Summary of Evidence for Policy BE2

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Strategic Evidence

The evidence demonstrates that there is sufficient headroom in demand to allocate up to the 700,000sq.m limit in Policy BE2, without undermining existing public plans and programmes. 380,000sq.m is already committed through planning permissions, leaving 320,000sq.m to be allocated.

The SDSS (EMP6) sets out minimum need figures for Leicester & Leicestershire (L&L). It makes it clear that the quantum of land allocated for strategic distribution should always exceed the minimum need figures and that authorities should look to ensure that there are multiple strategic sites with vacant 'development ready' plots available at different geographical locations at all times.

Iceni have carried out up-to-date evidence which is contained under EXAM 13 (BE2 EV1 - Evaluation of Need, Demand and Impact). This shows that although the minimum need figures in the SDSS (EMP6) are close to being met there is an inadequate supply of sites to maintain a choice of sites over the plan period, and to meet market demand overall.

Strong levels of market demand, and rising occupier demand, would see most sites with planning consent built-out in the short-term, in the narrow Golden Triangle and in L&L (the exception to this is DIRFT 3). With existing sites largely built-out in the short term, and very little choice or flexibility in supply over the medium and longer-term, there is a need to bring forward additional land to maintain a choice of sites with available plots. Rents for new-build stock have grown by 39% over the last six years, providing direct evidence of supply/demand imbalance, with levels of available units in the East Midlands currently representing a 0.85 years' supply position overall with no supply of larger units (> 46,000 sq.m). A clear need to bring forward additional strategic distribution floorspace is therefore shown, which Iceni find would support the allocation of 700,000sq.m of floorspace at/adjoining Magna Park, Lutterworth.

The evidence of lack of competition from other locations besides Magna Park suggests that a healthy level of take-up could be sustained without undermining other public plans and programmes, including the West Northants Joint Core Strategy (2014) which refers to DRIFT.

The submitted Local Plan contains a housing requirement of 11,140 which supports the provision of 700,000sq.m strategic distribution floorspace, aligning the housing and economic strategy. The MPEGSS (HSG12) shows this level of housing is sufficient to support 700,000sq.m, taking into account housing needs of the wider area. Additional strategic distribution floorspace above 700,000sq,m could require additional housing in Harborough and across the wider area (including potential redistribution of housing between authorities) which is not planned for in existing or emerging Local Plans. The limit of 700,000sq.m is therefore set, to prevent the level of growth becoming unsustainable over the plan period, and undermining the plan-led system. 380,000sq.m of strategic distribution floorspace has planning permission leaving 320,000sq.m to be allocated.

<u>Site Selection</u>

There is a relatively limited pool of sites to choose from. The Proposed Allocation - Site Identification and Selection Paper (in EXAM13 – BE2 EV2) shows that the most appropriate

site is Land North & West of Magna Park. The assessment is a high level assessment of sites that did not take into account mitigation.

Amongst the 50 sites assessed by the Strategic Employment Land Availability Assessment, SELAA (EMP1), seven sites were proposed and potentially deliverable or developable for strategic distribution. These sites are shown in the Site Identification and Selection Paper in EXAM 13 (see Figure 1 on page 4 of BE2 EV2). Of these seven sites, two already have planning permission (sites 1 and 2) and one is already proposed to be allocated in Policy L1 (site 5). Of the four remaining sites one is a working quarry (site 4) and another is in the proposed Bitteswell, Lutterworth and Magna Park Area of Separation (site 7). This leaves two sites Land North & West of Magna Park (site 3) and Land centred on A426, South Leicester (site 6). Land centred on A426, South Leicester is only partially in Harborough District and is reliant on the delivery of a new Motorway Junction which there is no firm plans for at present, or timescales for when/if it will be delivered.

The Land to the North and West of Magna Park best meets the locational criteria in the SDSS (EMP6 & EMP7) and is deliverable over the plan period. The site is also large enough to provide units at a variety of scales. It is therefore proposed that this site is allocated for 320,000sq.m of strategic distribution floorspace, which when added to existing commitments of 380,000sq.m, meets the 700,000sq.m limit in Policy BE2.

Local Impact

Land to the North and West of Magna Park is broadly the same site area as planning application 15/01531/OUT. In this respect, although the planning application relates to a specific proposal, rather than the principle of development which is dealt with through the Local Plan process, there is a substantial amount of detailed evidence that can be used to understand the potential impact and appropriate mitigation that may be required.

Application 15/01531/OUT was considered by Planning Committee on the 23rd November 2017 and the committee resolved to approve the application. However, in accordance with Harborough District Council's Constitution, a request was made by Members for the application to be referred to Council for further consideration. The Council refused the application on 10th January 2018. The Appeal is due to be heard on 29th March 2019. The Council's reason for refusal is:

The landscape impact is severe and outweighs the economic benefits. Also it is contrary to Policy CS17.

The relevant evidence from the planning application can be used to understand the local impact of 320,000sq.m of strategic distribution floorspace (and associated infrastructure) on this site. The evidence is available in EXAM13 here and includes highways, noise and vibration, hydrology and flood risk, landscape and visual impact, air quality, heritage and archaeology, ecology and biodiversity, agriculture and soils, and contamination.

Although the evidence relates to a specific planning application, it demonstrates that the amount of development to be allocated on the site in Policy BE2 (320,000sq.m of strategic distribution floorspace), would be acceptable with appropriate mitigation. There were no outstanding technical objections to the application.

The Planning Committee Report (BE2 PCR) for application 15/01531/OUT includes a summary of the consultee responses received. Below is a brief summary of the evidence by theme that has been used to understand the impact of allocating the site and informed Policy BE2.

Highways

Evidence

The evidence relating to highways is found in the following documents:

- ESci - ES Traffic and Transport Update Chapter 6 (March 2016)
- EScii – Addendum to ESci (April 2016)
- ESciii – Transport Assessment (September 2015)
- ESciv – Framework Travel Plan (September 2015) & updated Framework Travel Plan (EScvi) (March 2016)
- EScvii & EScviii – Supplementary Transport Assessments (February and March 2016)
- EScix – Traffic Survey Report (April 2016)
- EScxi – Technical note on Whittle Roundabout (June 2016)

Summary:

Environmental Statement Chapter 6 Appendix C1 Travel Assessment (TA) (ESciii) prepared by URS in September 2015 sets out existing baseline highway conditions, key junction capacity assessments, assessments of nearby committed development sites, the impacts of the proposal and proposed mitigation.

This is further updated through Supplementary Transport Assessments (EScvii and EScviii) and a Transport Assessment Update (ESci), with the updated and second supplementary TA using the Leicester and Leicestershire Integrated Transport Model (LLITM) to update initial manual transport modelling to a 2026 reference case.

The TA and accompanying documents set out a series of highway mitigation measures to accommodate the proposed development including new junctions, junction improvements, sustainable transport improvements and provision of a travel plan. Subject to the mitigation measures proposed, the cumulative impact of the developments will be minor adverse to the M69 J1 only with a negligible impact elsewhere. Further sensitivity testing undertaken to assess the impact of the Symmetry Park site is considered to have a negligible impact on the highway network.

Baseline highway network conditions:

The site is located with existing access to the A4303 with close links to the M1 (via the A4303) and the M6 (via the A5). A direct access on to the A5 is proposed. The site is currently served by bus route 8, Hinckley to Lutterworth, with onward bus connections to Leicester, Rugby and Market Harborough from Lutterworth.

The site, whilst road based with no rail head, has some operational ties to DIRFT, with 16% of all HGV traffic using Magna Park having an origin or destination at DIRFT. To take advantage of this link, a rail freight shuttle is proposed south of the A4303 with capacity at the shuttle terminal for 88 containers to be available for site occupiers only as temporary storage together with parking for 134 HGVs.

The Whittle roundabout (A426/A4303) is considered to operate over capacity within the 2026 reference case without development (above 85% capacity) with the Gibbet Hill roundabout (A5/A426) also considered to be operating above capacity. All other junctions are considered to operate within capacity (less than 85%) although M69 J1 is starting to come under pressure with high degrees of saturation on certain links in the AM and PM peaks.

All HGV movements generated by Magna Park are subject to a routing agreement between IDI Gazeley and the Council. Details of the agreement are set out in the Section 106 Agreement and are provided to all occupiers at Magna Park. The routing agreement is strictly applied and as far as practicable ensures that all HGVs avoid sensitive routes through local villages and Lutterworth town centre.

A traffic survey (EScix) was commissioned in March 2016 (outside of school holidays), to establish whether the shift patterns at Magna Park result in a corresponding increase in traffic flows through neighbouring villages. Automatic Traffic Counts (ATCs) were located in strategic locations within Ullesthorpe, Bitteswell and Ashby Parva and on other minor roads to the north of Magna Park. ATCs were also located on Lutterworth High Street and on Coal Pit Lane between the A5 and the village of Willey. Data collected on the A4303 just to the east of Magna Park clearly identifies spikes in demand at 6am, 2pm and 10pm confirming that flows on roads immediately adjacent to the Park are influenced by the shift changeover, however at all sites to the north of Magna Park including at sites close to the villages of Ullesthorpe, Bitteswell and Ashby Parva there was no evidence of a significant increase in traffic to coincide with the shift changeovers at Magna Park. This indicates that Magna Park employees are not routinely using the minor roads to travel to and from work. There are very few HGVs using the minor road network to the north of Magna Park. The expectation is that the vast majority of the very few HGVs that were recorded were not related to Magna Park and would have had a legitimate reason to be using these roads.

Operational highway conditions:

Including the proposed development together with mitigation, the LLITM traffic modelling (ESCi) shows reductions in peak time traffic to five locations (of 15 identified). Large increases in traffic are demonstrated to Mere Lane (154% increase), however this is due to the very low frequency of existing use and weight limit compared to a proposed new roundabout on the A5 at this location providing a new access to the development. Outside of Mere Lane, the largest increase in traffic to the existing network is to the A5 north of Mere Lane with an increase of 34% increase in all traffic (42% increase in HGV traffic) in the AM peak and 37% increase in all traffic (60% HGV increase) in the PM peak.

Due to the proposed mitigation to the Whittle roundabout, as discussed below, journey times for drivers travelling from the M6 to the M1(N) are reduced. For drivers travelling between the M1(N) and the M6, journey times will increase by between 2 to 5 seconds. The maximum increase in journey time across the area modelled is on the route from the A5(N) to the M1(S), with journey times expected to increase by 89 seconds in the AM peak. Most of this delay occurs at the M69 Junction 1. This is the highest maximum average delay at any individual junction at approximately 23 seconds. Small increases in driver delay at the A5/A428 (DIRFT) and A5/A426 junctions (Gibbet Hill roundabout, up by 1.8s in the AM peak)), but these are more than compensated for by the reduction in delay at the A4303/A426 Whittle roundabout due to the proposed improvements (reduced by up to 4.8s).

The modelling undertaken takes account of further committed developments of 14 employment sites in total, including sites at DIRFT, Rugby (x2), Hinckley, Lutterworth (x4), existing Magna Park (x2), Cawston Extension site, Broughton Astley (x2) and Mere Road, Bitteswell.

Mitigation:

Proposed mitigation is centred on junction improvements, a new junction, and an extension of dualling the A5 and provision of a Travel Plan. Mitigation measures are also set out in Appendix A.

A new roundabout junction is proposed at the existing Mere Lane/A5 junction to provide a suitable access into the site where no access currently existing into Magna Park (except for Bittesby House). The Mere Lane weight restriction will be removed for a short section that will also be realigned and widened and the weight restriction is to be relocated further up Mere Lane to prevent HGV access beyond Mere Lane to Lutterworth. Employees are also to be discouraged from using Mere Lane, enforced through the Travel Plan. The existing section of dual carriageway on the A5 will be extended southwards approx. 500m to the new roundabout proposed at the A5/Mere Lane junction.

Proposed mitigation to the Whittle roundabout (A426/A4303) is set out in detail in ESCxi (June 2016). Improvements to this roundabout are already secured through the DHL approved mitigation scheme, with the proposal to increase each roundabout entry to three lanes and to add spiral road markings to the circulatory carriageway to help guide vehicles through the roundabout. Further improvements are proposed as an enhancement to the A4303 eastern arm where the effective flare has been increased to approx. 80 metres, allowing three lanes of traffic to form over a longer distance on the approach. The proposed mitigation is considered to enable the junction to operate within capacity in 2026 with the level of development proposed, together with additional sensitivity testing undertaken for the Symmetry park application. For the Gibbet Hill roundabout (A5/A426), improvements are proposed to part signalise this roundabout, with further improvements already committed through DIRFT III.

A series of public transport improvements are proposed to serve the site. These include a new bus service (X45) running between Thurmaston and Magna Park via Leicester and Lutterworth at shift changeover times (6am, 2pm and 10pm). In addition to the X45 bus, there is potential for expanding this service to include normal office hours (9am and 5pm) and potential to expand the existing no. 8 bus onwards from Hinckley to Nuneaton where a significant proportion of the workforce resides. Proposals to upgrade the existing bus stops and provide new bus stops within the site, together with new footways and crossing points to bus stops are also included as part of the public transport mitigation measures.

The Framework Travel Plan (ESciv and EScvi) provides a framework for future travel plans for individual site occupiers and is proposed as a live document to be reviewed and updated over time. The Travel Plan includes the appointment of a site wide travel plan co-ordinator, a staff survey every 12 months, and objectives to promote car sharing including use of a car sharing database, increase walking and cycling and to develop a safe, convenient, efficient and attractive transport infrastructure which encourages and facilitates travel by sustainable modes and discourages unnecessary use of private cars. Targets for the Travel Plan are to

reduce modal split for car drivers from 82% to 70% of all employees, increase car passenger trips from 11% to 19% and increase cycling and walking from 1% to 2% and 2% to 4% respectively.

Conclusion:

The second Supplementary Transport Assessment (EScviii) sets out that the LLITM results have been reviewed in detail by the County Highway Authority and Highways England and the impact of the development has been found to be acceptable in terms of the increase in forecast highway flows, the increase in forecast journey times for a selection of routes and the increase in overall journey delay at the most critical junctions. The increase in HGVs has also been considered and it has been found that the impact on routes that are most sensitive to an increase in HGVs is very small. For example LLITM does not predict any increase in HGVs on Mere Lane to the north east of the new access roundabout.

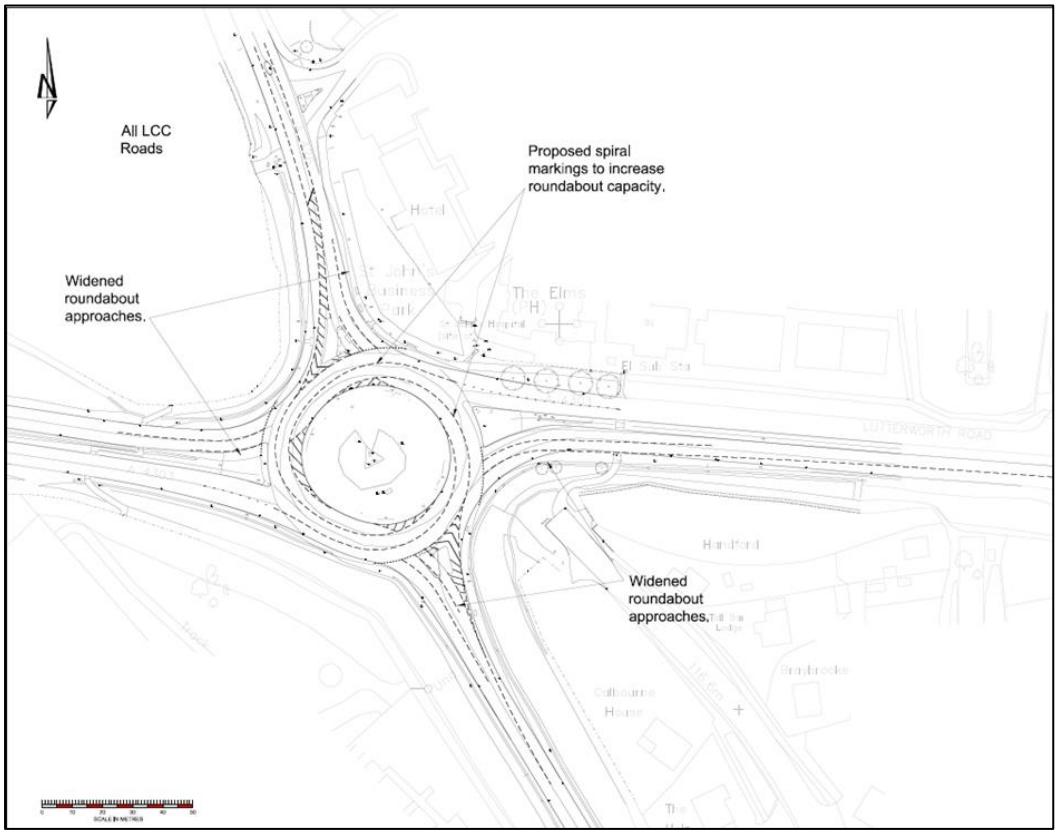
The TA and accompanying documents set out a series of highway mitigation measures to accommodate the proposed development including new junctions, junction improvements, sustainable transport improvements and provision of a travel plan. Subject to the mitigation measures proposed, the cumulative impact of the developments will be minor adverse to the M69 J1 only with a negligible impact elsewhere. Further sensitivity testing undertaken to assess the impact of the Symmetry Park site is considered to have a negligible impact on the highway network.

Benefits are proposed to the existing highway network through mitigation, particularly to the Whittle roundabout (A426/A4303). The overall improvement in journey times that are predicted on the A4303 when the 'without development' scenario is compared to the 'with development and mitigation' scenario is a reflection of the benefits of the junction improvements at this roundabout, with a significant improvement in operation compared to the existing scenario. Improvements to this junction are already secured through commitments, with further mitigation proposed together with improvements to the A5 and Gibbet Hill roundabout (A5/A426) and with delays predicted to fall at the A5/A4303 Cross in Hand island and the A4303/Hunter Boulevard island.

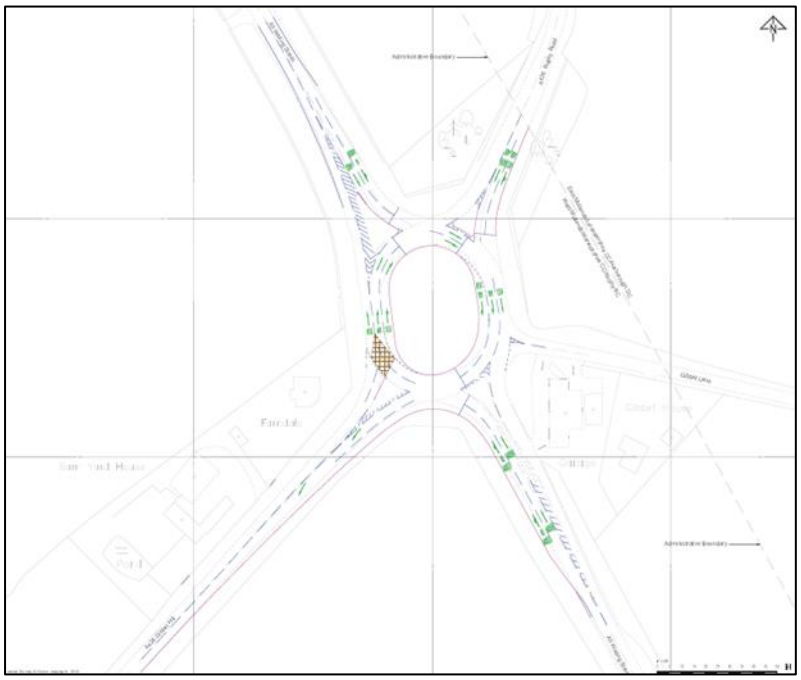
In addition to the junction mitigation proposed, public transport improvements as well as initiatives to encourage travel by sustainable modes are set out in the Framework Travel Plan (ESciv and EScvi), with targets included to reduce single car journeys.

Appendix A – Proposed mitigation measures

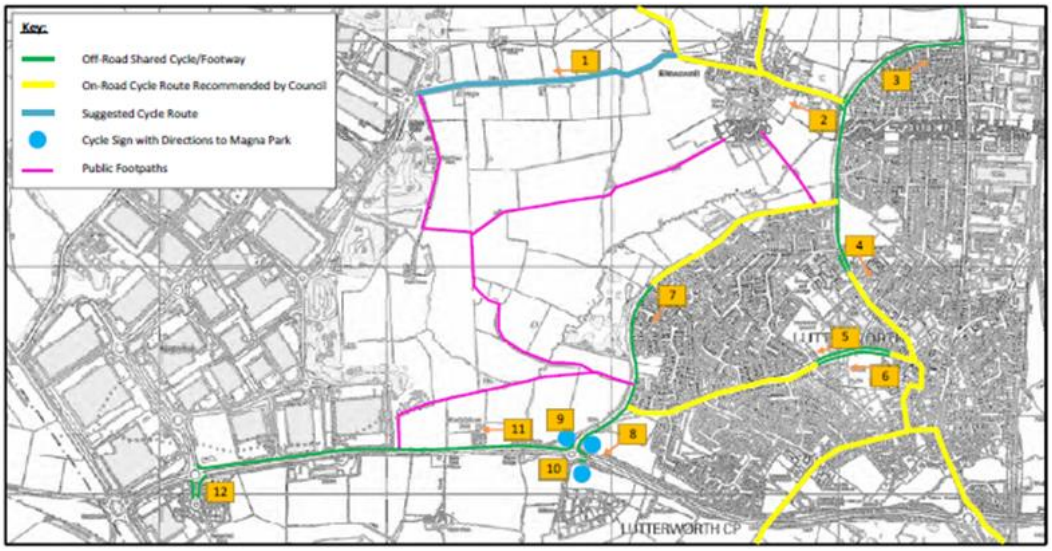
Whittle roundabout improvements (ESCxi)



Gibbet Hill roundabout improvements (ESciii)



Walking and cycling network (ESciii)



Noise and Vibration

Evidence

The evidence relating to noise and vibration is found in the following documents:

- BE2 ESdi - Chapter 7: Noise and Vibration (Cole Jarman, 2015)
- BE2 ESdii – Chapter 7: Appendix D.1 Noise Impact Assessment (Cole Jarman, 2015)

Summary:

Chapter 7 of the Environmental Statement (ES) considers the effect of operational activity noise, road traffic noise, and construction noise/vibration of the Hybrid Application on the nearest noise sensitive locations.

A Noise Impact Assessment (NIA) forms Appendix D.1 of the ES Chapter 7 and assesses the operational noise from the proposed Magna Park Extension (Zone 1 of the Hybrid Application). As part of this, the nearest noise sensitive residential locations (assessment positions (AP)) were identified and agreed on through liaison with the Council's Environmental Health Team (Appendix D.1, para. 1.3.14) as:

- Emmanuel and Lodge Cottages – 0.3 km south east (ref: AP1)[1]
- Springfields Farmhouse 0.45 km north east (ref: AP2);
- Lodge Farm Houses 1.2 km north by north west (ref: AP3); and
- Residences off A5 at White Farm 1.7 km north west (ref: AP4).

Bittesby deserted medieval village (Scheduled Monument) was also included as an assessment position (AP0) due to its heritage value.

<u>Operational noise activity assessment/findings</u>

Background sound survey work was undertaken over 2 monitoring periods and existing baseline noise levels established for each AP. These fed into the establishment of noise criteria for each AP with subsequent acoustic modelling determining the noise levels generated by onsite vehicular movements and loading activities at the site.

The assessment of the impact of the operational and associated noise on the APs established that the impacts from the proposed development are considered 'Negligible' at most times and locations, with an impact of Minor/Moderate Significance in the early morning hours at AP4 (assuming no mitigation other than careful orientation of the units and location of the development elements).

The NIA states that the introduction of 4m high acoustic screening along the northern side of part of the access road from the north west A5 roundabout would provide suitable control to noise levels at the most exposed receptor (AP4).

The predicted operational noise levels at the Scheduled Monument are considered acceptable.

[1] AP1 was removed from consideration as the cottages form part of the development site and are proposed for demolition

Road traffic noise assessment/findings

A 'Road Traffic Assessment for Existing Sensitivities' forms part of the ES Chapter 7 (BE2 ESdi paras. 7.3.15 – 7.3.37 and Appendix D.5A). The assessment of road traffic noise uses criteria to compare the changes between the existing traffic noise levels and the potential traffic noise levels at nearby noise sensitive receptors. The assessment originally took 2016 as proposed year of initial work and 2031 as the expected worst case year and included an additional sensitivity check to take into account of cumulative impact (including DB Symmetry) as agreed with the Council. A re-run of the assessment scenarios took place in October 2016 taking 2019 as the initial year and 2034 as the worst case year (ES Chapter 7 Appendix D.5A (BE2 ESdi)).

Both original 2016/2031 based assessment and the updated 2019/2034 based assessment found that the noise change for each assessment location did not exceed 2.9dB. The effects are therefore considered Negligible in magnitude and Not Significant in both the short term and the long term.

Appendix D.1 also carries out an indicative assessment against the Noise Insolation Regulations in respect of the proposed A5 and Mere Lane realignments. The findings at this stage indicate that eligibility for compensation under the Noise Insulation Regulations is not expected to be triggered. However, a more detailed assessment would need to be undertaken at the detailed application stage.

Construction noise and vibration assessment/findings

Onsite construction noise and noise due to construction vehicles accessing the site are potential impacts of the construction phase, which by its nature is temporary and therefore limited. With reference to recommended standards, criteria against which noise and vibration should be assessed are set out for each of the APs (Appendix D.6 of BE2 ESdi). These include thresholds for noise and vibration levels, at which impacts are expected to arise and at which impacts may become severe if they occur over a long duration or extended period.

Whilst the precise level of impact cannot be determined until the final layout and construction programme has been finalised, at this stage it is expected that noise due to construction would have a Negligible Impact on the nearest and most exposed noise sensitivities (AP2-AP4, AP0) and be of Minor Significance (paras. 7.6.6 – 7.6.8), with no long term impacts. This assumes suitable mitigation, which would be set out in a site-specific construction environmental management plan, incorporating:

- measures relating to the control of noise and vibration from demolition and construction; and
- details relating to the means of access and routing of demolition and construction vehicles and hours of operation.

Cumulative noise effects

On the basis of the ES, the cumulative effect of noise from onsite operation and from road traffic changes associated with the development is not expected to change from a worst case of Negligible Magnitude and Not Significant in both the short and long term scenarios.

The road traffic noise assessment undertaken includes the effect of known committed development in the area and shows that the cumulative effect of road traffic changes due to this and committed developments would result in an impact of Negligible Magnitude and Not Significant along each corridor. Given that other committed developments in the area are located further away from the receptors the ES concludes that there will be no adverse cumulative effects due to noise from operation or construction activities at this and other committed development sites.

Overall summary

The following table summarises the expected effects and the associated significance upon existing noise sensitive locations, taking into account of any mitigation.

Table 1: Summary of Residual Effects

Noise Source	Residual Effect	Effect Significance	Duration
Operational	Negligible	Not significant	Short term
Operational	Negligible	Not significant	Long term
Road Traffic	Negligible	Not significant	Short term
Road Traffic	Negligible	Not significant	Long term
Construction	Negligible	Minor	Short term

Source: BE2 ESdi Table 7.5 (extract)

Analysis of the available evidence suggests that there are no significant impacts relating to noise and vibration providing identified mitigation measures are secured.

Hydrology and Flood Risk

Evidence

The evidence relating to hydrology and flood risk is found in the following document:

- BE2 ESe - Chapter 8 Hydrology and Flood Risk (2015) and accompanying Flood Risk Assessment (Capita, 2015)

Summary

Chapter 8 of the Environmental Statement (ES) considers the hydrology, flood risk and surface water drainage issues associated with the Hybrid Application.

The methodology involved an initial review of baseline conditions relating to the hydrological environment through a desktop assessment and consultation with key stakeholders including the Environment Agency and the Lead Local Flood Authority. The second phase of the assessment considered the potential impact of the development in terms of potential for degradation or improvements to the hydrological environment and any changes in the flood risk situation and the floodplain. This work has been informed by an accompanying Flood Risk Assessment, the findings of which are summarised below.

Flood Risk Assessment Summary/Conclusions

The majority of the site is located in Flood Zone 1 with a small portion of the site, following the alignment of a watercourse falling in the Flood Zone 3 as mapped by the EA. The only built element of the proposed development to pass through the mapped Flood Zone 3 area would be an access corridor to the north west of two proposed units. The design of the corridor would be subject to agreement with the EA and LLFA.

The surface water drainage strategy (Appendix E) addresses flood risk (on and off-site) from site-generated runoff through attenuated above ground storage utilising new swales/storage ponds and below ground storage devices. Off-site discharge would be restricted to a Greenfield rate of 4.4 l/s (litres per second) and be directed to existing watercourses. The expectation is that following the development there would no change to the amount of run-off entering the watercourses compared to the present situation, and as such there is not expected to be any material change to the local and surrounding hydrological environment.

The FRA demonstrates that appropriate attenuation measures and SuDs techniques can be incorporated into the proposed Magna Park Expansion. The surface water strategy has been designed to accommodate the critical 1 in 100 year +20% climate change storm event whilst preventing off-site flooding.

Overall therefore the site is considered to be at low risk from flooding and its development is not considered to increase flooding risk to others.

Baseline Conditions

Section 8.4 (Chapter 8) identifies the features and attributes of the water environment, the current quality of the attributes, and their importance and sensitively (Table 8.4.1). It indicates that the current water quality is likely to be very good, and therefore of High Importance. The development would discharge surface water into Ordinary Watercourses,

both upstream and downstream of Bittesby Medieval Village (Scheduled Monument) and upstream of Claybrooke Mill (listed Grade I). The importance of effects to these heritage features are considered to be High (Table 8.4.5). A large majority of the site lies within Flood Zone 1 and is considered to be at low risk of fluvial flooding. A portion of the site is within Flood Zone 3 and is considered to be at high risk of fluvial flooding.[2]

Having established baseline conditions, and taking into account the findings of the FRA, the ES assesses the following:

Construction effects and mitigation

Following a summary of the construction activities, Section 8.5 (Chapter 8) identifies the anticipated sources of pollution and effects on the water environment of the construction phase. Without the implementation of mitigation measures, potentially Significant adverse effects are identified on Water Quality, Biodiversity, Active Flood Plain, and Recreation/Amenity/Heritage. With the introduction of mitigation measures, potentially adverse Significant effects remain for Water Quality and Biodiversity. Identified mitigation measures include:

- Utilisation of standard construction practices to manage:
  - the generation and release of sediments
  - the use, storage and release of hydrocarbons and chemicals
- If works adjacent to a watercourse take place, then an Ordinary Watercourse Consent will be required from the Lead Local Flood Authority.

Operational effects and mitigation

The potential effects during the operational phase on the water environment are outlined in Section 8.6. Without the implementation of mitigation measures, potentially Significant effects are identified for Water Quality, Conveyance of flow and materials, and Recreation/Amenity/ Heritage. However, the effects are predicted as Not Significant with the introduction of suitable mitigation measures, including:

- 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 sustainable urban drainage systems 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.

Residual effects

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[3] and the risk of flooding, particularly in Flood Zone 3. In addition to the mitigations included in the above assessments, there is little opportunity to implement further mitigation measures to reduce the effects of accidental spillages other than undertaking risk and site

[2] An updated of the Harborough Strategic Flood Risk Assessment was published in 2017. It is unlikely that this will impact on the main findings of the submitted evidence.
[3] Para 8.9.6 states that the likelihood of such a sever spillage is low.

specific emergency planning. This could help minimise the effects of major spillages on the water environment. Preparation of a Flood Evacuation Plan could help mitigate the risk of flooding to site users during a flood event.

Cumulative effects

As the proposed development is located in an upstream part of the River Soar catchment, the potential of it being affected by other developments is minimised. Cumulative impacts to the water environment and increases to flood risk are considered to be Negligible if other developments, including DB Symmetry, and this proposal were to take place.

Overall summary

Analysis of the available evidence indicates that the potential adverse effects on hydrology and flood range from not significant to significant[4] (see residual effects above) with identified mitigation measures in place. There are no overriding issues relating to hydrology and flood risk which would prevent the site's allocation for strategic distribution providing appropriate mitigation measures are provided to the satisfaction of the EA and the LLFA.

[4] 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.

Landscape and Visual Impact

Evidence

The evidence relating to hydrology and flood risk is found in the following document:

- BE2 ESfi - Landscape and Visual Effects - Chapter 9
- BE2 ESfii - Landscape and Visual Effects - Chapter 9 - Addendum 1
- BE2 ESfiii - Landscape and Visual Effects - Chapter 9 - Addendum 2
- BE2 ESfiv - Landscape and Visual Effects - Chapter 9 - Addendum 3
- BE2 ESfv- Landscape and Visual Effects - Chapter 9 - Addendum 4
- BE2 ESfvi - Landscape and Visual Effects - Chapter 9 - Addendum 5
- BE2 ESfvii - Landscape and Visual Effects - Appendix F1
- BE2 ESfviii - Landscape and Visual Effects - Appendix F1 REV A
- BE2 ESfix - Footpaths and Bridleways
- BE2 ESfx - The Landscape Partnership MAR16
- BE2 ESfxi - The Landscape Partnership SEP16
- BE2 ESfxii - The Landscape Partnership OCT17

Summary

As part of the Environmental Statement that accompanied the planning application, the applicants carried out an LVIA (BE2 ESf i-viii). The Landscape Partnership were appointed to carry out a review of landscape and visual effects (BE2 ESf x-xii).

The review (ESfxii) indicates that the proposal could have a locally significant effect on the landscape character (up to a maximum of c. 1km) on the Upper Soar Landscape Character Area, but in the longer term (c. 10 years onwards) the adverse effects would progressively reduce resulting in a neutral change. This is because the c.49% of the site given over to green infrastructure would make a positive contribution to the landscape in the longer term, offsetting the adverse impacts of the logistic buildings and infrastructure.

Visual effects: significant visual effects are limited to a small number of locations close to the site, which reflects the extent of landscape mitigation that could be accommodated (e.g structural landscaping and a country park). Night time visual effects (including lighting) are considered to be not significant.

It should be noted that the council refused application 15/01531/OUT on the basis that the landscape impact is severe and outweighs the economic benefits. Also it is contrary to Policy CS17. This matter is due to be heard at Public Inquiry in March 2019. The reasons for refusal were related to landscape impact of the particular proposal before the Council at the time. The landscape evidence referred to above was carried out by Landscape Consultants and represents the views of the authors.

Air Quality

Evidence

The evidence relating to air quality is found in the following documents:

- ES Chapter 10 Air Quality, IDI Gazeley (September 2015) (BE2 ESgi) – in relation to construction effects; and
- Update to ES Chapter 10 - Air Quality, IDI Gazeley (July 2017) (BE2 ESgii) – in relation to operational effects.

Summary

Construction effects

ES Chapter 10 Air Quality (BE2 ESgi) assesses construction dust effects, in line with the methodology provided by the IAQM (Institute of Air Quality Management, 2014). Impacts arising from demolition, earthworks, construction and through trackout (i.e. vehicles tracking soil out of the construction site on their wheels) are considered.

The assessment found the proposed development to be mainly low risk, with negligible risk during demolition and medium risk during earthworks and construction for dust soiling effects. These risk levels describe the situation without the mitigation measures set out at Appendix G7 (BE2 ESgi); which the report authors suggest should be written into a dust management plan. In line with the IAQM guidance, with appropriate mitigation, the residual effect is not considered to be significant.

Operational effects

Update to ES Chapter 10 Air Quality (BE2 ESgii) updates the operational effects assessment and includes the impacts of the approved DHL scheme. The results for Zone 1 of the application site to the north west of Magna Park are most relevant. It models the impact of additional traffic on levels of nitrogen dioxide and fine particulate matter (PM_{10} and $PM_{2.5}$) at a number of locations close to the proposed development (see Figure 10.1 below) for 2019, 2022 and 2025, assuming both the development does proceed and assuming it does not. A further sensitivity test for nitrogen dioxide assumed much higher emissions from some vehicles. The predictions assume accelerated delivery of the scheme, which is now unlikely to be the case.

The operational air quality effects of the proposed development in 2019, 2022 and 2025 were judged to be not significant, taking account of the following:

- Annual mean concentrations of nitrogen dioxide and PM_{10} and $PM_{2.5}$ were predicted to be below the objectives in 2019, 2022 and 2025 at all receptors, with or without the proposed development.
- Impacts associated with PM_{10} and $PM_{2.5}$ are negligible at all receptors locations.
- Impacts associated with nitrogen dioxide are negligible at all receptor locations in both 2019 and 2022. In 2025, for the worst case sensitivity test a moderate adverse impact is predicted at one receptor (R1) and slight adverse at three other receptors (R1 – R3, all adjacent to the A5). However, concentrations are below the objective and the assessment is founded on an assumption that the scheme will be built out in

full by 2025, which is unlikely to be the case. This, combined with the worst case scenario sensitivity test is likely to have over-stated the impacts.

Cumulative impacts of the Hybrid scheme and the consented Symmetry Park scheme

The cumulative impact of the proposed development and the consented scheme to the south of Magna Park (Symmetry Park) are judged to be not significant, taking account of conclusions that:

- Concentrations of nitrogen dioxide and PM_{10} and $PM_{2.5}$ are predicted to be below the objectives in 2019, 2022 and 2025 at all receptors, with or without the proposed development.
- Impacts associated with PM10 and PM2.5 are negligible at all receptors locations.
- In 2025 for the worst case sensitivity test, impacts are predicted to be moderate adverse at three receptors, all adjacent to the A5 and slight adverse at four other receptors. However, concentrations are below the objective and the assessment is founded on an assumption that the scheme will be built out in full by 2025, which is unlikely to be the case. This, combined with the worst case scenario sensitivity test is likely to have over-stated the impacts.

Lutterworth AQMA Assessment

A routing restriction is expected to restrict scheme-related HGV traffic from the nearby Lutterworth Air Quality Management Area (AQMA). As such, the air quality assessment has focused on impacts elsewhere. But, the impact of additional car traffic through the Lutterworth AQMA are considered at Appendix 10.3 (BE2 ESgii) and summarised below.

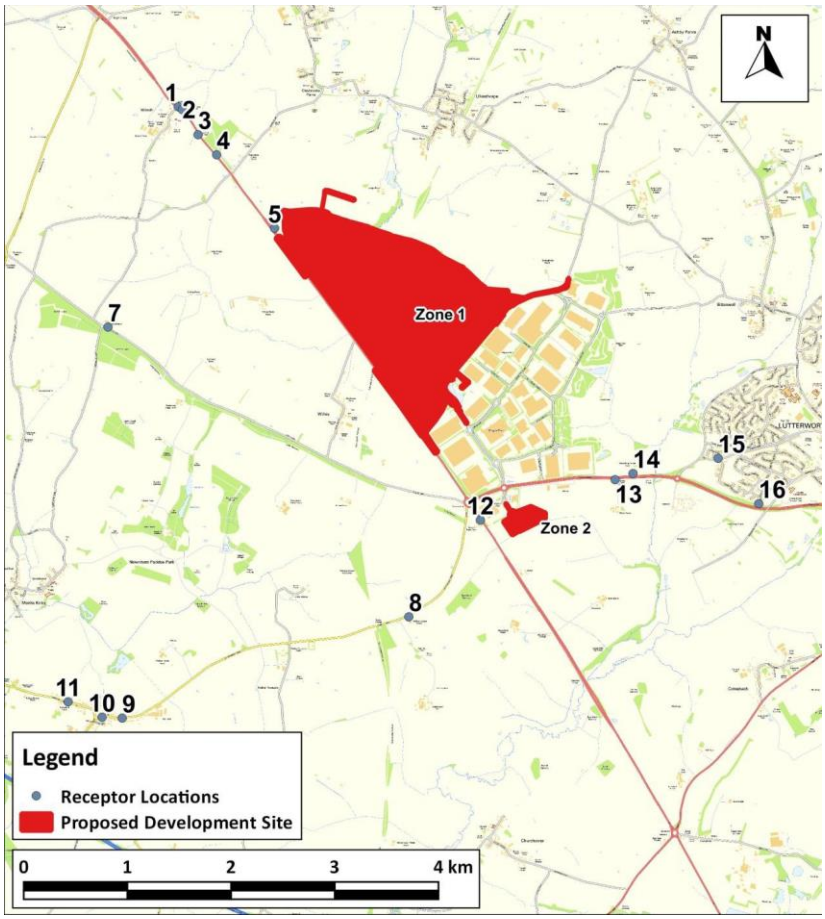
In 2019, 2022 and 2025 annual mean nitrogen dioxide concentrations are predicted to be below the objective at all the 6 receptors adjacent to the A426 in the Lutterworth AQMA, with and without the proposed development. The impacts are negligible at all receptors. In the worst-case scenario test, concentrations are again below the objective at all receptors in each year and predicted impacts all negligible. Air quality effects are therefore judged to be not significant.

Cumulative impacts, taking account of the consented scheme at Symmetry Park predict annual nitrogen dioxide concentrations in 2019, 2022 and 2025 to be below the objective at all receptors, with and without the proposed development, with negligible impacts at all receptors. This remains the case in the worst case sensitivity test scenario. Air quality effects are therefore judged to be not significant.

Overall summary

The assessment found no air quality constraints to the proposed development, which was found to be consistent with all relevant national and local policies.

Appendix 1



Source: Update to the ES Chapter 10 on air quality (BE2 ESgii) Figure 10.1 Receptor Locations and Proposed Development Site, p9

Heritage and Archaeology

Evidence

- BE2 EShi - ES Heritage ad Archeaology - Chapter 11
- BE2 EShii - ES Heritage ad Archeaology - Chapter 11 - Addendum1
- BE2 EShiii - ES Heritage and Archaeology - Appendix H1
- BE2 EShiv - ES Heritage and Archaeology - Appendix H2
- BE2 EShv - Level 4 Historic Building Survey - Bittesby House Lodge

Summary

The evidence (BE2 EShiii) indicates that there are no overriding heritage constraints that have been identified at this stage, that would prevent the site from being allocated for development. The evidence indicates that physical harm to Bittesby Deserted Mediaeval Village – Scheduled Monument (DMV) should be avoided and that sensitive design is needed to minimise the degree of harm to its setting, including the retention of Bittesby House (and its principal outbuildings) and direct visual links between it and the DMV.

If allocated in the Local Plan, the proposed lay out in application 15/01531/OUT is one potential way the site could be developed. The evidence in BE2 EShiii therefore demonstrates that a proposal could be brought forward that would not harm to any designated or non-designated heritage asset outside of the site. There would also be no physical harm to the DMV (a designated heritage asset) with less than substantial harm to its setting. Less than substantial harm would also occur to Bittesby House (a non-designated heritage asset).

Ecology and Biodiversity

Evidence

The evidence relating to ecology and biodiversity is found in the following document:

- ES Chapter 12 - Ecology and Nature Conservation (BE2 ESi).

Summary

ES Ecology and Nature Conservation Chapter 12 (BE2 ESi) prepared by Delta-Simons, on behalf of IDI-Gazeley assesses the potential effects of the proposed development on ecology and nature conservation. This includes an Extended Phase 1 Habitat Survey as well as a number of specific species surveys.

Baseline conditions

Overall, the site was found to be of generally low biodiversity value.

Field surveys and the Extended Phase 1 Habitat Surveys identified Zone 1 as mainly poor semi-improved grassland field margins, with occasional fields of poor semi-improved grassland and a single field of marshy grassland. These are bounded by hedgerows, trees and drainage ditches. No Great Crested Newts (GCN's) were found on the site, but survey works suggests there is a population within the local area and breeding in surrounding ponds. Overall bat activity was found to be low. No protected species surveys were deemed necessary. Bird species on site were found to be commonly occurring locally and widespread within the county. No active badger setts were found on the site, although there was evidence of an active badger sett within the locality and badger activity on the site. All of which were found to be of local value, with the exception of bats found to be of County significance.

A desk-top study found that there are no statutory designated sites within 3km of the centre of Zone 1. There are four Local Wildlife Sites within 3km of the centre of the site, the closest being Old Manor Reedbed LWS, 800m to the north of Zone 1, of County level significance. There are two candidate LWS between 1.5 km and 2 km from the site. Numerous Parish, District and County sites have been identified within the search area and a pond approximately 30 m to the south-east of Zone 1, of local significance (low value). 14 EcoSites were identified within 3 km of the centre of the Site, which 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 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.

Construction and operational effects

Potential effects arising from both the construction and operational phases have been assessed. Some minor adverse effects from the construction and operational phases were predicted for statutory non-designated sites, without taking account of likely mitigation.

The significance of the predicted effects from the construction and operational phases has been assessed for each ecological feature (both habitats and species), again prior to consideration of mitigation. This assessed the effects for most ecological features as minor

adverse (not significant) or negligible (neutral). During construction, the exceptions are for buildings and structures, GCNs and bats, for which moderate adverse effects are predicted and assessed to be of significance at a County level. Minor beneficial (not significant effects) are predicted during the operational phase for habitats of local value where enhancement planting and management is planned. Moderate adverse effects are predicted for GCNs (significant at a County level) from a combination of habitats enhancements, pollution events, increased road traffic and roadside gulley pots.

Mitigation

A number of mitigation measures are identified in order to minimise impacts arising from construction. These measures include: avoidance measures (retaining significant areas of habitat and timing of works to avoid impacts); use of a construction management plan; and appropriate mitigation to reduce the impact of changing water levels through increased sediment and water run-off; protecting retained trees and hedgerows during construction.

Whilst it is not possible to finalise a mitigation strategy for the operational stage, the habitat enhancements included within the proposed landscaping plans include mitigation measures for GCNs. This includes: one breeding pond within a temporary receptor area; incorporating terrestrial habitat; the use of amphibian tunnels below the extended Hunter Boulevard and Mere Lane to allow GCNs and common toads to commute between ponds and terrestrial habitat; the use of amphibian fencing; and the use of SUDs. In addition, habitat enhancements for bats are proposed, including bat boxes and the enhancements of tunnels beneath the dismantled railway line for roosting and hibernating bats. Landscaping will increase foraging, sheltering and nesting opportunities. LED lighting, minimising upward lighting will help to reduce light spill, particularly to habitat enhancement areas.

These mitigations together with the adoption of best practice measures for pollution and impacts to watercourses and habitat enhancements are considered to reduce the likelihood of potential impacts to habitats to a minor adverse effect, therefore, not significant. Following mitigation, the impact on all species is considered to be negligible or minor adverse and therefore not significant (birds, GCNs, bats, badgers, otters and common toads). The potential impact on non-statutory designated sites post mitigation is considered to be negligible and therefore not significant.

Cumulative Effects

Potential cumulative effects with the scheme at Symmetry Park (15/00865/OUT) were considered prior to its approval. The A4303 was found to form a barrier to dispersal to many species, save for bats, birds and potentially badgers, therefore the cumulative impacts upon other species do not need to be considered. Given the lack of protected or notable species on the site there are not considered to be any cumulative impacts.

Overall summary

Mitigation has been put forward to minimise the impact and level of disturbance resulting from the proposed development. These measures will help achieve Local Biodiversity Action Plan and England Biodiversity Priority Species objectives and compliance with local and national policies. As such, there are not considered to be any significant residual impacts resulting from the proposals.

Agriculture and Soils

Evidence

Evidence relating to agriculture and soils is found in the following document:

- BE2 AGR Agricultural Land Quality Report (Tim O'Hare Associates for Gazeley UK Ltd, 2014)

Summary

The Agricultural Land Quality Report (ALQR) determines the quality of agricultural land at the site subject of the Hybrid Application, and provides an assessment of the likely constraints and opportunities associated with development in terms of agricultural land quality and soil resources.

The report comprises a desktop study and detailed agricultural land classification survey, following the approach of the MAFF Agricultural Land Classification of England and Wales: Revised Guidelines and Criteria for Grading the Quality of Agricultural Land, Oct 1988 (ALC Guidelines). The survey involved examining the physical properties of the soil to a depth of 1.2m at a total of 72 sample locations, 54 on a 200m by 200m grid pattern supplemented by 18 on a 100m by 100m grid pattern where variations in soil type occurred.

The assessment considers the main physical factors influencing agricultural land quality including; climate, site, soil and interactive limitations and factors which can limit its quality. Conclusions are drawn on the agricultural land quality of the site in the wider national, regional and local geographical context.

For the purposes of the assessment the woodland, dismantled railway and the buildings around Bittesby House, that form part of the 218ha site, are graded as non-agricultural / other land.

<u>Agricultural Land Quality assessment / findings</u>

In accordance with ALC Guidelines, the desk-top assessment, determined that;

- there are no overall climatic limitations to the quality of agricultural land at the site
- the quality of agricultural land is not limited by gradient or micro-relief
- the quality of agricultural land is not limited by the risk of flooding.

The soil survey found that the soil profile is fairly uniform across the whole site.

In terms of interactive limitations, based on the desktop and survey work, the report determines that agricultural land quality at the site is limited by both soil wetness and soil droughtiness. A typical soil profile is described as consisting of sandy clay loam, heavy clay loam or clay topsoil which are waterlogged for long periods in winter (Wetness Class IV) and are limited by soil wetness to Sub-grade 3b in this climate area.

Table 1 sets out the proportion of agricultural land in the different ALC grades.

Table 1: Agricultural Land Classification

ALC Grade	Area (Ha)	% of Total Site (Area)
Grade 1 (Excellent)	0	0
Grade 2 (Very Good)	0	0
Grade 3a (Good)	0	0
Grade 3b (Moderate)	170.2	78.1
Grade 4 (Poor)	2.5	1.1
Grade 5 (Very Poor)	0	0
Other / Non-agricultural	45.3	20.8
Total	218	100

Source: BE2 AGR Table 3.4

The majority of land at the Site is graded as Subgrade 3b. A few isolated areas fall into Subgrade 3a, but are included in the Subgrade 3b mapping unit as they were single points surrounded by Subgrade 3b (following best practice in the ALC Guidelines). A small area in the north of the site is described as Grade 4 due to waterlogged soil profiles.

An assessment of ALC at the site in a wider geographical context concludes that Harborough district contains a very high percentage of Grade 3 land compared to the rest of the UK. In terms of the loss of agricultural land, the report concludes the loss of the Site would not be detrimental in national planning policy terms, and that development of the site conforms to the NPPF 2012 (para 112).

Overall Summary

Analysis of the available evidence suggests that the agricultural land quality of the majority of the site is Subgrade 3b. As such, development of the site would not result in the loss of any land identified as ‘best and most versatile’.

Contamination

Evidence

- BE2 CLi - Standalone Land Contamination Statement (2015)
- BE2 CLii - Appendix E3 (GroundSure EnviroInsight Report) (2014)
- BE2 CLiii - Appendix E4: Phase 1 Land Condition (Contaminated Land) Assessment (Delta-Simons, 2015)
- BE2 CLiv - Appendix 5: Water Quality (2015)

Summary

The Environmental Statement (ES) includes a Standalone Contaminated Land Statement for the Hybrid Application site which has been informed by a detailed Phase 1 Land Condition (Contaminated Land) Assessment. This Assessment has been undertaken in order to provide an appraisal of the potential for contamination to be present on the site. It seeks to determine whether the ground conditions are suitable for construction and whether any contamination present from historic uses could cause adverse impacts during the construction phase or beyond.

The majority of the site is currently used for agricultural purposes, with some residential and commercial buildings in the southern part of the site. There is also an embankment for a dismantled railway which runs across the centre of the site.

Environmental Sensitivity

The Contaminated Land Assessment considers the site's environmental sensitivity taking into account the geological, hydrogeological, ecological and land use of its setting. It concludes that based on the available information, the site setting is of moderate environmental sensitivity, primarily due to the presence of the Secondary A Aquifers[5] underlying the site and the Soar Brook[6] passing through the site with associated drainage channels extending into the surrounding agricultural land.

Historical Information

A study of historical OS maps has been undertaken to identify any potentially contaminative former land uses at the site and within the surrounding area. Through this process potential sources of contamination identified are primarily associated with any potential Made Ground (artificially modified ground) where the railway line was formerly located, in the western central area of the site, and also from the general agricultural uses of the site which could give rise to some elevated contamination concentration 'hotspots' (such as fuel spillages in the farm buildings).

Potential Sources of Contamination

Potential sources of contamination identified on the site are primarily associated with the former agricultural use of the site including farming processes and buildings), the former railway line across the site, the presence of any Made Ground on-site, and the presence of

[5] Secondary A Aquifers are permeable layers capable of supporting water supplies at a local rather than strategic scale, and in some cases forming an important source of base flows to rivers (EA).
[6] The Brook is classified as being of moderate ecological quality by the EA

Alluvium (likely around the southern boundary). Potential sources of contamination identified in the surrounding area include the agricultural land use, the former railway line, and the commercial/industrial warehouses in the existing Magna Park.

From the regulatory information, there are potential sources of contamination present in the vicinity of the site. These include landfilled material, deposited within 100m to the south of the site, associated with the former aerodrome.

A preliminary risk assessment table has been formulated, which identifies all possible pollutant linkages (PPLs) in the context of the proposed commercial use of the site (page 16, Contaminated Land Assessment) along with a commentary on its potential significance and mitigation. This has been done for the following sources:

- Potentially contaminated soils and/or groundwater underlying the site;
- Ground gas;
- Potentially contaminated soil and groundwater from off-site sources; and
- Asbestos Containing Materials (ACM).

Conclusions

The Contaminated Land Assessment recommends that intrusive site investigation work is undertaken across the site area, in conjunction with the geotechnical investigation, targeting historical sources of contamination as well as gaining coverage of the site area.

In the unlikely event that significant contamination is identified, it concludes that remedial works may potentially be required, in order to provide protection to controlled water receptors, including the Secondary A Aquifers underlying the site, and the Soar Brook and associated drains on-site. Whilst any contamination could potentially impact the health of end-users of the proposed development, the Assessment concludes that basic remedial measures are likely to be suitable in mitigating this risk. It also recommends that materials management on-site should be conducted in accordance with the waste hierarchy to minimise waste generation and avoid disposal of landfill wherever possible.

Overall summary

Analysis of the available information indicates that the risk of significant pollutant linkages with respect to ground contamination is low to medium and is likely to be mitigatable with appropriate remedial measures.