the weight to be given to this less than substantial harm is an important issue that Members need to carefully consider. As with the consideration of

15/00919/FUL, para 134 of the NPPF is an important material consideration in this regard. It sets out a test whereby where it is identified that there is less than substantial harm to a designated heritage asset, this harm should be given considerable importance and weight when weighed against the public benefits of the proposal.

- 3.4.5 As set out in the detailed report for the *IDI Gazeley* scheme, Officers consider that the harm caused to the significance of the nationally significant SM is less than substantial harm of moderate magnitude, and accordingly should be afforded very considerable weight in the planning balance, however, it is also considered that the clear and substantial public benefits of the proposals would significantly outweigh that considerable harm.
- 3.4.6 In terms of a comparison between the two schemes, it is considered that, in terms of heritage impacts, the *DB Symmetry* scheme, which provides a nett benefit in this aspect, would be preferable to the *IDI Gazeley* scheme in Heritage terms.

5. Landscape Issues

- 3.5.1 The ***DB Symmetry*** scheme, whilst on Greenfield land and within open countryside, is not in an area which is subject to any statutory landscape designations (e.g. Green Belt, AONB or National Park). The proposed development will have some significant adverse effects in landscape/visual terms, which weigh against the proposal, however this is inevitable on any Greenfield site accommodating major development, and mitigation of these impacts is proposed. This mitigation would ensure that, over time, the adverse impacts would reduce. Furthermore, the proposals have been designed to minimise these effects with areas available for open space and structural landscaping. Furthermore, following a request from the Case Officer, the maximum height of the buildings in Zone A/B has been significantly reduced so as to sit below the height of the adjacent Magna Park buildings. It is considered that the harm caused by the proposal upon the surrounding landscape would not be significant, and as such, limited weight should be given to the impact of the proposal in landscape terms. It is not considered that this harm significantly and demonstrably outweighs the clear and substantial public benefits of the proposal.
- 3.5.2 The ***IDI Gazeley*** scheme is also on Greenfield land and within open countryside, and whilst the site is immediately adjacent to the Coventry and Warwickshire Green Belt – for which the A5 north of Mere Lane is its easternmost extent – the site is not subject to any statutory landscape designations (e.g. Green Belt, AONB or National Park). The proposed development will have some significant adverse effects in landscape/visual terms, which weigh considerably against the proposal however this is inevitable on any Greenfield site accommodating major development, and mitigation of these is proposed. This mitigation would ensure that, over time, the adverse impacts would reduce. Furthermore, the proposals have been designed so as to minimise these effects as far as possible, with significant areas (approximately 45% of the overall site area) available for open space and structural landscaping. Notwithstanding this, it is considered that the harm caused by the proposal upon the surrounding landscape, predominantly due to the distance the site extends along the A5 and its consequentially greater sequential impact in conjunction with the existing Magna Park, would be significant, and as such, considerable weight should be given to the impact of the proposal in landscape terms. Officers are of the view that this harm is outweighed by the clear and substantial benefits of the proposal.
- 3.5.3 In terms of a comparison between the two schemes, it is considered that, in terms of landscape impacts, the *DB Symmetry* scheme, which has a minor impact in this

aspect, would be preferable to the *IDI Gazeley* scheme which would have a moderate impact upon the Landscape.

6. Highways Issues

- 3.6.1 The ***DB Symmetry*** scheme will be accessed off the A4303 Coventry Road via a new roundabout, which will then provide access to the new road network within the development. The speed limit on the A4303 dual carriageway between the A5 and the A4303 / Coventry Road / Fairacres Roundabout (a 2km stretch) is proposed to be reduced from 70mph to 50mph.
- 3.6.2 In terms of the strategic road network, the Highway Agency's main concern in relation to this development is for the safety and operation of the A5 and the impact of the development upon this, including the provision of a new emergency only access to the north of Liberties Hotel. After extensive dialogue, the Highways Agency has recommended conditions on any approval.
- 3.6.3 In terms of the local road network, the Highway Authority that the new site access on the A4303 has been subject to an independent Stage 1 Road Safety Audit and following minor amendments, and LCC Highways are satisfied that it is generally compliant to relevant design standards.
- 3.6.4 The ***IDI Gazeley*** scheme would gain access to the application site via two alternate routes. A new roundabout is to be constructed on Mere Lane that will connect the site to Magna Park to the south and the A5 to the west. The connection to Magna Park will be achieved by extending Argosy Way between two existing plots. The section of Mere Lane between the A5 and the new access roundabout is proposed to be realigned and upgraded. It is also proposed that the redundant section of Mere Lane will be stopped up and reclassified as a public footpath or bridleway.
- 3.6.5 The applicants have proposed a new roundabout on the A5 to replace the existing junction at Mere Lane. As part of the scheme the dual carriageway on the A5 will be extended from Emmanuel / Lodge Cottages to the new roundabout over a distance of approximately 500 metres. The second point of access is a new roundabout on the A5 approximately 260 metres south of White House Farm.
- 3.6.6 Access to Zone 2 will be taken from the southern arm of the roundabout on the A4303 that serves the main part of Magna Park. To reach Zone 2 the existing access road serving Culina and George will be extended through the provision of a southern arm on the existing internal roundabout. A simple junction, approximately 80 metres south of the roundabout, will maintain access to Semelab and Notts Sports UK.
- 3.6.7 In terms of the strategic road network, the Highway Agency's main concern in relation to this development is for the safety and operation of the A5 and the impact of the development upon this, including the provision of the new and improved roundabouts along the A5. After extensive dialogue, the Highways Agency has recommended conditions on any approval.
- 3.6.8 In terms of the local road network, the Highway Authority has confirmed that the improvements at the A4303/A5 junction, combined with the new A5/Mere Lane roundabout linking to the existing Magna Park will take pressures off the A4303 and the Cross in Hand junction. Both of these would make the M1-A4303 routes more attractive than they are now, particularly compared to Mere Lane.
- 3.6.9 Whilst it is acknowledged that both proposals will inevitably result in increased traffic flows, subject to the required mitigation, the increased traffic flows would not result in

a demonstrably significant impact upon the surrounding highway network. Furthermore, improvements to existing junctions in the area, coupled with improvements to foot and cycleways in the locality will result in a highway gain.

3.6.10 In terms of a comparison between the two schemes, it is considered that, in terms of Highways impacts, the *IDI Gazeley* scheme, which provides a nett benefit in this aspect and weighs in its favour, would be preferable to the *DB Symmetry* scheme.

7. Employment Issues

3.7.1 The *DB Symmetry* scheme has the potential to deliver 139 full time equivalent jobs during the construction phase and a further 3500 permanent full time equivalent jobs on site once fully operational. The social benefits of the application proposals include the added opportunities to take permanent employment across a spectrum of occupations in a growing sector for which the local area has a strong competitive advantage. These all represent clear and substantial regional and national public benefits which weigh favourably in the overall planning balance.

3.7.2 The *IDI Gazeley* scheme has the potential to deliver 1634 full time equivalent jobs during the construction phase and, once fully operational, a further 5800 permanent full time equivalent jobs across the whole site (including the 1230 created by 15/00919/FUL). Furthermore, once fully operational, it will have the potential to contribute additional GVA to the economy of in excess of £288m annually (including the £40m created by 15/00919/FUL). The social benefits of the application proposals include the added opportunities to take permanent employment across a spectrum of occupations in a growing sector for which the local area has a strong competitive advantage. Furthermore, the proposal would increase in the amenity open space on the site and the enhancements in the public access to those amenities. These all represent clear and substantial regional and national public benefits which weigh favourably in the overall planning balance.

3.7.3 In terms of a comparison between the two schemes, it is considered that, in terms of employment creation, the *IDI Gazeley* scheme, which provides the potential for a far greater quantum of employment, would be preferable to the *DB Symmetry* scheme.

8. Educational Issues

3.8.1 The *DB Symmetry* scheme proposes to make provision for apprenticeships within this development, and the applicants have had discussions with Officers in order to secure this initiative, with links to Lutterworth College and Sir Frank Whittle Studio School. The provision within the S106 obliging the applicants to fund a Community Business Liaison Officer will ensure that this is addresses.

3.8.2 The *IDI Gazeley* scheme would grant consent for a Logistics Institute of Technology which would be developed in partnership with Aston University, as well as an HGV Driver Training facility. The Logistics institute of technology would provide an educational hub through which a range of bespoke training and qualifications can be delivered at all NQF levels. The activity of the centre would play a role in raising the awareness of young people at School, College and University to the diversity of employment opportunities in the logistics sector and to the vibrancy and potential opportunities that exist for satisfying and well rewarded careers. Success can be measured through the numbers of School, College and University leavers that join the industry and remain within the Logistics sector after three, five and ten years. These all represent clear and substantial public benefits which will carry great weight in the overall planning balance.

3.8.3 In terms of a comparison between the two schemes, it is considered that, in terms of educational provision and development, the *IDI Gazeley* scheme which provides an entirely new educational offer and facility would be preferable to the *DB Symmetry* scheme

9. Lorry Parking facilities

3.9.1 The *DB Symmetry* scheme would provide a Lorry Park for up to 52 lorries. The park would be located adjacent to the entrance of Symmetry Park. The facility would be solely for the benefit of vehicles associated to Symmetry Park, and would therefore cater for parking the additional lorries in the area as a result of the development. The facility would not be open for use by lorries associated with Magna Park, and therefore, the facility would not provide the benefit of addressing an existing issue in the area.

3.9.2 The *IDI Gazeley* scheme would provide a Lorry Park for up to 134 lorries. The park would benefit from driver facilities, electric vehicle charging points and a CNG served fuel station. The facility would be located to the south of the existing park, adjacent to George House. The facility would be solely for the benefit of vehicles associated to Magna Park (both the existing site and the proposed extension), and would therefore cater for parking the additional lorries in the area as a result of the development as well as having the benefit of addressing an existing issue in the area by providing a facility to cater for users of the existing park.

3.9.3 In terms of a comparison between the two schemes, it is considered that, in terms of lorry parking facilities, the *IDI Gazeley* scheme provides a small benefit in this aspect by providing a solution to an outstanding issue, and would be preferable to the *DB Symmetry* scheme which only deals with its own impacts.

10 Open Space Issues

3.10.1 The *DB Symmetry* scheme will provide a Country Park area to the south of the site focussing around the water attenuation facility. Whilst the provision of open space is welcomed, it is detached from the public right of way network, the closest footpaths being to the north of the site on the opposite side of the A4303, and approximately 200m to the south with intervening field boundaries and land under separate private ownership.

3.10.2 The *IDI Gazeley* scheme will also provide a Country Park area at the heart of the site, with strong links to the existing public right of way network as set out in the main report. A small public car park will be provided at Mere Lane to provide parking for visitors to the Country Park, and a visitors centre will also be provided as part of the re-use of Bittesby House and its out buildings. Furthermore, the scheme provides linkages to the existing Magna Wood to the east of the existing Magna Park with further linkages from there to the public right of way network and the Lutterworth Country Park at Brookfield Way.

3.10.3 In terms of a comparison between the two schemes, it is considered that, in terms of open space issues, whilst both schemes will provide public access areas, the *IDI Gazeley* scheme will benefit from better linkages to the existing rights of way network and will potentially provide better facilities for users of the Country Park. As such, it is considered that the *IDI Gazeley* scheme would be preferable to the *DB Symmetry* scheme in relation to open space issues.

11. Other Issues

3.11.1 **Figure 1** sets out a comparative analysis of other application issues and Officers' views of these. The individual committee reports should be viewed for the detailed assessment.

Issue	symmetry proposal	Gazeley Proposal
Air Quality	No objections from Environmental Health have been raised. There will be no decrease in Air Quality in the Lutterworth AQMA. There will be no long term exceedance of the Air Quality Objectives. Planning obligations are recommended.	No objections from Environmental Health have been raised. There will be no decrease in Air Quality in the Lutterworth AQMA. There will be no long term exceedance of the Air Quality Objectives. Planning obligations are recommended.
Noise	No objections from Environmental Health have been raised. Planning conditions are recommended.	No objections from Environmental Health have been raised. Planning conditions are recommended.
Ecology	No objection from statutory consultees. Conditions will secure mitigation measures and landscaping/planting.	No objection from statutory consultees. Proposed mitigation and habitat creation will deliver net gain in biodiversity.
Drainage	No objections from LLFA or Environment agency have been raised subject to the imposition of conditions. Planning conditions are recommended.	No objections from LLFA or Environment agency have been raised subject to the imposition of conditions. Planning conditions are recommended.
Residential Amenity	Multiple objections have been received from neighbouring properties. The applicants have overcome to the closest two properties and Officer's do not consider that the proposals would have any demonstrable impacts on any other properties.	Multiple objections have been received from neighbouring properties. Officer's do not consider that the proposals would have any demonstrable impacts on any other properties.
Footpaths	No footpaths affected by the proposal. Proposal provides linkages to existing footpaths.	Footpaths will be affected and, where necessary diverted and upgraded. The proposed landscape works will mitigate the impact, and in some locations, will improve the current situation.
Design	Application is in outline form, and therefore design can not be fully assessed.	Application is in outline form, and therefore design can not be fully assessed.
Agricultural land	The impact of the proposal on the best and most versatile agricultural land is neutral.	The impact of the proposal on the best and most versatile agricultural land is neutral.
Contaminated	Proposed development is	Proposed development is

Land	acceptable subject to planning conditions.	acceptable subject to planning conditions.
Planning Obligations	Officers consider that the planning obligations meet the tests set out at Regulation 122 of the CIL Regulations 2010.	Officers consider that the planning obligations meet the tests set out at Regulation 122 of the CIL Regulations 2010.

Figure 1: Comparative analysis of other issues

4. Officer Recommendations

- 4.1 As established in the two application reports forming part of this Agenda, each application proposal and site (15/00865/OUT and 15/01531/OUT) is, in the view of Officers, acceptable in its own right. As set out in the individual application reports and **Section 5 of the Overview Report** to this Agenda, there are no technical reasons to object to either, or both applications, and both applications are recommended for approval. Therefore, whilst a comparison of the two applications has been carried out within this **Summary Report**, if Members agree with the reasoning and conclusions as set out in the **Overview Report**, there is no need for Members to carry out a comparison of the two applications. It would therefore fall that, if Members agree that there are no technical issues with either application and that there are no cumulative concerns, then provided that Members agree that the benefits of the development outweigh the harms (substantially so in the case of the *IDI Gazeley* proposal, given the impact on the designated DMV) both applications should be approved. However, if Members have concerns in relation to the capacity or need for the development or regarding the cumulative impact of the proposals, a comparison of the two applications would have to be made.
- 4.2 On the basis of the above information and advice and the assessment of the applications contained within the individual application report, Officers recommend that the *DB Symmetry* Planning Application 15/00865/OUT is approved subject to conditions and planning obligations.
- 4.3 On the basis of the above information and advice and the assessment of the applications contained within the individual application report, Officers recommend that the *IDI Gazeley* Planning Application 15/01531/OUT is approved subject to conditions and planning obligations.
- 4.4 However, notwithstanding this, there are cumulative issues related to the granting of consent for both schemes as set out above. Whilst Officers consider that the significant regional and national benefits associated to the applications outweigh the limited local cumulative concerns, it is acknowledged that Members may view this differently. There are however other possible decisions that could be taken should members put different weight on particular material planning consideration(s) as discussed above, and as such, Members have 4 options:
- a) approve both schemes as recommended;
 - b) approve 15/00865/OUT and refuse 15/01531/OUT;
 - c) refuse 15/00865/OUT and approve 15/01531/OUT; or
 - d) refuse both schemes (Officers advise that sound Planning reasons specific to each application would have to be given for refusal of the proposals. Members are also reminded that, as part of the consideration of 15/00919/FUL, it was acknowledged that there was capacity to approve that application, plus either 15/00865/OUT or 15/01531/OUT, and, as such, members are advised that to refuse both applications on the basis that there

is no need for either development would place the Council in a situation whereby it would be highly likely that Costs would be awarded against the Council for acting unreasonably)