



**Figure 54: Existing, Year 1, Year 7 and Year 15 views looking south-west from footpath close to eastern boundary of HMP Gartree (Viewpoint 1)**



**Figure 55: Existing, Year 1, Year 7 and Year 15 view looking north from footpath on Mill Hill (Viewpoint 8)**



**Figure 56: Existing, Year 1, Year 7 and Year 15 view looking north west from footpath west of Market Harborough (Viewpoint 9)**



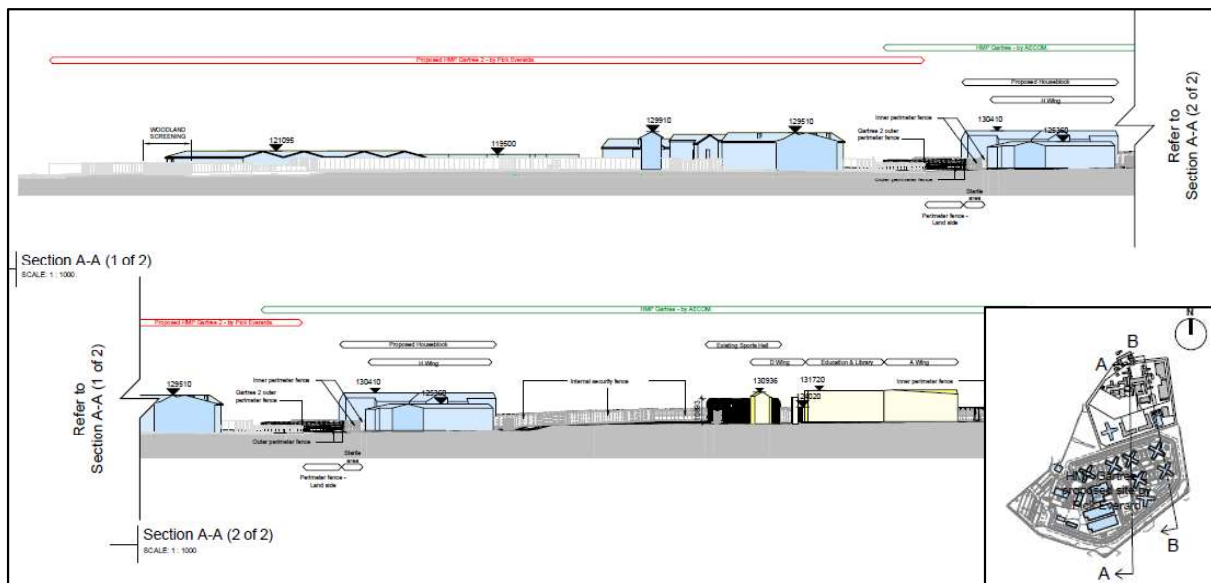


**Figure 57: Existing, Year 1, Year 7 and Year 15 view looking north from recreational route at East Farndon (Viewpoint 16)**

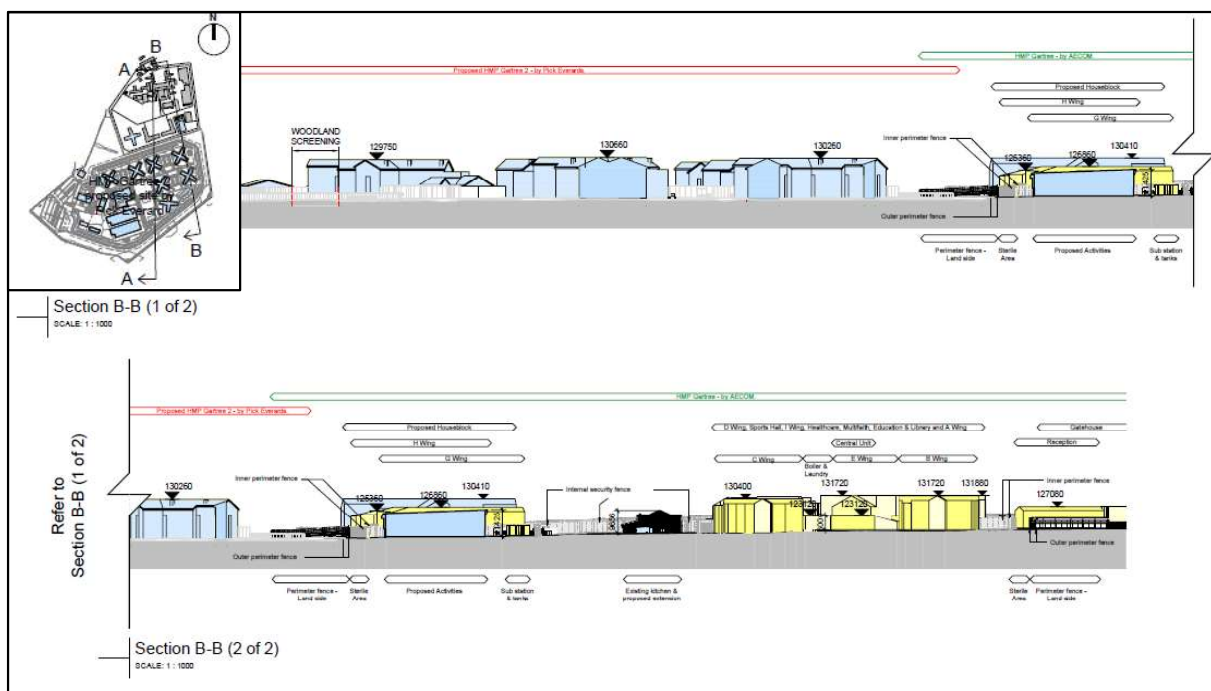
6.4.37 Following a request from Officers, the Application have provided additional cross sections through the application site and the existing HMP Gartree development (see **Figures 58 & 59**). As can be seen, these indicate that, despite being taller buildings that the existing, due to the topography of the site, the ridge heights of the proposed building would sit below those of the tallest buildings on the existing HMP Gartree. This is demonstrated in particular at cross section BB where it is indicated that the ridge



height at the existing HMP Gartee are between 130.40m AOD and 131.88m AOD whereas the highest ridge height on the proposed development is 130.66m AOD



**Figure 58: Cross Section AA through the proposed site and the existing HMP Gartree**



**Figure 59: Cross Section BB through the proposed site and the existing HMP Gartree**

6.4.38 Views towards the site from the Grand Union Canal Conservation Area, which extends across the study area, are limited. This is mainly due to the mature vegetation that lines the canal corridor in combination with local undulating landform which serves to screen views towards the site, but also due to intervening development such as the North West Market Harborough SDA and Airfield Farm Business Park (see **Figures 60 and 61**). This includes views from the section of the canal at Foxton Locks (see **Figure 62**).



**Figure 60: View of site from Canal towpath (Viewpoint 11)**



**Figure 61: View of site from Peter Callis Way above canal towpath (Viewpoint 10)**



**Figure 62: View of site from Foxton Locks (Viewpoint 5)**

6.4.39 There are likely to be views of the proposed development from the local road network to the north-east and south-west in the context of the existing HMP Gartree (see **Figure 63**). Views from the existing edge of Market Harborough to the south-east are generally screened by intervening emerging built form and any views of the proposed development would be a very small part of the view in the background (see **Figure 61**). As the landform rises on the eastern edge of Market Harborough, near to Clack Hill,

views towards the site are not likely due to intervening built form, vegetation and distance (see **Figure 64**).



**Figure 55: View of site from Gallow Field Road (Viewpoint 7)**



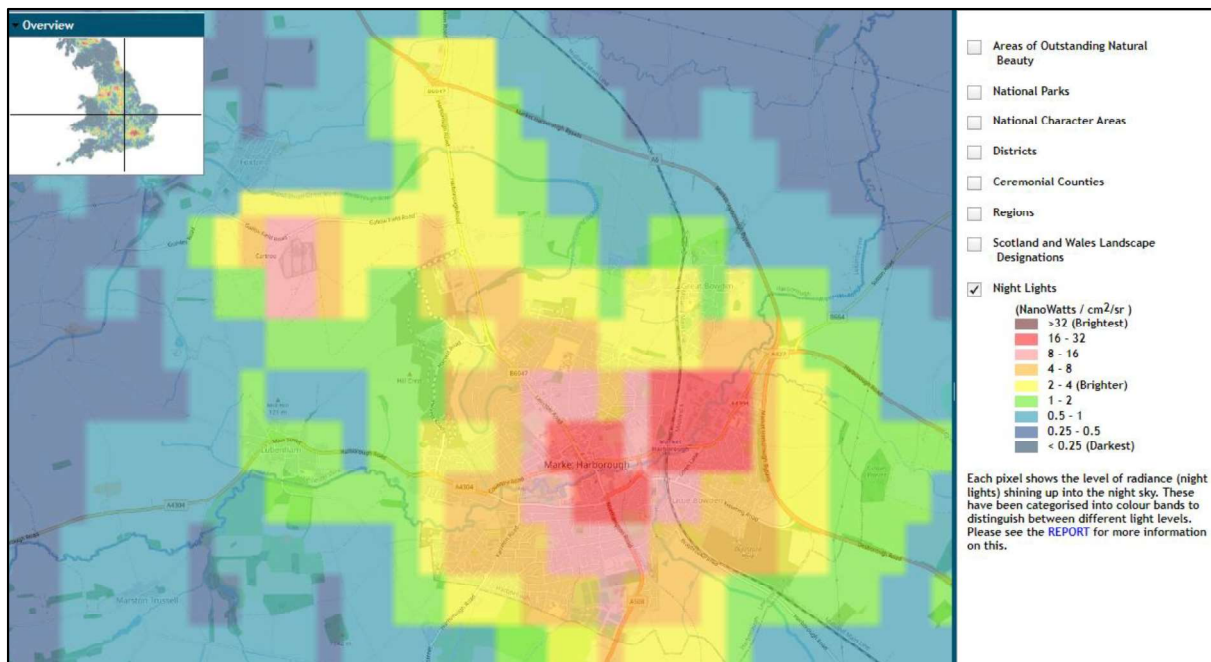
**Figure 56: View of site from Clack Hill (Viewpoint 13)**

6.4.40 The LVIA provides a visual summary, which notes that overall, the greater degree of visual impact will be from the PROW network and residential receptors adjacent to and within close proximity to the site itself. There will also be views of the proposed development from the local road and PROW networks in the middle distance where intervening vegetation is limited, however these views are within the context of HMP Gartree and will be reduced over time as a result of the proposed landscape mitigation strategy.

- *Lighting*

6.4.41 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 existing HMP Gartree is located within an area defined as somewhere between brighter and brightest and is surrounded by darker areas, with Market Harborough town centre being brighter on the CPRE night skies map (see **Figure 65**).





**Figure 65: CPRE night skies Map**

- 6.4.42 A separate lighting engineer report and a lighting strategy for the Proposed Development have been included as part of the application submission to inform the night time visual assessment and judgements made regarding potential night visual effects, arising from the proposals. The existing HMP Gartree facility consists of High Pressure Sodium Luminaires mounted on buildings and lighting columns. The type of luminaire varies across the prison. The result of this is a yellow/orange sky glow (see **Figure 66**) 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.
- 6.4.43 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 / commercial buildings around the country.



**Figure 66: Example of High pressure Sodium lamps**

- 6.4.44 The proposed development would include lighting to illuminate perimeter roads, buildings and exercise yards as well as being required for security purposes. The

proposals within the lighting strategy include for improved cut off lighting to the main buildings with a white and more natural light (See **Figures 67 and 68**). This should help to make a notable reduction in night time impact compared to the orange glow of the existing HMP Gartree lighting. While the intensity of lighting on the buildings could therefore be reduced, the geographical spread of the effects would increase due to the increase in developed area. A number of elements of the lighting design may also result in higher levels of adverse effect including lighting column masts for security purposes if seen from public/private locations.

6.4.45 The intention stated in the Lighting Strategy is for high standards of lighting design to be provided to minimise intrusive light and to be within guideline levels for ecology and visual and residential amenity. Lighting design is recommended to be controlled by planning condition (see **Appendix A – Conditions 17 & 23**) and the scheme will incorporate the latest and high standards of lighting design to minimise light pollution. Furthermore, the landscape screening belt discussed earlier in this section will, once mature, provide further screening of the lighting emanating from the Proposed Development.



**Figure 67: Example of LED Lighting on a Prison complex**



**Figure 68: Further examples of LED Lighting**

6.4.46 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 Foxton and Lubenham, with a neutral to minor adverse effect potentially to be experienced by

residents of parts of Market Harborough (in particular the North West Market Harborough SDA (in short distance views across the showground)) and East Farndon (in long distance views across the valley (see **Figure 57**)).

- 6.4.47 Overall, on the basis of the above, and following consultation from HDC EHO's, the potential 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.

○ *Cumulative Landscape and Visual Effects*

- 6.4.48 Due to the fact that the proposals do not constitute EIA development, there is no requirement for the application submission to include a formal cumulative impact assessment. Notwithstanding this, Officers have considered the Landscape and Visual impact of the proposed development in conjunction with committed development in the area such as the Airfield Farm Business Park and the North West Market Harborough SDA. Viewpoints 9 and 16 (see **Figures 56 and 57**) are those most likely to reflect the cumulative impact. Whilst viewpoint 9 does not account for the Business Park, it would be situated approximately 900m to the east of the proposed development. Whilst both developments would be visible in this view, it is not considered that the cumulative impact of both developments would change the assessment made of the viewpoint earlier in this report due to the need for the viewer to turn their angle of sight to appreciate both developments. Furthermore, from viewpoint 16, due to the distance of the proposed developments from this viewpoint (approximately 4km) the Airfield Farm business park would be seen in the context of the existing development in that area, with the proposed Prison being seen in its separate context of the existing HMP Gartree. Again, it is not considered that the cumulative impact of both developments would change the assessment made of the viewpoint earlier in the report.

○ *Summary*

- 6.4.49 In terms of Landscape receptors, the LVIA has identified the likely impact of the proposed development and significance of effect for the Welland Valley LCA is minor adverse, reducing to negligible to minor adverse effect in the longer term as the proposed structural planting mitigation along the outer extent of the new prison matures and establishes. For Local Landscape Character Area 10: Airfield Farm Plateau the significance of effect is found to be minor to moderate adverse, reducing to minor adverse in the long term. At the level of the site and its immediate context the significance of effect is found to be moderate adverse, reducing to minor to moderate adverse in the longer term. Having carried out both Desk-based and field assessments of the submissions, Officers concur with the overall conclusions of the Landscape impact of the proposed development.
- 6.4.50 In terms of visual effects, the LVIA has identified the likely impact of the proposed development and significance of effect for a range of representative visual receptors. The LVIA has concluded some major adverse effects for sensitive visual receptors (including occupiers of residential properties and users of the local PROW network) close to the site, in the short term. This is as a result of the close proximity of receptors to the largest elements of built form (houseblocks). Further from the site, visual effects reduce to moderate to major and moderate adverse where there is extensive existing reference to prison built form, or at middle distances. In the wider landscape, visual effects reduce to minor adverse, negligible and nil (for the most distant potential receptors). Having carried out both desk-based and field assessments of the submissions, Officers concur with the overall conclusions of the visual impact of the proposed development.



- 6.4.51 Given the context of the site adjacent to HMP Gartree and acknowledging the relatively limited impact on the wider rural aspects of the landscape as a result of the proposed mitigation strategy, the proposed development and likely landscape and visual effects are not considered to be significant and are consequently considered to be acceptable in landscape and visual terms.
- 6.4.52 Overall there would be a number of significant adverse effects arising from the proposals on both landscape character and visual receptors within the surrounding area. 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 which relates well to the surrounding countryside. 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.
- 6.4.53 It is therefore considered that the proposals assessed overall will have a moderate adverse impact upon the landscape of the surrounding area, but would accord with Policies GD5 of the Harborough District Local Plan in this respect.

## 5. Noise and Vibration

- 6.5.1 A Noise Assessment (NA) has been undertaken to survey existing noise levels at the Site and neighbouring, noise sensitive, locations. The NA considered the effect of operational activity noise, road traffic noise, and construction noise upon existing and proposed residential receivers due to the proposed development.

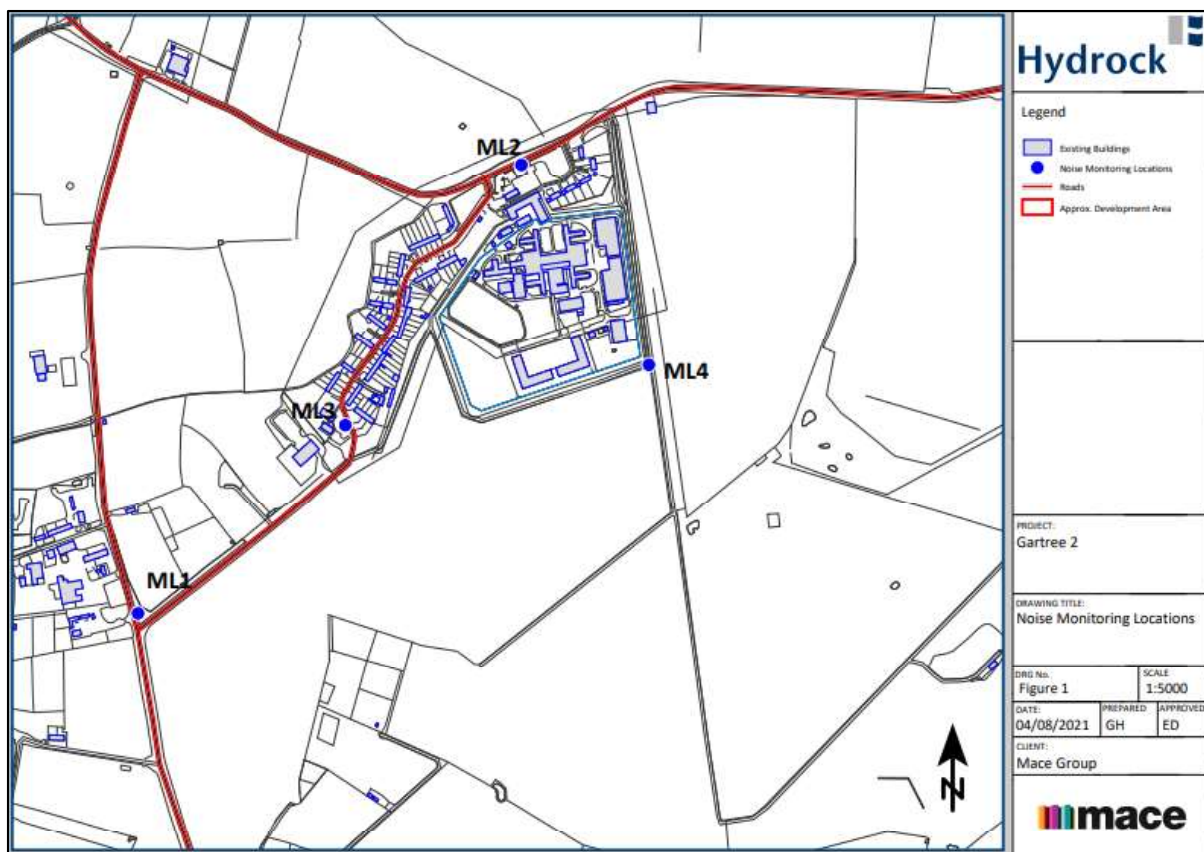
### o Noise Policy

- 6.5.2 Policy GD8eii of the Harborough District Local Plan states:
1. *Development will be permitted where it achieves a high standard of design, including meeting the following criteria:*
    - e. *being designed to minimise impact on the amenity of existing and future residents by:*
      - ii. *not generating a level of activity, noise, vibration, pollution or unpleasant odour emission, which cannot be mitigated to an appropriate standard and so would have an adverse impact on amenity and living conditions;*

Other relevant noise Policy and guidance is set out in **Section 5** of this report.

### 1 Existing Noise Environment

- 6.5.3 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 to represent these closest noise sensitivities. These locations are set out at **Figure 69**.
- 6.5.4 Observations made during the survey and a review of audio recordings made during unattended measurements, identified the following significant noise sources contributing to the noise climate at the site: Road Traffic: Road Traffic noise from Foxton Road and Gallow Field Road was dominant across the site throughout the daytime and night time period. Road traffic was also the dominant source at ML3, however, as Welland Avenue is a private road, the number of vehicle movements and associated noise level was significantly lower than Foxton Road and Gallow Field Road. Other Sources: Bird song and distant aircraft movements where occasionally audible across the site but mostly at ML4.



**Figure 69: Noise Monitoring Locations**

6.5.5 Measured noise levels at each ML have been separated in to daytime (07:00 to 23:00 hours) and night time (23:00 to 07:00 hours) categories, where appropriate. Measured levels at ML1 and ML4 captured a total 16 hours during the daytime period and a full 8 hour night time period. This is considered to provide a representation of typical weekday levels, as the measurement period includes peak transportation times. Measured levels at ML2 were undertaken for 3 consecutive hours. Measured levels at ML3 captured a total of 5 hours during the quiet period of daytime, including 3 consecutive hours. Daytime and night time levels derived from the 3-hour calculation, and comparison with ML1 and ML4 measurements, indicate that noise levels are provide a reliable representation typical road traffic noise levels, for the purposes of the assessment. These figures can be seen in the table at **Figure 70**.

*Table 1: Average Measured Daytime and Night-time Noise Levels*

Monitoring Location	Time Period	Measured Noise Level, $L_{AeqT}$ dB
ML1	0700 - 2300	64
	2300 - 0700	53
ML2	0700 - 2300	66*
	2300 - 0700	57*
ML3	0700 - 2300	52*
	2300 - 0700	45*
ML4	0700 - 2300	45
	2300 - 0700	38

\* Daytime and Night-time levels derived from shortened measurement procedure described within CRTN and TRL.

**Figure 70: Existing Monitored Noise Levels**

6.5.6 The typical measured night-time  $L_{AFmax}$  noise levels at ML1 and ML4 are summarised in the table at **Figure 71**. For ML2-ML3, the  $L_{AFmax}$ , measured during the daytime period has been adopted to reflect a night-time worst-case scenario. Measured maxima which

are not considered representative of the typical noise environment have been eliminated from this assessment.

Table 2: Summary of Typical Maximum Night-time Noise Levels

Monitoring Location	Typical Night-time Level dB
ML1	80
ML2	84
ML3	70
ML4	53

**Figure 71: Typical Night time noise levels**

- *Assessment of Impact*
- 6.5.7 Construction noise has the potential to cause an adverse noise impact at existing noise sensitive receptors. 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.
- 6.5.8 Any noise effects arising from construction activities would be controlled and reduced by the good practice processes as set out in a Construction & Environment Management Plan (CEMP) (see **Appendix A – Condition 35**). Anticipated measures to mitigate noise impacts could include elements such as:
1. Use of screening around the site perimeter, individual phases and individual items of plant;
  2. Vehicles and mechanical plant used for the purpose of the works are to be fitted with effective silencers where appropriate,
  3. Loading and unloading of vehicles and dismantling of equipment will be carried out in such a manner as to minimise noise and where practical will be conducted away from noise sensitive areas,
  4. Noise emitting machinery which is required to run continuously will be housed in a suitable acoustically lined enclosure,
  5. Threshold levels and a programme of noise monitoring will be prepared as part of the CEMP and agreed with the LPA prior to the commencement of works on site,
  6. The hours of work will comply with those specified by HDC,
  7. Fixed and semi-fixed ancillary plant such as generators, compressors etc. which can be located away from receptors to be positioned so as to cause minimum noise disturbance.
  8. Inherently quiet plant should be selected where appropriate,
  9. Machines in intermittent use to be shut down in the intervening periods between work or throttled down to a minimum,
  10. Adherence to the codes of practice for construction working and piling given in BS 5228 and the guidance given therein for minimising noise emissions from the Site,
  11. Provision of rest periods during any prolonged noisy activities,
  12. Prohibition of the use of stereos and radios on Site, and
  13. Keeping local residents informed and provision of a contact name and number for any queries or complaints.
- 6.5.9 In accordance with modern working practices, the principles of 'best practicable means', would be used to reduce noise emissions throughout the demolition and construction works to a reasonable and practicable level. Based on the above the effect of the development during construction phase are judged to be moderate adverse.



- 6.5.10 Potential noise impacts associated with road traffic generated by the Proposed Development when operational have been assessed via comparison ‘without development’ and ‘with development’ scenarios for the opening year 2025, in accordance with DMRB. The assessment has been carried out at ESRs in the vicinity of the adjacent transport network and considered most likely to be affected by any increase in traffic, as a result of the Proposed Development. Road traffic noise is predicted to increase by less than +1dB at all other ESRs, this equates to a negligible impact both in the short term and long term, in accordance with DMRB. Therefore, no specific mitigation is required with respect to development generated traffic. The NA shows the predicted average daytime noise levels LAeq, 16hour, across the majority of the site and are way below the upper guideline value of 55dB LAeq, T recommended by BS8233. Therefore, no specific mitigation is required for external living areas.
- 6.5.11 At this stage, detailed information relating to any proposed fixed plant and/or building services is unavailable. However, the annotations to the Illustrative Masterplan highlight likely sources of industrial type noise. Guideline noise limits have been formulated based on the existing noise environment, in accordance with current guidance. Noise associated with the development shall be controlled to the guideline levels where possible, when assessed in accordance with BS4142, at the nearest sensitive receptor. The limits during daytime correspond to the average background noise levels measured at ML3. In the absence of night-time noise levels at ML3, representative background noise levels measured ML4 have been adopted as limits, reflecting a worst-case scenario.
- 6.5.12 The Illustrative Masterplan indicates the Proposed Development includes a Car Park in the western part of the Site, approximately 90m from the nearest existing residential dwellings, off Welland Avenue. Therefore, the potential noise impact associated with the car park has been assessed with respect to these dwellings. The car parking noise level has been predicted based on the shift pattern information provided by the Applicants. Parking events per hour, per space has been derived from the shift change information and the total number of predicted vehicle trips at the site. This has been used for the basis of noise level predictions in accordance with the Parking Area Noise guidance. Predicted average noise levels associated with carparking noise levels have been assessed by comparison with health based WHO and BS8233 guideline noise levels at the nearest ESRs. Table 9 within the NA (see **Figure 72**) presents the predicted average daytime noise levels associated with the car park, within external gardens at the nearest ESR.

Table 9: Guideline Atmospheric Plant Noise Emission Limits

Period	Atmospheric Plant Noise Emission Limit
Daytime (07:00 to 23:00 hrs)	LAeq,16h 45 dB
Night-time (23:00 to 07:00 hrs)	LAeq,16h 25 dB

**Figure 72: Table 9 from the submitted Noise Assessment**

- 6.5.13 Table 9 of the NA (see **Figure 72**) indicates that average daytime noise levels associated with the proposed car park are 38 dB LAeq, 16hour at the nearest outdoor living areas of existing residential properties at Welland Avenue. This is below the guideline level of 50 dB LAeq, 16hour recommended as a desirable, but not mandatory level by BS8233. Therefore, no specific mitigation is required for car parking activity noise during the daytime. While the shift pattern information indicates that all shift changes would occur during the daytime periods (0700 to 2300), to render this assessment exercise more robust, the potential impact of individual car parking events has been considered during the night time period. Measured noise data indicates that the typical free field maximum level associated with car engines starting and car doors

slamming is 65 dB LAFmax, measured at 10m. Maximum noise levels associated with individual parking events have been predicted based on this measured data. Table 10 of the NA (see **Figure 73**) presents the predicted night time maximum noise levels associated with the car park, at the nearest ESR façade, taking in to account attenuation of 15dB through an open window.

Table 10: Predicted Noise Levels from Car Park

Receptor	Predicted External Noise Level, dB LAeq, 18 hours	Approximate Distance from Car Park, m
Gardens of Nearest Residential Properties North of the proposed development site overlooking Welland Avenue	38	90

**Figure 73: Table 10 from the submitted Noise Assessment**

6.5.14 Table 10 indicates that maximum noise levels associated with the proposed car park are 33 dB LAFmax internally, assuming windows are open, at the nearest facade of existing residential at Welland Avenue. This is below the guideline level of 45 dB LAFmax as recommended by BS8233. Therefore, no specific mitigation is required for car parking activity noise during the night-time.

○ *Summary*

6.5.15 A noise survey has been carried out in order to establish the existing noise environment at the proposed development site, during the daytime and night time periods, in accordance with current guidance. Road traffic noise from the local road network was found to be dominant throughout the daytime and night-time periods across the site. The existing daytime noise levels across the site are below the guideline limit of 55dB LAeq,T. Therefore, no specific mitigation is considered necessary for outdoor living areas. Calculations indicate that open windows would be sufficient to control existing noise sources, during the daytime and night-time periods, to ensure that guideline internal noise levels are achieved within habitable rooms and education spaces respectively. Therefore, there are no specific acoustic glazing and ventilation requirements for habitable rooms.

6.5.16 The development generated traffic at the Site indicates at the worst affected receptor the increase in traffic will have a minor impact in the short term and a negligible impact in the long term. Therefore, no specific mitigation is required with respect to development generated road traffic. Atmospheric plant noise emission limits have been established based on the results of the noise survey. These are likely to be achieved with appropriate consideration for selection of low-noise plant and proprietary attenuation measures as appropriate during technical design. It is considered that there is no reason for refusal of planning permission, on acoustic grounds.

6.5.17 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 of the site as set out above and the recommended conditions address this (see **Appendix A – Condition 33**). 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 existing residents would not be unduly affected by the development. The NA concludes that the impact of noise and vibration on future residents will be not significant. On the basis of this, Officers consider that the noise environment for existing residents will be acceptable and that the development would accord with Policy GD8 of the Harborough District Local Plan in this respect, for the reasons set out above.

## 6. Drainage and Hydrology

6.6.1 The application is supported by a detailed Flood Risk Assessment (FRA), a SUDS Strategy Report and Foul and Surface Water drainage strategies.

### ○ Drainage Policy

6.6.2 Policy CC3 of the Harborough District Local Plan requires that development should take place in the areas of lowest risk of flooding;

1. *New development should take place in the areas of lowest risk of flooding, including the potential future risk due to climate change. The Sequential Test, and, where necessary, the Exceptions Test should be used to assess the suitability of proposed development. Site-specific flood risk assessments of all sources of flood risk on the site and downstream of the site will be required as appropriate.*
2. *Development should take place within Flood Zone 1, wherever possible. Within Flood Zone 1 a site-specific flood risk assessment will be required for proposals relating to:*
  - a. *major development;*
  - b. *land with critical drainage problems;*
  - c. *land at increased flood risk in the future; or*
  - d. *a more vulnerable use on land subject to other sources of flooding.*
3. *All development proposals in Flood Zones 2 or 3 will require a site-specific flood risk assessment.*
4. *Development proposals subject to a site-specific flood risk assessment will only be permitted where:*
  - a. *the mitigation, flood management, flood resilience measures, and design requirements identified are satisfactorily addressed; and*
  - b. *the design incorporates flood resilience measures to allow for increased risk due to climate change.*
5. *Development in Flood Zone 3, unless meeting the Exceptions Test, will only be permitted as follows:*
  - a. *Flood Zone 3a: 'less vulnerable' uses, including retail and business uses (A and B Use Classes), agriculture and some non-residential institutions (Use Class D1) other than for health services, nurseries and education; and water compatible development;*
  - b. *Flood Zone 3b: water compatible development where appropriate; this zone will be safeguarded to ensure protection of the functional floodplain.*

6.6.3 Policy CC4 of the Harborough District Local Plan requires that development provides sustainable drainage systems (SuDS)

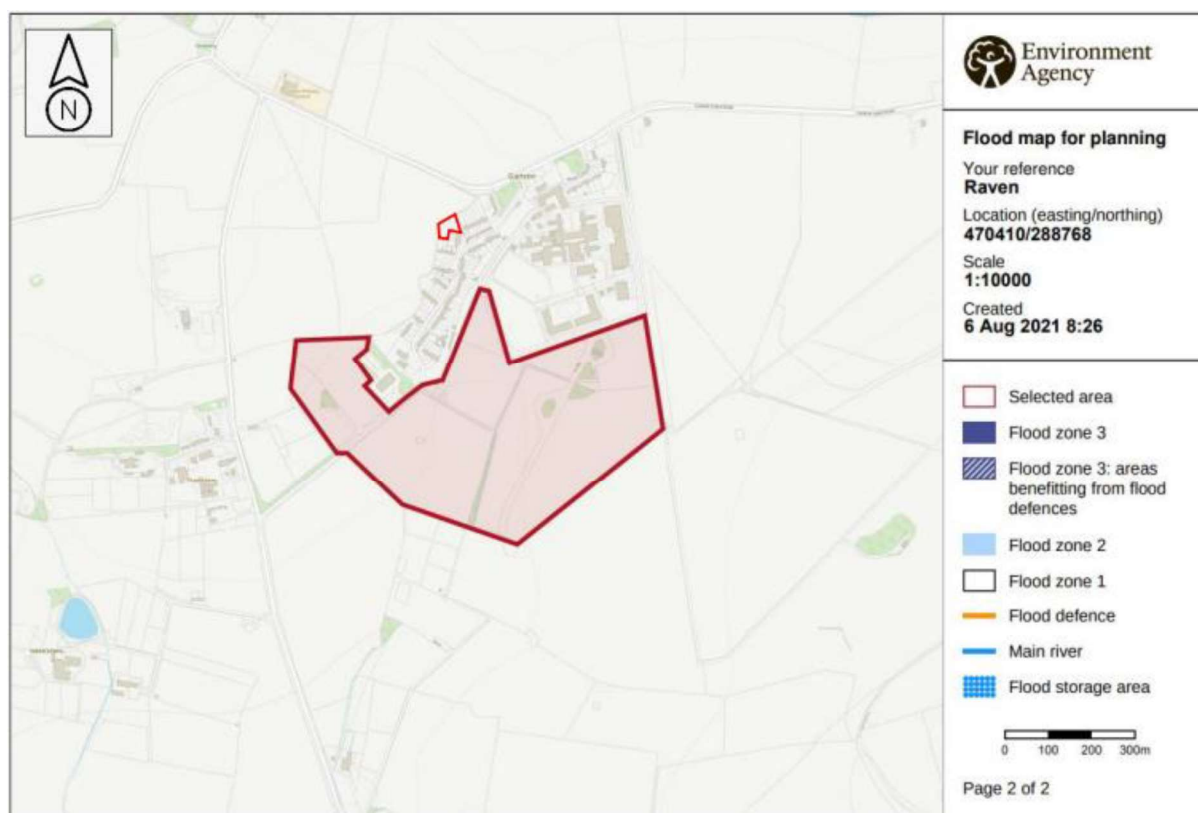
1. *All major development must incorporate sustainable drainage systems (SuDS).*
2. *Prior to the commencement of development, the responsibilities for management and maintenance in perpetuity of the SuDS must be agreed.*
3. *The design and layout of the SuDS, taking account of the hydrology of the site, will:*
  - a. *manage surface water close to its source and on the surface where reasonably practicable to do so;*
  - b. *use water as a resource, re-using it where practicable, and ensuring that any run-off does not negatively impact on the water quality of a nearby water body;*
  - c. *use features that enhance the site design and make an active contribution to making places for people;*
  - d. *incorporate surface water management features as multi-functional greenspace wherever possible;*



- e. *provide for the re-naturalisation of modified water courses where practical;*
- f. *be located away from land affected by contamination that may pose an additional risk to groundwater or other waterbodies;*
- g. *demonstrate that the peak rate of run-off over the lifetime of the development, allowing for climate change, is no greater for the developed site than it was for the undeveloped site and reduced wherever possible; and*
- h. *ensure that flooding would not occur to property in and adjacent to the development, in the event of an occurrence of a 1 in 100 year rainfall event (including an allowance for climate change) or in the event of local drainage system failure*

Other relevant Drainage and Flood Risk Policy and Guidance is set out in **Section 5** of this report.

6.6.4 The FRA confirm that the majority of the site falls within Flood Zone 1 (low risk of flooding) as defined in Environment Agency (EA) flood maps (see **Figure 74**).



**Figure 74: Environment Agency Flood Map for site**

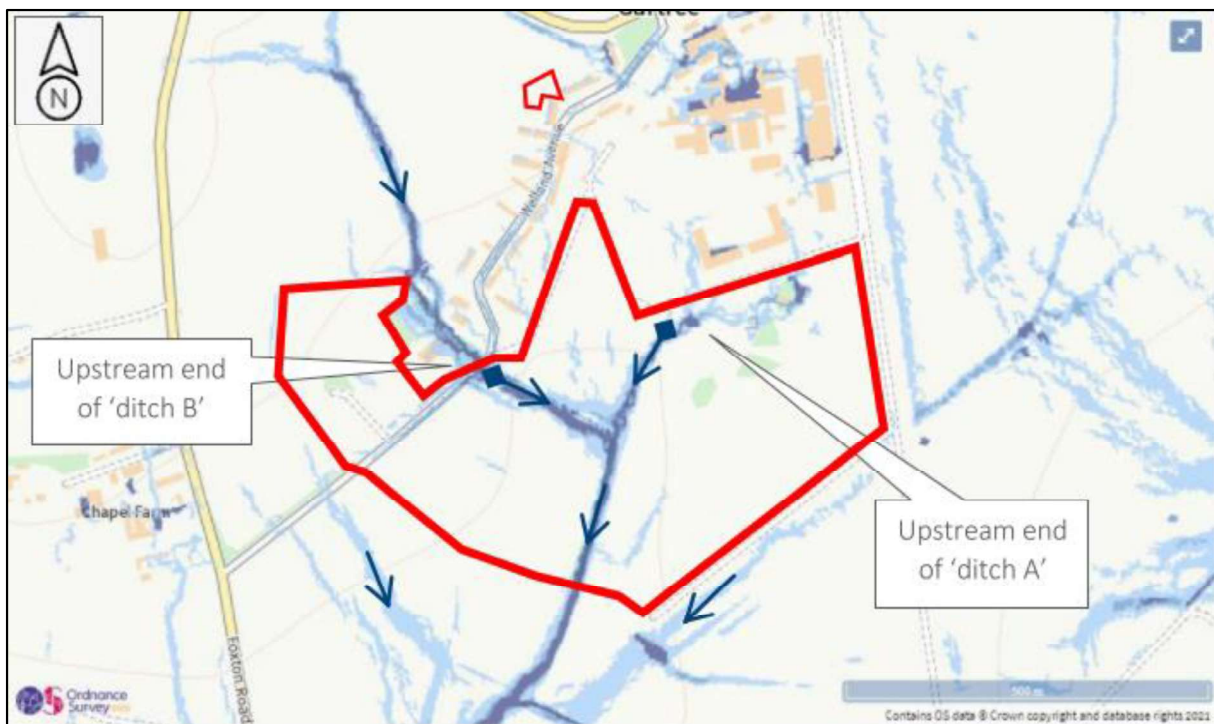
○ *Assessment of Impacts*

6.6.5 in terms of Fluvial Flooding<sup>58</sup> Due to the topographically elevated position of the site, there are no watercourses located within the immediate vicinity, or uphill, of the site, with the nearest watercourses to the site being the Langton Brook, around 1.2km to the north of the site, and the River Welland, approximately 1.4km to the south of the site. Whilst the potential effects of climate change could increase the frequency, depth and extent of flooding from the Langton Brook and River Welland, given the >15m elevation difference between the bank levels of the watercourses and the existing lowest site levels, any increase in flood risk is considered unlikely to be of a magnitude so as to

<sup>58</sup> This is where a river's flow will exceed the bank sides

result in on-site fluvial flooding. Based upon the points identified above, the site is concluded to be at low risk of fluvial flooding.

- 6.6.6 In terms of Pluvial Flooding<sup>59</sup> An existing ditch network is currently present within the site (see **Figure 75**). 'Ditch A' issues at the northern site boundary and then flows southwards through the site, and discharges to the River Welland to the south of the site. 'Ditch B' issues at the north-western corner of the site and flows south-eastwards to converge with 'ditch A' near the centre of the site. The ditches generally comprise shallow depressions (<1m deep) and only become more defined in the southern portion of the site, downstream of the point where the two ditches converge. The submitted FRA indicates that 'ditch A' is primarily fed by a 375mm diameter pipe which discharges surface water run-off from HMP Gartree to the north of the site. Whilst the upstream inflow to 'Ditch B' has not been confirmed within the FRA, Ordnance Survey mapping indicates that any overland flows generated from the undeveloped agricultural land and Welland Avenue (including existing built development located along Welland Avenue) could be directed into 'ditch B'.
- 6.6.7 As stated in the submitted FRA, the EA's Flood Risk from Surface Water mapping (see **Figure 75**) shows the majority of the site to be at 'very low' risk of surface water flooding, with any surface water overland flows generated uphill (to the north and north-west) of the site indicated to be conveyed within the existing ditch network and through the site.



**Figure 75: Extent of Flooding from Surface Water**

- 6.6.8 The FRA states that, based on the existing site topography, any surface water run-off generated within the site will likely be directed overland as shallow 'sheet-flow' with the prevailing topography, and into the existing ditches, as opposed to 'ponding' within the site. Whilst the potential effects of climate change could increase the frequency, depth and extent of on-site surface water flooding, given the sloping topography of the site,

<sup>59</sup> Also known as Surface Water flooding, this occurs after periods of heavy rainfall where excess water cannot drain away.

any increase in flood risk is considered unlikely to be of a magnitude which would result in a significant increase in the risk of on-site surface water flooding

- 6.6.9 On the basis of the above, the site is concluded to be at low risk of surface water flooding, on the assumption that the function of the existing ditch network is retained as part of the proposed development. This issue is considered within the mitigation section at **Paras 6.6.13 – 6.6.23** of this report.
- 6.6.10 In terms of Groundwater Flooding<sup>60</sup>, the generally low permeability of the geology of the site is unlikely to be conducive to groundwater emergence. Furthermore, the topographically elevated position of the site means that any sub-surface groundwater flows are likely to be directed downhill and away from the site, preferentially emerging within the surrounding lower-lying land, i.e. the Langton Brook valley and River Welland valley around 1.2km to the north and 1.4km to the south of the site respectively.
- 6.6.11 Given that the determination of groundwater flood risk in this instance is principally driven by geological and topographical factors, both of which will be unaffected by the potential effects of climate change, the risk of groundwater flooding posed to the site is considered unlikely to increase as a result of climate change. Accordingly, the site is concluded to be at low risk of groundwater flooding.
- 6.6.12 In terms of Infrastructure Failure Flooding<sup>61</sup>, Similar to the assessment of potential surface water flooding, in the scenario that any sewers were to surcharge uphill (to the north and north-west) of the site, any overland flows will likely be preferentially directed overland as shallow 'sheet-flow' with the prevailing topography, and into the existing ditches, as opposed to 'ponding' within the site. The Grand Union Canal is located approximately 0.7km to the north of the site. However, the bank levels of the canal are at a lower level than existing site levels, with lower-lying land also identified on the opposite bank (i.e. to the north of the canal towards Langton Brook). Accordingly, if the canal were to breach / overtop, any overland flows are likely to be preferentially directed northwards and away from the site. No other potential sources of infrastructure failure flooding, such as reservoirs, were identified within the immediate vicinity, or uphill, of the site. On this basis, the site is concluded to be at low risk of infrastructure failure flooding.
- *Mitigation Measures*
- 6.6.13 Whilst an Exception Test is not explicitly required under the NPPG, the submitted FRA details measures necessary to mitigate any 'residual' flood risks, to ensure that the proposed development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, akin to the requirements of section 'b' of the Exception Test, as outlined in the NPPF.
- 6.6.14 Given the low risk of flooding identified at the site (and assuming that the function of the existing ditch network is retained as part of the proposed development, no specific flood resistance or resilience measures are considered necessary. Access to the site will be via the existing surrounding highway network, which is indicated to be at low risk of flooding, based on the EA's Flood Map for Planning and Flood Risk from Surface

---

<sup>60</sup> For groundwater flooding to occur, the water table in an area must rise as a result of increased rain. When this water table rises, there may be a point at which the water table is above the ground level. If this happens, the water will flow over the surface as it cannot seep into the ground

<sup>61</sup> the failure of flood management infrastructure such as a breach of a raised flood defence, blockage of a surface water conveyance system, overtopping of an upstream storage area, or failure of a pumped drainage system, or the failure of a canal or reservoir

Water mapping. As such, safe access and egress is concluded to be possible to and from the site.

- 6.6.15 On the basis that the site has been demonstrated to be at low risk of flooding, and therefore outside a functioning floodplain, the proposed development is not considered to increase flood risk within the catchment through a loss of floodplain storage, and accordingly no further mitigation measures are required in this respect.
- 6.6.16 Based on the undeveloped nature of the site, it is not anticipated that the site is currently served by an extensive drainage network. Therefore, rainfall within the site is assumed to currently preferentially infiltrate to ground, with any rainfall unable to infiltrate (i.e. in the scenario that the infiltration capacity of the site is exceeded as a result of prolonged and/or intense rainfall), likely to be directed overland as shallow 'sheet-flow' with the prevailing topography, and into the existing ditches.
- 6.6.17 Given the potential for the proposed development of the site to generate surface water run-off which could be directed off-site onto third-party land, a proposed Drainage Strategy has been prepared for the site. The following principles are to be adopted within the design and specification of the proposed system:
- In accordance with Building Regulations Part H and Paragraph 080 of the NPPG, rainfall run off should (in preferential order) be: re-used, infiltrated to ground, discharged to a local watercourse, discharged to a surface water sewer, or discharged to a combined water sewer. In respect of each potential means of surface water disposal:
    - The re-use of clean surface water run-off (i.e. from proposed building roof areas) will be considered and adopted where feasible.
    - Infiltration drainage is not anticipated to be practicable based on the indicative low- permeability of the on-site geology. However, this will be subject to confirmatory infiltration testing, and whilst not anticipated, on-site infiltration drainage will be used if demonstrated to be viable.
    - Existing watercourses (ditches) are indicated to be present within the site and therefore may offer a potential means of surface water disposal. This would be subject to confirmation of capacity and downstream connectivity.
    - The presence of an existing sewer system within the vicinity of the site is yet to be confirmed, though if proven, may offer an alternative means of surface water disposal if discharging to existing adjacent ditches is identified to be unviable.
  - The acceptability of discharging surface water run-off from the site to watercourses and/or sewer will be subject to agreement with Leicestershire County Council (in their role as Lead Local Flood Authority (LLFA)) and Anglian Water, respectively. However, it is anticipated that any discharge will need to be restricted to the pre-development run-off rate from the site (and potentially reduced compared to existing rates), for all storm events up to and including the 1 in 100 year + 40% (climate change allowance) storm event. Neither the LLFA or Anglian Water hold any objections to the Proposed Development.
  - On-site attenuation storage will likely be required to ensure no on-site flooding in up to and including the 1 in 100 year + 40% storm event. Such attenuation should ideally adopt Sustainable Drainage System (SUDS) principles.
  - It is likely that appropriate and proportionate pollution control methods will also need to be incorporated into the proposed system to ensure an acceptable surface water discharge quality from the site.
- 6.6.18 The function of the existing ditch network (i.e. 'ditch A' and 'ditch B', as shown in **Figure 75**) will need to be retained as part of the proposed development, in order to ensure



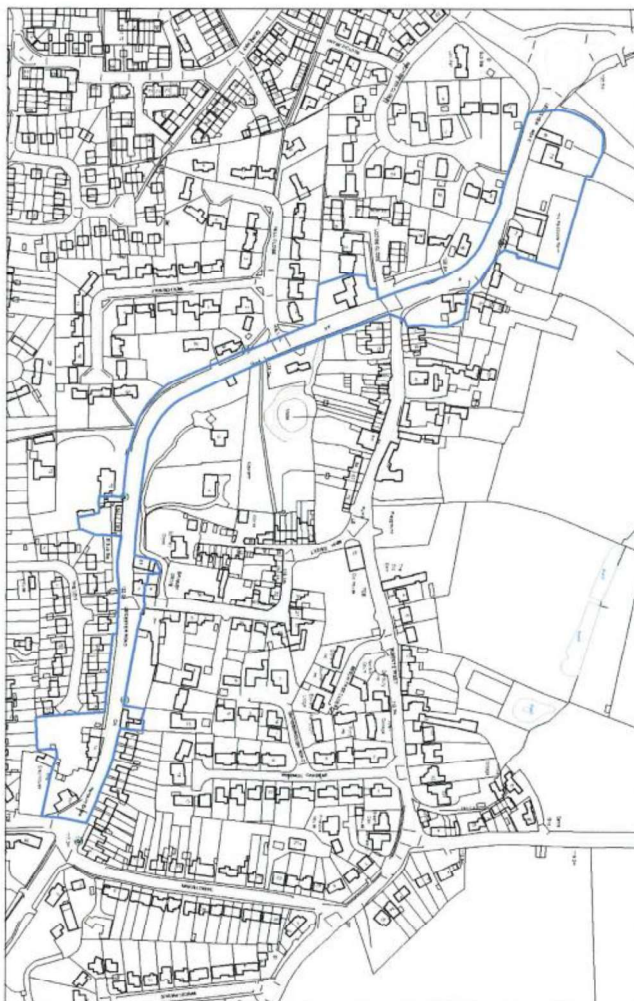
any existing in-flows to the ditches can still be managed, to reduce the risk of surface water flooding at the site, and to offer a viable potential surface water disposal option for the discharge of surface water run-off from the proposed development.

- 6.6.19 In order to facilitate the proposed development of the site whilst also acknowledging security considerations, it is anticipated that the ditches will need to be diverted along the north-western / western / south-western site boundary, in a combination of open channel and culvert (in order to facilitate access crossings etc, where necessary), before reverting to its original course at the southern site boundary.
- 6.6.20 The proposed route and dimensions of the realigned ditch will be confirmed at the detailed design stage, and it will need to be ensured that the proposed ditch offers suitable conveyance capacity for the anticipated in-flows from upstream. In addition, a minimum 5.0m easement will need to be provided from the edge of the realigned ditch/culvert to any new above ground structures, including buildings and fences/walls. The proposed ditch diversion works will also be subject to Ordinary Watercourse Consent via the LLFA.
- 6.6.21 A condition is recommended to require the submission of a CEMP (see **Appendix A – Condition 35**) prior to the commencement of development on any phase. The CEMP will include measures ensuring marked effects on flood risk and surface water drainage do not arise. Subject to the mitigation proposals required by conditions the impact on surface water drainage during construction would be minor adverse. An increase in surface water run off due to increased impermeable surfacing before the surface water drainage system is operational would also be address in the CEMP which would have a temporary moderate effect.
- 6.6.22 Overall there are no significant residual effects of the development. With the implementation of the measures required by the CEMP and the mitigation measures set out above the potential effects are considered to be negligible. Overall flood risk would be managed by the implementation of a SUDS scheme and its management as outlined in the FRA.
- 6.6.23 The EA and the LLFA are satisfied with the FRA and drainage strategy and have no objections subject to suitably worded conditions relating to surface water drainage and infiltration testing (see **Appendix A – Conditions 25 – 29**)
- *Foul Water Drainage*
- 6.6.24 The Applicants and their representatives have been in ongoing discussions with Anglian Water regarding the likely foul water requirements of the Proposed Development. A considerable number of representations received from the local community have raised the issue that the existing water treatment centre at Foxton is unlikely to be able to cope with the additional demand that would be put upon it as a result of the Proposed Development. As can be seen in **Section 4:2** of this report Anglian Water hold no objection to the proposals, despite acknowledging that current facility at Foxton does not have the capacity to treat the flows that the development site would generate. Anglian Water are however, obligated to take the necessary steps to ensure that there is sufficient treatment capacity should planning permission be granted for the development. Further to this, as set out in **Section 3c** of this report, the Applicant have already engaged with Anglian Water regarding the requirements for any new facilities required. A condition is also recommended in relation to on site foul water drainage. (see **Appendix A – Condition 4**)
- *Summary*

6.6.25 On the basis of the above, it is considered that the proposals will have a neutral impact upon hydrology and flood risk and would therefore accord with Policies CC3 and CC4 Harborough District Local Plan in this respect.

## 7. Air Quality

6.7.1 The application was accompanied by an Air Quality Assessment which established existing air quality conditions at the Site. The Kibworth AQMA<sup>62</sup> is closest to the site. This AQMA was declared in 2017 and covers the A6 starting south east of the Wistow Road / Leicester Road roundabout and terminating at the junction of Leicester Road and Church Road (see **Figure 76**). The AQMA closely follows the carriageway of the routes referred to.



**Figure 76: Plan indicating extent of Kibworth AQMA**

- *Air Quality Policy*
- 6.7.2 Chapter 15 'conserving and enhancing the natural environment' of The Framework at Para186 makes reference to planning policies and decisions should:  
*"sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality*

---

<sup>62</sup> [Kibworth Air Quality Management Area | Air quality | Harborough District Council](https://www.harborough.gov.uk/kibworthaqma#:~:text=Kibworth%20Air%20Quality%20Management%20Area%20The%202017%20Air,Management%20Area%20was%20declared%20on%2029%20November%202017)  
(<https://www.harborough.gov.uk/kibworthaqma#:~:text=Kibworth%20Air%20Quality%20Management%20Area%20The%202017%20Air,Management%20Area%20was%20declared%20on%2029%20November%202017> )

*Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. So far as possible these opportunities should be considered at the plan-making stage, to ensure a strategic approach and limit the need for issues to be reconsidered when determining individual applications. Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan”*

At Para188 it goes on to state:

*“The focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively.”*

6.7.3 The NPPG identifies a number of matters to be taken into account including consideration whether a development is likely to have an air quality impact in an area where air quality is known to be poor or where development is likely to impact on the implementation of air quality strategies. A number of particular matters are identified; a significant impact on traffic in terms of volume, congestion, or altering traffic composition.

6.7.4 A number of other factors including the creation of new sources of air pollution are also referred to, however, this is not considered relevant to this application. The guidance then sets out the need for and scope of an air quality assessment to accompany an application. The NPPG then goes on to consider how adverse impacts on air quality can be mitigated in the case of the current proposal of particular relevance are;

*“promoting infrastructure to promote modes of transport with low impact on air quality;”*

and

*“contributing funding to measures, including those identified in air quality action plans and low emission strategies, designed to offset the impact on air quality arising from new development.”*

6.7.5 The Clean Air Quality Strategy<sup>63</sup> was initially published in 2019 and sets out the Governments plans for dealing with all sources of air pollution, making our air healthier to breathe, protecting nature and boosting the economy values for key pollutants to help local authorities manage local air quality improvements. Harborough District Local Plan Policy IN2 Sustainable Transport at section 2g is relevant

*Residential and commercial development proposals will be permitted, subject to the provision of: ...*

*g. mitigation for any adverse impact on air quality, especially in Air Quality Management Areas, and residential amenity, including traffic noise.*

Policy GD8 of the Harborough District Local Plan states:

*1. Development will be permitted where it achieves a high standard of design, including meeting the following criteria:*

*e. being designed to minimise impact on the amenity of existing and future residents by:*

*ii. not generating a level of activity, noise, vibration, pollution or unpleasant odour emission, which cannot be mitigated to an appropriate standard and so would have an adverse impact on amenity and living conditions;*

---

<sup>63</sup> [Clean Air Strategy 2019 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/clean-air-strategy-2019)  
(<https://www.gov.uk/government/publications/clean-air-strategy-2019>)

6.7.6 Whilst the site is not within or close to an AQMA HDC Planning Officers confirmed at pre-application stage that an Air Quality Assessment should be included in any application submission, and that HDC EHO's should be consulted on the scope of this, including whether or not it would be necessary to include an assessment of the impact of the development upon the AQMA, particularly given the fact that there is a requirement to give consideration to the impact of development on air quality. In consultation with HDC EHO's, the authors of the Air Quality Assessment developed a scope for the works, and an assessment of the impact upon the Kibworth AQMA was not deemed necessary.

○ *Assessment of Impacts*

6.7.7 Two types of potential Air Quality impact have been identified within the Air Quality Assessment. These are dust during the construction phase, and concentrations of particulates as a result of increase road traffic.

6.7.8 The site is located in a rural area. Residential receptors are located within 50 m of the site boundary and a detailed assessment of the demolition and construction impacts was required as part of the submitted Air Quality Assessment. There are no ecological receptors or habitats that would be sensitive to dust impacts within 50 m of the application site boundary, therefore, no ecological effects are predicted to occur.

6.7.9 Using the evaluation criteria within the Institute of Air Quality Management's (IAQM) Guidance<sup>64</sup> the potential dust emission magnitude were identified for each stage of the proposed development as part of the Air Quality Assessment. The next stage of the process is to define the sensitivity of the assessment area to dust soiling and human health impacts. This process combines the sensitivity of the receptor with distance from the source to determine the overall sensitivity. The dust emission magnitude determined in the Assessment was then combined with the sensitivity assessment to define the risk of impacts for each construction activity of the proposed development in the absence of mitigation, as shown in **Figure 77**.

Sensitivity of Surrounding Area to Impacts	Dust Emission Magnitude		
	Earthworks (Large)	Construction (Large)	Trackout (Medium)
Dust Soiling (Medium)	Medium Risk	Medium Risk	Low Risk
Human Health (Low)	Low Risk	Low Risk	Low Risk

**Figure 77: Risk of Dust Impacts in Absence of Mitigation**

6.7.10 A summary of the mitigation measures recommended in the IAQM guidance to reduce impacts from medium risk sites is provided in **Figure 78**. It is recommended that these measures are included within a CEMP which could be secured through an appropriately worded planning condition (see **Appendix A – Recommended Condition 35**). The proposed mitigation provided below are tried and tested and standard measures included in CEMPs on a regular basis.

<sup>64</sup> <https://iaqm.co.uk/guidance/>



- Using the IAQM guidance, and on the assumption that appropriate dust mitigation measures are applied commensurate with the risk of potential dust impacts, the effect of construction dust on nearby sensitive receptors would not be significant.

Phase	Mitigation Measure
Communications	Implement a stakeholder communication plan. Display name and contact details of responsible person for dust issues on Site boundary in addition to head/regional office contact information.
Dust Management Plan	Develop and implement a Dust Management Plan (DMP) which would be included as part of the CEMP, to be approved by the Local Authority.
Site Management	Record all complaints and incidents in a site log. Take appropriate measures to reduce emissions in a timely manner, and record the measures taken within the log. Make the complaints log available to the Local Authority if requested. Record any exceptional dust incidents on or off site.
Monitoring	Undertake daily on and off-site visual inspections where there are nearby receptors. Carry out regular inspections to ensure compliance with the DMP and record results in the site log book. Increase the frequency of inspections during activities with a high potential to create dust or in prolonged dry weather.
Preparing and Maintaining the Site	Plan site layout to locate dust generating activities as far as possible from receptors. Use solid screens around dusty activities and around stockpiles. Avoid site runoff of water and mud. Fully enclose the site or specific operations where there is a high potential for dust production and the site is active for an extensive period. Keep site fencing barriers and scaffolding clean using wet methods. Remove dusty materials from site as soon as possible. Minimise emissions from stockpiles by covering, seeding, fencing or damping down.
Operating Vehicle/Machinery and Sustainable Travel	Enforce an on-site speed limit of 15 mph on surfaced roads and 10 mph on unsurfaced areas. Ensure vehicles switch off engines when stationary. Avoid use of generators where possible. Produce a Construction Logistics Plan to manage the sustainable delivery of materials. Implement a sustainable travel plan for site workers.
Operations	Only use cutting, grinding or sawing equipment with suitable dust suppression equipment or techniques. Ensure adequate water supply for effective dust and particulate matter suppression. Use enclosed chutes, conveyors and covered skips. Minimise drop heights of materials. Ensure suitable cleaning material is available at all times to clean up spills.
Waste Management	Avoid bonfires.
Measures Specific to Earthworks	Re-vegetate earthworks and exposed areas/soil stockpiles as soon as practicable. Use hessian, mulch or trackifiers where it is not possible to re-vegetate or cover with topsoil. Only expose small areas of ground or stockpile when working.
Measures Specific to Construction	Ensure aggregates are stored in bunded areas and are not allowed to dry out. Avoid concrete scabbling where possible. Ensure bulk cement and other fine powder is delivered in tankers and stored in silos with suitable emission control. Smaller supplies of fine powder material to be in sealed containers and stored appropriately.
Measures Specific to Trackout	Use water-assisted dust sweepers to clean access and local roads. Avoid dry sweeping of large areas. Ensure vehicles entering and leaving the site are appropriately covered. Inspect on-site haul roads for integrity and repair as necessary. Inspections of haul roads to be recorded in site log, including any remedial action taken. Implement a wheel washing system. Access gates to be located at least 10 m from receptors where possible.

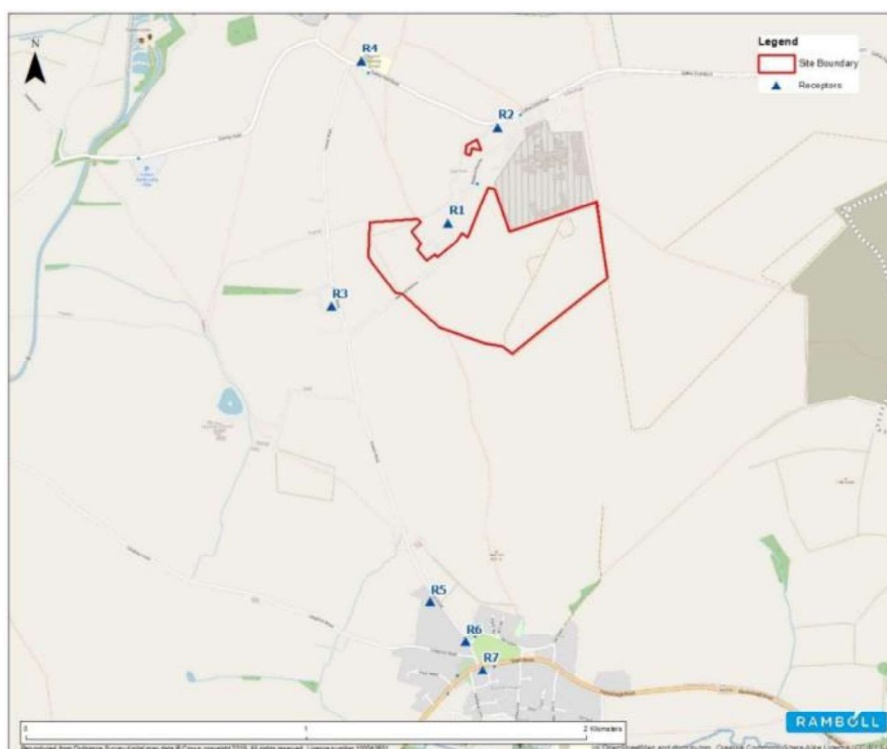
**Figure 78: Recommended Dust Mitigation for Medium Risk Sites**

6.7.12 In terms of impacts of Road Traffic upon Air Quality, the predicted concentrations of NO<sub>2</sub><sup>65</sup>, PM<sub>10</sub><sup>66</sup> and PM<sub>2.5</sub><sup>67</sup> at existing receptors (see **Figure 79**) with the proposed development and cumulative developments are presented at **Figures 80 – 82**.

<sup>65</sup> Nitrogen Dioxide

<sup>66</sup> Organic particles, or particulate matter, as in smoke, measuring between 2.5 and 10 microns in diameter.

<sup>67</sup> atmospheric particulate matter (PM) that have a diameter of less than 2.5 microns, which is about 3% the diameter of a human hair



**Figure 79: Air Quality Assessment Receptor locations**

Receptor	2025 Without Development	2025 With Development and Cumulative Developments	Change (%)	Impact Descriptor
R1	6.8	7.1	0.5	Negligible
R2	8.2	8.4	0.7	Negligible
R3	6.7	6.9	0.5	Negligible
R4	8.6	9.1	1.4	Negligible
R5	7.3	7.4	0.4	Negligible
R6	8.7	9.1	0.9	Negligible
R7	10.1	10.3	0.5	Negligible
<b>Objectives</b>		<b>40</b>		-

**Figure 80: Predicted Annual Mean NO<sub>2</sub> Concentrations with the Development and Cumulative Developments (µg/m<sup>3</sup>)**

Receptor	2025 Without Development	2025 With Development and Cumulative Developments	Change (%)	Impact Descriptor
R1	12.2	12.3	0.1%	Negligible
R2	13.5	13.6	0.2%	Negligible
R3	12.5	12.5	0.1%	Negligible
R4	12.7	12.8	0.3%	Negligible
R5	12.7	12.7	0.1%	Negligible
R6	13.0	13.1	0.2%	Negligible
R7	13.4	13.4	0.1%	Negligible
<b>Objectives</b>		<b>40</b>		-

**Figure 81: Predicted Annual Mean PM<sub>10</sub> Concentrations with the Development and Cumulative Developments (µg/m<sup>3</sup>)**

Receptor	2025 Without Development	2025 With Development and Cumulative Developments	Change (%)	Impact Descriptor
R1	7.6	7.6	0.1	Negligible
R2	8.0	8.0	0.1	Negligible
R3	7.6	7.6	0.1	Negligible
R4	7.8	7.9	0.3	Negligible
R5	7.8	7.8	0.1	Negligible
R6	8.0	8.1	0.2	Negligible
R7	8.2	8.3	0.1	Negligible
<b>Objectives</b>		<b>40</b>		-

**Figure 82: Predicted Annual Mean PM<sub>2.5</sub> Concentrations with the Development and Cumulative Developments (µg/m<sup>3</sup>)**

6.7.13 The predicted NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> concentrations with the proposed development and with cumulative developments are below the relevant objectives at all existing receptor locations. None of the predicted annual mean NO<sub>2</sub> concentrations exceed 60 µg/m<sup>3</sup> and therefore exceedance of the 1-hour mean NO<sub>2</sub> objective is unlikely. None of the predicted annual mean PM<sub>10</sub> concentrations exceed 32 µg/m<sup>3</sup> and therefore the 24-hour mean PM<sub>10</sub> objective is not predicted to be exceeded. The largest increase in NO<sub>2</sub> concentrations is predicted to be 0.57 µg/m<sup>3</sup> with the proposed development and with cumulative developments at R4. The impact on annual mean NO<sub>2</sub> concentrations is described as negligible at all receptor locations. The impact on PM<sub>10</sub> concentrations is described as negligible, and the annual mean of 32 µg/m<sup>3</sup> equating to 35 days above 50 µg/m<sup>3</sup> for PM<sub>10</sub> is described as negligible at all receptor locations. The overall assessment of significance should be based on professional judgement taking into account a number of factors including the overall air quality with the development and cumulative developments in place, the future population exposure and to what extent the assessment is considered a worst case. On this basis the Air Quality Assessment concluded that the proposed development would not have a significant effect on air quality.

- *Summary*
- 6.7.14 The assessment of potential impacts to air quality during the construction stage has identified that the activities, together with the location of nearby sensitive receptors, results in a medium risk of impacts in the absence of suitable mitigation. Suitable mitigation would be provided through a series of measures set out in a dust management plan to form part of a CEMP to be agreed with the local authority. With mitigation in place, the effects of construction dust on nearby sensitive receptors would not be significant. Concentrations of NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> have been predicted for a number of worst case locations representing existing properties adjacent to the road network. Predicted concentrations are well below the relevant objectives at all of the existing receptor locations with the proposed development and cumulative developments in place and the impact of the development and cumulative developments is negligible and therefore not significant. Overall, it is concluded that there are no air quality constraints to the proposed development.
- 6.7.15 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. Furthermore, the proposed development would not make a material difference to local air quality near to the proposed development. It is therefore considered that the proposals will have a neutral impact upon air quality and would therefore accord with policy IN2 of the Harborough District Local Plan in this respect.

## 8. Residential Amenity

- *Residential Amenity Policy*
- 6.8.1 Paragraph 130 of the Framework seeks to ensure a high standard of amenity for all existing and future users and this is also reflected in LP Policy GD8 which states:
  1. *Development will be permitted where it achieves a high standard of design, including meeting the following criteria:*
    - e. *being designed to minimise impact on the amenity of existing and future residents by:*
      - i. *not having a significant adverse effect on the living conditions of existing and new residents through loss of privacy, overshadowing and overbearing impact;*
    - g. *minimising pollution from glare or spillage of light from external lighting;*
    - h. *minimising opportunity for crime and maximising natural surveillance;*
    - j. *enhancing the public realm, including high quality open spaces and links to the wider green infrastructure network to promote healthy lifestyles;*
- *Assessment of Impacts*
- 6.8.2 The proposed development is in outline form, and as such, the detailed design and layout of the development is a Reserved Matter for later consideration, however, 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:
  - Rear facing Properties (42 – 68 Welland Avenue evens)
  - Side on Properties (70 – 76 Welland Avenue evens)
  - Amenity Area Properties (19 – 35 Welland Avenue odds)
  - Other Welland Avenue Properties (All properties on Welland Avenue not assessed above)
  - Foxton – Lubenham road Properties (those in the vicinity of Welland Avenue)
 The impacts of the proposals on the above properties are assessed in detail below.



### “Rear facing Properties”

- 6.8.3 These properties are largely orientated away from the main area of development of the existing HMP Gartree, and all feature long rear gardens with extensive mature planting both within them, and along their eastern boundaries (see **Figure 83**). As such, the outlook from these properties is not dominated by the existing prison, with any views being largely filtered by the existing landscaping.



**Figure 83: Aerial photo showing the “Rear facing properties” in relation to the application site**

- 6.8.4 The proposal will potentially result in elements of the new facility being in a direct line of sight from the rear windows of these properties. An observation on site indicates that each of these properties has two windows on the rear elevation at first floor level (apart from those which have been extended such as 62 Welland Avenue), one of which is obscure glazed. An observation of ground floor windows was not easily made, but it would be fair to assume that there are one to two principal windows at ground floor level of each property.



**Figures 84: Extract of Landscape Masterplan showing relationship with “Rear facing properties**

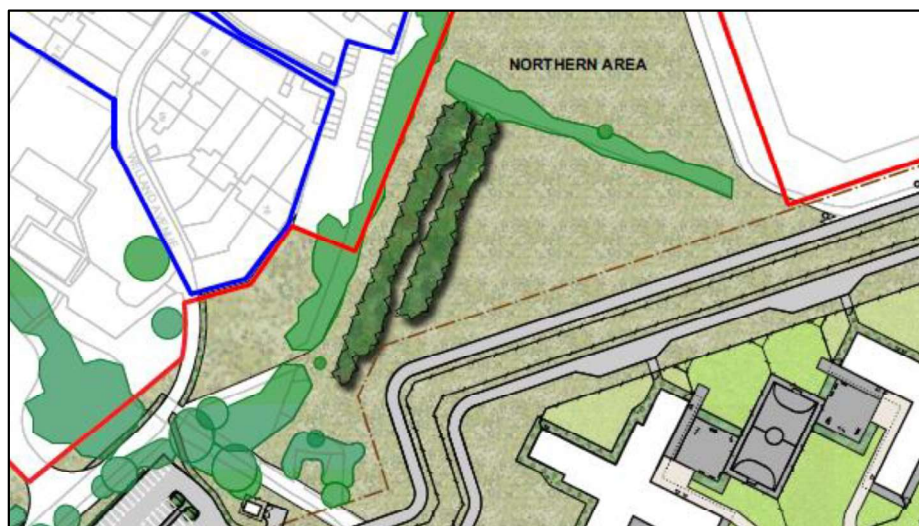
- 6.8.5 The closest element of the proposed development to these properties (as per the indicative layout) is a proposed houseblock (see **Figure 84**). These elements are proposed to be 4storeys tall (approximately 17m high) and approximately 160m to 240m from the rear elevations of these properties. As can be seen from the Landscape Masterplan extract at **Figure 84**, the Applicants are proposing new woodland screening in the “northern area” as well as the retention of the existing tree planting along the western boundary of the site. This additional planting, coupled with the existing planting, will enhance the filtering of any views of the new prison from these properties. Whilst it is acknowledged that the proposals will potentially alter the outlook from these properties, an outlook or view is not a protected characteristic of residential amenity. Due to the distances set out above, and the existing and proposed woodland screening, it is not considered that the proposals would have an overbearing impact, nor – subject to further assessment at Reserved Matters stage – any loss of privacy.
- 6.8.6 Concerns have been raised through representations regarding the potential for “throw-overs” to occur from the Prison. The two lines of fencing are both located within a 38m “clearance zone” (within which there are no secure compounds, which are in themselves surrounded by their own 5.2m tall security fence), or 15m internal clearance (ie the closest accessible point to the inner fence). As such, to clear the outer fence, objects would have to be thrown in excess of 23m, whilst also clearing three 5.2m tall fences. In addition to this, the closest residential boundary of any of these properties to an the outer fence is approximately 100m from the fence, thus increasing the distance objects would have to be thrown to reach a residential property from the secure compound of the proposed prison to approximately 123m.
- ‘Side on properties’
- 6.8.7 These properties are largely orientated away from the main area of proposed development of the existing HMP Gartree, and all feature long rear gardens with extensive mature planting both within them, and along the eastern boundary of No.76 and as set out above (see **Figure 85**). Views from the rear of these properties do take in the existing prison, however, they are largely filtered by the existing landscaping. No.76 has been heavily extended to the side, and also appear to have incorporated land to the east of the property into its residential curtilage, thus bringing the garden area of the property closer to the application site. The side extension features a first floor “Juliette” balcony which faces the application site.
- 6.8.8 The closest element of the proposed development to these properties (as per the indicative layout) is a proposed houseblock (see **Figure 86**). These elements are proposed to be 4storeys tall (approximately 17m high) and approximately 125m from the side elevation of No.76. As can be seen from the Landscape Masterplan extract at **Figure 86**, the Applicants are proposing new woodland screening in the “northern area” as well as the retention of the existing tree planting along the western boundary of the site. This additional planting, coupled with the existing planting, will enhance the filtering of any views of the new prison from these properties. Whilst it is acknowledged that the proposals will almost certainly alter the outlook from No.76 in particular, an outlook or view is not a protected characteristic of residential amenity. Due to the distances set out above, and the existing and proposed woodland screening, it is not considered that the proposals would have an overbearing impact, nor – subject to further assessment at Reserved Matters stage – any loss of privacy.
- 6.8.9 Concerns have been raised through representations regarding the potential for “throw-overs” to occur from the Prison. The two lines of fencing are both located within a 38m “clearance zone” (within which there are no secure compounds, which are in themselves surrounded by their own 5.2m tall security fence), or 15m internal clearance



(ie the closest accessible point to the inner fence). As such, to clear the outer fence, objects would have to be thrown in excess of 23m, whilst also clearing three 5.2m tall fences. In addition to this, the closest residential boundary to an the outer fence is approximately 70m from the fence, thus increasing the distance objects would have to be thrown to reach a residential property from the secure compound of the proposed prison to approximately 93m.



**Figure 85: Aerial photos showing the “Side on properties” in relation to the application site**



**Figures 86: Extract of Landscape Masterplan showing relationship with “Side on properties”**

#### ‘Amenity Area properties’

- 6.8.10 These properties are grouped together around a currently largely used open space to the north-west of Welland Avenue, remote from the main application site (see **Figure 87**). Due to the intervening existing development, these properties will not be affected

by the development of the new Prison. Notwithstanding this, the application proposes that this area be developed as a play area for the use of the surrounding community (see **Figure 88**). No detail of how this would be set out, or what form of play equipment would feature in this area – has been submitted at this stage, and as such, the impact of the development upon the residential amenity of these properties will need to be assessed in greater detail at Reserved Matters stage.



**Figure 87: Aerial photos showing the “Amenity area properties” in relation to the application site**



**Figures 88: Extract of Landscape Masterplan showing relationship with “Amenity area properties”**

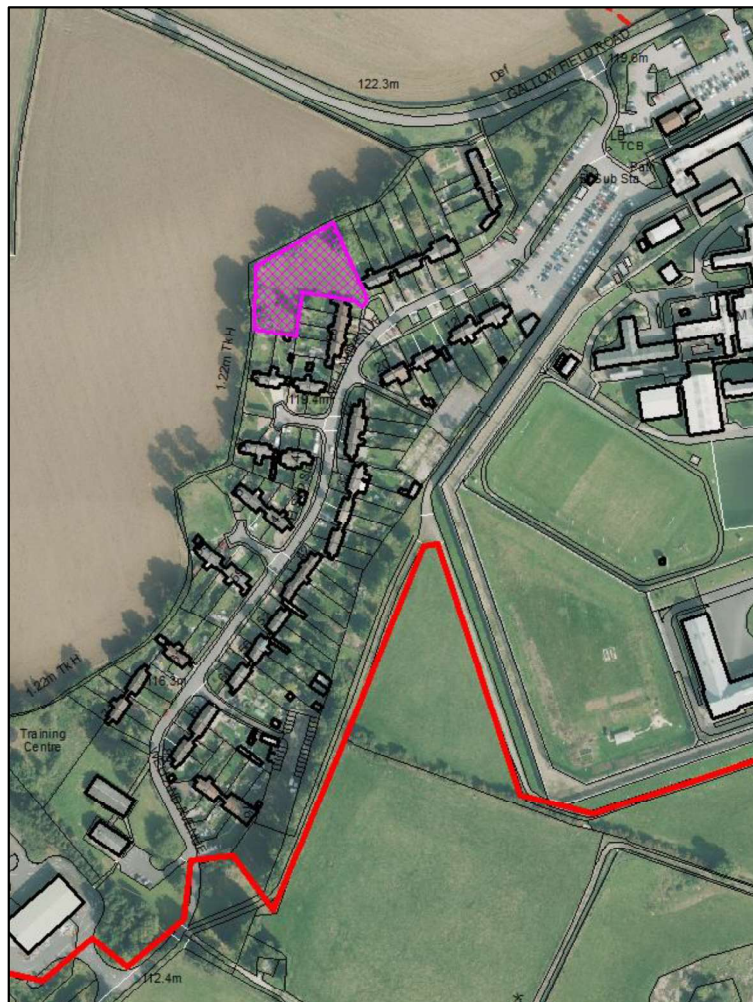
6.8.11 On a site visit to this part of the proposal, it was observed that this area is already informally used as a play area, with football goals being present. However, these were very much temporary in nature and likely to have been placed there by one of the adjoining residents, for use by their children. The provision of formal play equipment in this area will likely increase its usage, and therefore potentially increase the levels of noise and potential disturbance to residents. Notwithstanding this, no representations made by residents against the application have raised this as an area for concern. Concerns have been raised through online stakeholder events regarding



the intensification of use of this area. The intention is that the MoJ would provide and maintain play equipment in this area for the use of residents, maintaining its “low-key” presence so as not to become a destination for visitors. It is not intended that the facility would be made available to visitors to the Prison, with play facilities being included within the proposed ERH at the new prison.

‘Other Welland Avenue properties’

- 6.8.12 These properties are grouped together along Welland Avenue, and – apart from those properties previously assessed above – are remote from the main application site (see **Figure 89**). Due to the intervening existing development, these properties will not be affected by the physical presence of the new Prison. Notwithstanding this, there is the potential for disturbance to be caused to these properties as a result of increased traffic along Welland Avenue. The Applicants have consulted with these residents in an attempt to identify a solution to this issue which would be amenable to all existing residents, such as the closure of Welland Avenue at the western end of the residential development, therefore not providing access to the new prison through the Gartree estate.



**Figure 89: Aerial photos showing the “Other Welland Avenue properties” in relation to the application site**

- 6.8.13 As has already been discussed in **Section 6c3 of this report** This road is not part of the “highway” (as it is privately owned by the residents) and therefore the Highways Authority has no power to enforce any such closure, and likewise, as the road is not under the ownership of the Applicants, they can not propose the closure without the

agreement of the owners, which has not been forthcoming. As such, there is no physical way in which traffic travelling to the new prison can be stopped from using Welland Avenue. Notwithstanding this, it has been observed on a number of site visits that the road surface of Welland Avenue is in a particularly poor state of repair in places, and also that there is a considerable amount of on street parking along its length. These two factors combined mean that, whilst it might be a shorter route (700m as opposed to 2km), it is unlikely to provide any meaningful savings in time over continuing to travel along Gallow Field Road before turning left at Foxton School onto the Lubenham Road, and then accessing the new Prison from the western section of Welland Avenue. Further ways of encouraging drivers to take this route are discussed in more detail within **Section 6c3 of this report**.



**Figures 90: Extract of Landscape Masterplan showing relationship with “Other Welland Avenue properties”**

‘Foxton – Lubenham road Properties’

- 6.8.14 There are two residential properties located to the west of the Foxton – Lubenham road in the vicinity of the Welland Avenue junction which are remote from the main application site (see **Figure 91**). Due to the intervening orientation of the properties and the intervening landscape and topography, and given that they are approximately 480m and 500m from the closest substantial element of the proposal (the ERH), it is unlikely that these properties will be affected by the physical presence of the new Prison. Notwithstanding this, there is the potential for disturbance to be caused to these properties as a result of increased traffic along the Foxton to Lubenham road. Given the nature of this road as part of the highway network, such increases of traffic, where they are within the capacity of the road, are to be expected, as are the accompanying impacts. As is discussed in **Section 6c14 of this report**, the Applicants have submitted a draft Construction Traffic Management Plan in support of the application, and it is considered that by ensuring that construction traffic is controlled in the manner



set out in this Plan, the impact upon the residential amenity of these properties will be minimised as far as is reasonably possible



**Figure 91: Aerial photos showing the “Foxton – Lubenham road properties” in relation to the application site**



**Figures 92: Extract of Landscape Masterplan showing relationship with “Foxton – Lubenham road properties”**

- *Impact of Noise on Residential Amenity*
- 6.8.15 The impact of noise from the development upon the residential amenity of the surrounding residents, could be an issue both during the Construction Phase, and then during the Operational Phase. The noise impact of the Proposed Development is assessed on more detail in **Section 6c5** of this report. In terms of the specific impact upon residential amenity, this can not be fully assessed at this stage and will be subject to more detailed assessment at any subsequent Reserved Matters stage. As set out

in the comments received from HDC's Environmental Health Officer (see **Section 4:4** of this report), the submitted Noise Impact Assessment is considered to be acceptable in principle. Notwithstanding this, confirmation is required from the applicants as to whether piling will take place during the Construction Phase. If this is the case, it would be of concern and would need to be controlled very carefully through a detailed construction method statement (see **Appendix A – Condition 35**). Furthermore, whilst it is appreciated that noise from fixed plant is currently unknown, fixed limits have been set as part of the Noise Impact Assessment, and as such, a condition is recommended (see **Appendix A – Condition 33**) so as to ensure that any subsequent Reserved Matters application is accompanied by a revised Noise Impact Assessment which takes account of the noise limits set in the NIA which accompanies this application.

- *Impact of Lighting on Residential Amenity*

6.8.16 As with the impact of noise upon residential amenity, likewise, the impact of lighting from the development upon the residential amenity of the surrounding residents could be an issue both during the Construction Phase, and then during the Operational Phase. The impact of lighting as a result of the Proposed Development is assessed on more detail in **Section 6c4** of this report. In terms of the specific impact upon residential amenity, this can not be fully assessed at this stage and will be subject to more detailed assessment at any subsequent Reserved Matters stage. As set out in the comments received from HDC's Environmental Health Officer (see **Section 4:4** of this report), whilst the submitted Lighting Assessment goes into detail about the levels of lighting that need to be achieved at different areas on site, and what type of lighting will be installed to achieve such, it does not deal with the impact of light emissions off-site at nearest receptors. Due to the fact that the application is currently in Outline form, the precise locations and details of the proposed lighting is not yet known, and as such, a detailed assessment of the impact of lighting including a prediction, assessment and verification of light emissions (including glare) at nearest receptors can not be carried out. As such, a condition is recommended (see **Appendix A – Condition 17**) so as to ensure that any subsequent Reserved Matters application is accompanied by a revised Lighting Assessment.

- *Summary*

6.8.17 On the basis of the above, Officers consider that there will be no identifiable significant adverse effect on the residential amenity of the neighbouring properties based on the information available at the moment. It is therefore considered that the proposals would accord with Policy GD8 of the Harborough District Local Plan.

## 9. Design

6.9.1 The application has been supported by a Design and Access Statement (DAS) which was prepared by Pick Everard. The DAS sets out the context of the site and the evolution of the proposals. The appearance of the Proposed Development is reserved for consideration at a later date subject to Planning Permission being granted for this Outline application. Notwithstanding the fact that the layout and appearance of the buildings within the proposed development is a Reserved Matter, the Indicative Layout Plan submitted sets out a clear direction of travel for the development and demonstrates how the site could be developed (see **Figure 93**).





- j. *enhancing the public realm, including high quality open spaces and links to the wider green infrastructure network to promote healthy lifestyles;*
- l. *ensuring safe access, adequate parking and servicing areas including for refuse collection in new residential development;*
- m. *ensuring the safe, efficient and convenient movement of all highway users, including bus passengers, cyclists, pedestrians and horse riders;*

Other relevant Design Policy and Guidance is set out in **Section 5** of this report.

- *Existing Site Analysis*

6.9.3 The site is owned by the MoJ and situated to the south of the existing HMP Gartree (Cat B prison). The prison is managed and operated by Her Majesty's Prison and Probation Service (HMPPS). This available, MoJ land, forms the proposed site plan. The site is divided by a shallow valley and stream running north-south with a belt of trees and vegetation. An existing agricultural shed and two small outbuildings in poor condition are positioned to the east of the valley with a man-made mound adjacent. Original airfield taxiways are still present, although in poor condition and mixed with other agricultural style tracks. The remainder of the site area is a collection of small fields for grazing cattle and sheep. Trees and shrubs also line and define the majority of the northern boundary

6.9.4 Paras 174, 179 and 180 of the Framework refer to the requirement to protect and enhance biodiversity, achieving Biodiversity Net Gain (BNG). The proposed development purports to achieve a 26.29% Biodiversity Net Gain, which includes maintaining existing ecological features as a key consideration for the development as already set out in **Section 6c2** of this report. Overhead high voltage power lines cross the western side of the site in a north-south direction. The applicants have made enquiries with Western Power Networks regarding the diversion of these around the perimeter of the site boundary below ground. A new substation has been included in their proposal, separate to any requirements of the new development. The unadopted road of Welland Avenue provides vehicular access to the site and a new connection will be made for the new prison. A parking area will be located in this western part of the site, with the Entrance Resource Hub creating the secure entrance to the new prison.

- *Existing Site Character*

6.9.5 The quality and ecological merit of the site can be appreciated from the aerial view in **Figure 94**. This image also highlights the site's relationship to the existing Cat B prison, the nearby residential area and the surrounding agricultural and rural land. The existing prison is approached by the main access road, to the north of the existing prison. Security requirements had to be considered with the shared boundary treatment between the existing prison and the proposed site, so a space between the existing and proposed perimeter fences has been created suitable to the level of surveillance and monitoring necessary to each establishment.



**Figure 94: Relationship with existing facility**

- *Site Concept*

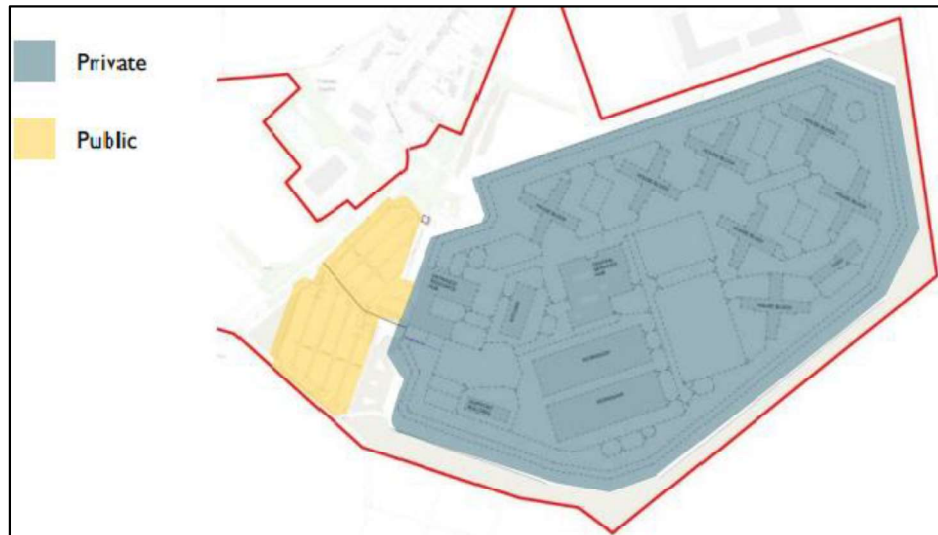
6.9.6 During earlier feasibility studies carried out by the Applicants, site layouts were developed as part of the site selection process. The site layout was developed in accordance with several key considerations, including, but not limited to, the following:

- Planning context
- Visual impact
- Landscape character
- Topography
- Potential infrastructure strategies
- Ecological impact
- Energy conservation
- Passive design principles
- Security requirements and adjacencies
- Operational zoning
- Pedestrian and vehicular flows

As would be expected from such a development, there will be a defined split between public and private realm, this is demonstrated at **Figure 95**. The public areas of the site include the proposed access route, to the carpark, with a dedicated pedestrian and cycle route to the Entrance Resource Hub. The private areas are any prison facilities within the secure compound (see **Figure 95**). The secure compound will be enclosed by a secure perimeter which will comprise of two lines of steel mesh fencing of 5.2m height. The Entrance Resource Hub (inclusive of visitor facilities and administrative space) will form part of the external secure line, with a range of buildings beyond - Central Services Hub (inclusive of healthcare, education and faith) Accommodation Blocks, Kitchen, two Workshop blocks and a Support Building, plus landscaped areas comprising facilities such as MUGA pitches, a horticulture area as well as an all weather multi-use sports pitch

6.9.7 With the site being characterised by significant falls to the centre of the site to the existing watercourse, there is an impact on the massing and position suitability for buildings. The site levels and falls also provide challenges to cut & fill and drainage solutions, requiring pumped foul drainage, ground engineering and retaining structures.

The prominence of the site to the surrounding area means that careful consideration is required to the surrounding area and site levels to the East of the site. Stage 2 proposals seek to minimise visual impact of the development in these areas. Please refer to the description of the Proposed Terracing in Section 7 of this report. Secure compound



**Figure 95: Public / Private Realm**

- *Development Proposals*

#### 6.9.8 Indicative Layout Plan

The planning application is in Outline form, and as such, the final layout is yet to be submitted for consideration. Notwithstanding this, part of the application submission is an Indicative Layout Plan which sets out a clear direction of travel for the development and demonstrates how the site could be developed (see **Figure 93**). It is not considered necessary or appropriate to condition the content of any subsequent Reserved Matters submissions to be in accordance with this plan, however, it provides a useful framework for the consideration of the application. The Indicative Layout Plan clearly demonstrates how all of the necessary facilities can be provided within the site in order to allow it to function as required.

6.9.9 The layout of the new prison as proposed may require minor alterations or deviations from the current proposals as full detailed plans are drawn up. However, the development shown on the submitted drawings has been prepared in accordance with Prison Service guidelines in order to maintain the level of security for a Category B prison. The buildings inside the secure compound are organised so that there is a progression from the Entrance Resource Hub into the site with resident only areas to the rear of the site. The buildings will vary from single to 4 storeys high and will be positioned to provide efficient and secure operation of the prison.

6.9.10 The amount of floorspace proposed is driven by the capacity of the prison and the floorspace comprised within the current building designs. The amount of car parking (507 standard parking spaces and 16 accessible car parking spaces) is based on an analysis of staff and visitors, in accordance with the methodology set out in the Transport Assessment. The amount of land required also reflects the need for certain minimum standards and separation distances between buildings and fence lines, as well as the intention to implement substantial landscape planting for perimeter screening.



### 6.9.11 Appearance

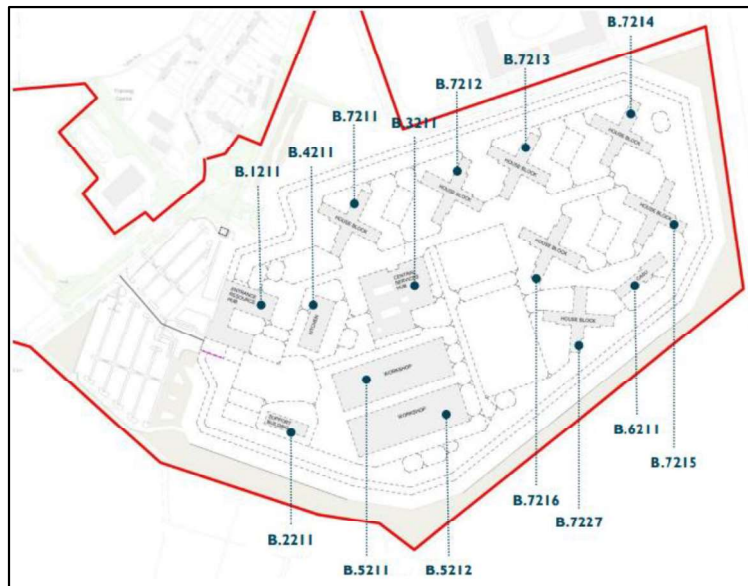
Due to the fact that the application is currently in Outline form, the external appearance of the development is not for consideration or determination at this stage. The appearance of the buildings will be influenced by the security requirements of prison development, and it is anticipated that the eventual external treatment (in terms of general choice of materials) will be similar to those used in recent prison developments in other parts of the UK. Officers will work with the applicants prior to any subsequent Reserved Matters application to identify an appropriate materials palette for the development. The height of the buildings is expected to lie within a height parameter of 6m – 17.5m.

### 6.9.12 Overall Developed site – Gross External Areas (GEA)

In order to identify the proposed GEA of each building at this stage, **Figure 96** identifies the GEA of each floor, each total for the building and the overall total GEA of the proposed developed footprint of the site. **Figure 97** provides a key map of the proposed prison, indicating current building locations and their anticipated footprints.

G2 Building GEA and Total Developed GEA (m <sup>2</sup> )							
Name	Ground	First	First (Mezz)	Second	Third	Roof	Building Total (m <sup>2</sup> )
Building 1211 (ERH)	2669.16	1146.40		913.10			4728.66
Building 2211 (Support)	588.18	193.70				15.50	797.39
Building 3211 (CSH)	3750.91	1917.06					5667.97
Building 4211 (Kitchen)	1195.19	908.93	288.63				2392.76
Building 5211 (Workshops)	4635.13	2019.30					6654.43
Building 5222 (Workshops)	4635.13	2019.30					6654.43
Building 6211 (CASU)	658.62					466.44	1125.06
Building 7211 (HB)	1586.33	1449.74		1586.33	1478.58	1487.89	7588.88
Building 7212 (HB)	1586.33	1449.74		1586.33	1478.58	1487.89	7588.88
Building 7213(HB)	1586.33	1449.74		1586.33	1478.58	1487.89	7588.88
Building 7214 (HB)	1586.33	1449.74		1586.33	1478.58	1487.89	7588.88
Building 7215(HB)	1586.33	1449.74		1586.33	1478.58	1487.89	7588.88
Building 7216 (HB)	1586.33	1449.74		1586.33	1478.58	1487.89	7588.88
Building 7227 (HB)	1586.33	1449.74		1586.33	1478.58	1487.89	7588.88
						Total Developed GEA (m <sup>2</sup> )	81142.83

**Figure 96: Building GEA Table**



**Figure 97: Building GEA Key Map**

#### 6.9.13 Building/Structure Heights

Due to the nature of the different buildings proposed, there will likely be a variation in building heights across the site. Whilst this matter will be largely for consideration at Reserved Matters stage, the applicants have provided cross sections of the proposed development with the anticipated building heights indicated. (see **Figure 98**). Although scale is a reserved matter the iterative process of the preparation of the application has led to following maximum building heights that have been used as a basis for the submitted cross sections.

#### 6.9.14 Building/Structure Heights – House Blocks

Buildings up to a maximum height of 17.5m from ground level to ridge line. This is equivalent to 4 storey buildings.

#### 6.9.15 Building/Structure Heights – Other buildings

There are a variety of other ancillary buildings as part of the development, such as the “Care and Separation Unit”, the “Entrance Resource Hub”, “Central Services Hub and Workshops. These buildings range between approximately 6m and 12m in height.

#### 6.9.16 Following a request from Officers, the Application have provided additional cross sections through the application site and the existing HMP Gartree development (see **Figures 99 & 100**). As can be seen, these indicate that, despite being taller buildings that the existing, due to the topography of the site, the ridge heights of the proposed building would sit below those of the tallest buildings on the existing HMP Gartree. This is demonstrated in particular at cross section BB (see **Figure 100**) where it is indicated that the ridge height at the existing HMP Gartree are between 130.40m AOD and 131.88m AOD whereas the highest ridge height on the proposed development is 130.66m AOD

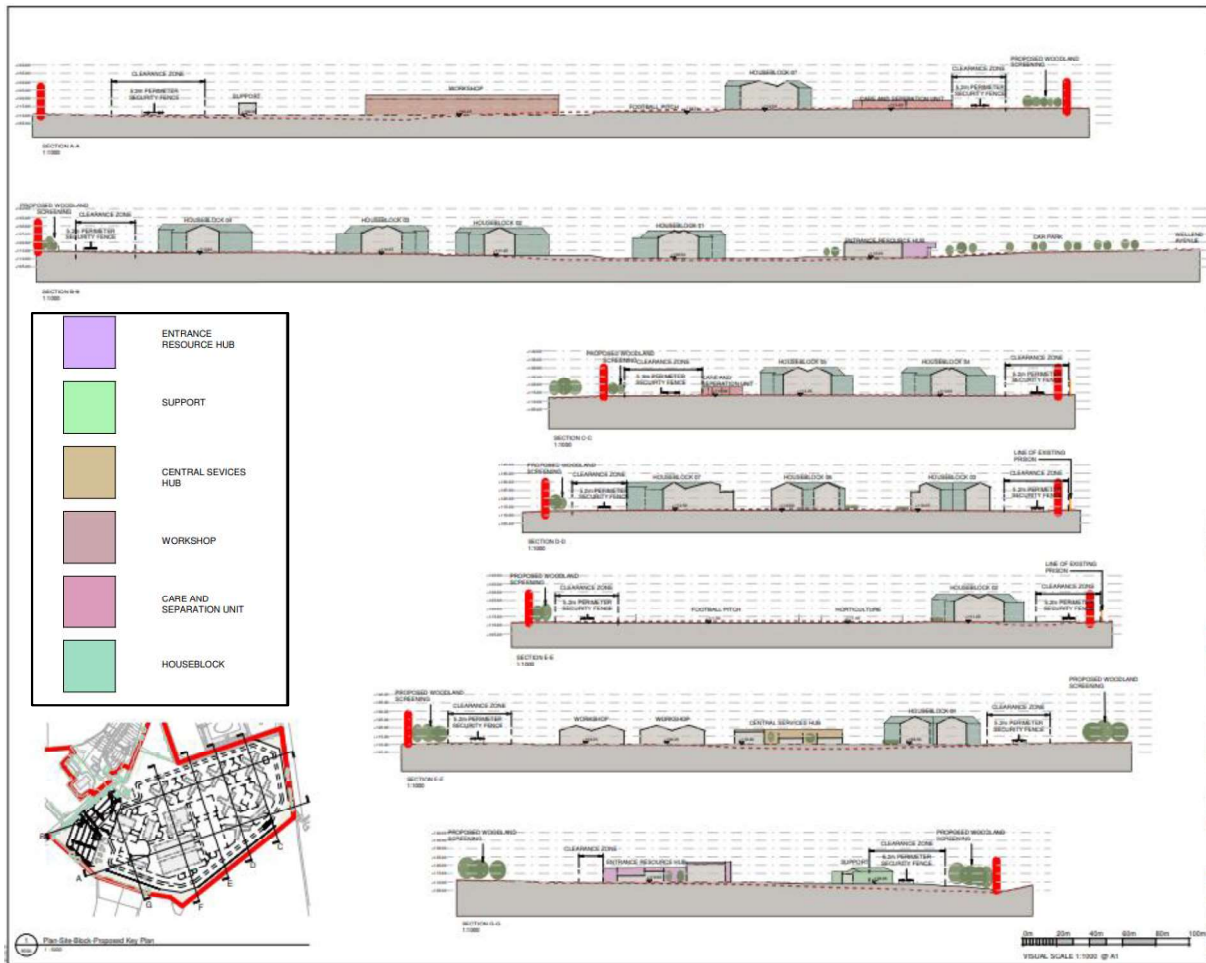


Figure 98: Development Cross Sections

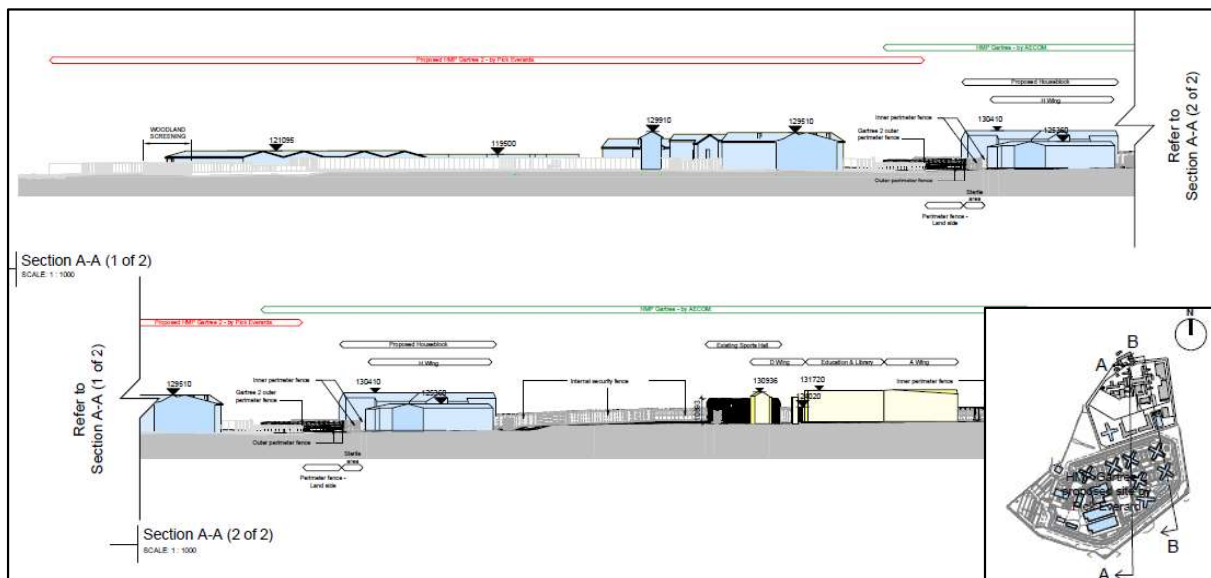
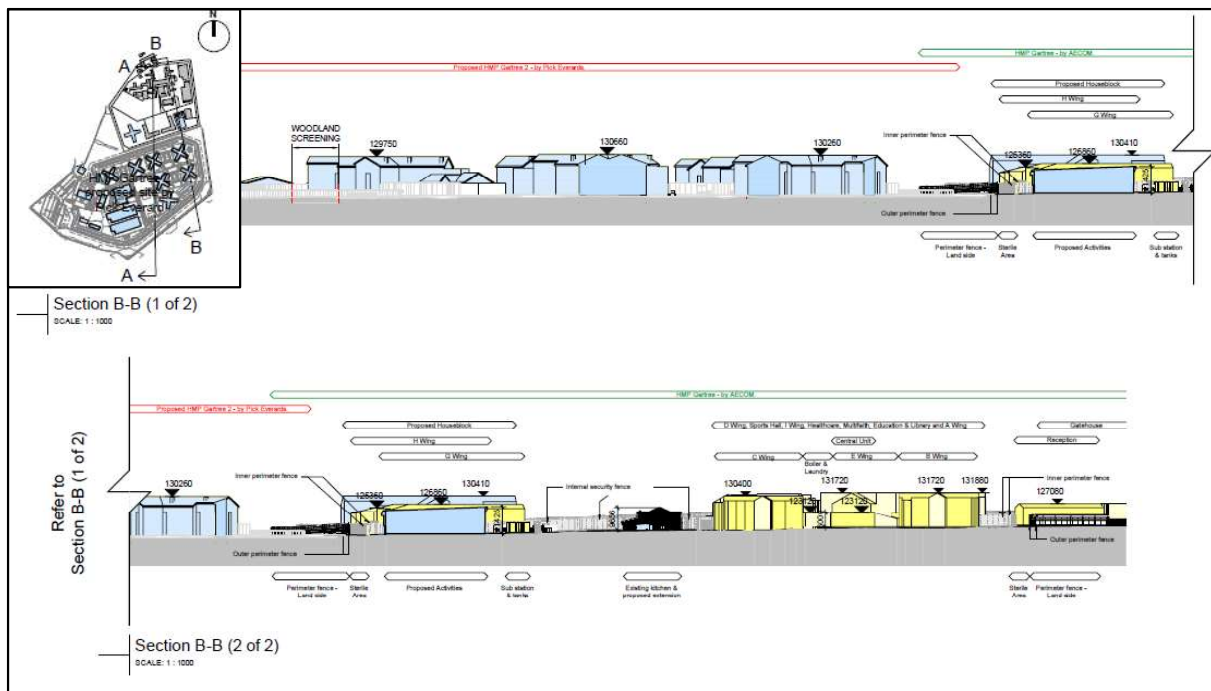


Figure 99: Cross Section AA through the proposed site and the existing HMP Gartree



**Figure 100: Cross Section BB through the proposed site and the existing HMP Gartree**

#### 6.9.17 Building/Structure Heights – Perimeter fence

The perimeter fence consists of an outer and inner fence aligned on a parallel axis approximately 8m apart from each other and will likely measure 5.2m in height. Concerns have been raised through representations regarding the potential for “throw-overs” to occur from the Prison. The two lines of fencing are both located within a 38m “clearance zone” (within which there are no secure compounds, which are in themselves surrounded by their own 5.2m tall security fence), or 15m internal clearance (ie the closest accessible point to the inner fence). As such, to clear the outer fence, objects would have to be thrown in excess of 23m, whilst also clearing three 5.2m tall fences. In addition to this, the closest residential boundary to an the outer fence is approximately 70m from the fence, thus increasing the distance objects would have to be thrown to reach a residential property from the secure compound of the proposed prison to approximately 93m.

- *Lighting*

6.9.18 HMP Gartree general area lighting will be designed so that prison officers, when patrolling at night, can see the outer wall, the inner fence, the sterile area; and all adjacent flanking spaces and buildings; so that these areas can be patrolled safely. The area lying between the inner perimeter road and buildings will also be illuminated. The inner and outer perimeter lighting will also need to be of such a standard that it will allow CCTV cameras and surveillance systems to operate to required performance levels. A condition is recommended so as to ensure that any subsequent reserved matters submission reflects the detail of the Lighting report submitted in support of this application (see **Appendix A – Condition 17**).

#### 6.9.19 Car Park and Access Road Lighting

The car park and road lighting will consist of column mounted luminaires. The columns will likely comprise of 6 metre galvanised steel flange mounted columns. The new car park lighting will need to be designed so as to provide an external illuminance averaging 20 lux at ground level, while the access road lighting will be designed to provide an external illuminance averaging 7.5 lux (minimum 5 lux) at ground level. For security reasons the car park and access road lighting will be illuminated from dusk to dawn.



The luminaires themselves will be of the same type and manufacturer as the general and perimeter lighting consisting of dark sky compliant zero upward light ratio flat glass LED lantern luminaires.

#### 6.9.20 Sports Pitch & MUGA Lighting

Floodlighting will be installed to the new sports pitches to enable their use during low light conditions. The areas themselves will not be used at night and would not be illuminated past 20.00 hours. The new floodlighting will likely consist of LED floodlights mounted on 8 metre galvanised steel flange mounted columns, positioned locally to the areas. The floodlighting will be controlled manually via a local override facility within each of the relevant House Blocks. The new sports external lighting will be designed to provide an external illuminance averaging 120lux at ground level, when operational. A control system will be incorporated into the final designs of the All-weather pitch that will further enable the reduction of lighting to this area down to 7.5 Lux and to enable the lighting to be extinguished when the pitch is not in use.

#### 6.9.21 General Lighting - Service Roads and Free Flow Areas

The general external lighting will consist of a mixture of column mounted and building mounted luminaires mounted at a height of 6 metres. The general building mounted luminaires will be electrically supplied on a building by building basis with their operation controlled via individual local photocell/contactor arrangements. There will also be a manual override facility within the new control room with the capability to switch the general building mounted luminaires on/off if required for emergency, testing and maintenance. The general column mounted external lighting to Internal site footpaths, internal roads, around buildings and general circulation areas will be designed to provide an external illuminance averaging 7.5 lux (minimum 5 lux) at ground level. For security reasons the general lighting will be illuminated from dusk to dawn.

#### 6.9.22 General Lighting - Restricted Compound and Inmate Areas

The general external lighting shall consist of a mixture of column mounted and building mounted luminaires mounted at a height of 6 metres. The general building mounted luminaires will be electrically supplied on a building by building basis with their operation controlled via individual local photocell/contactor arrangements.

##### ○ *Open Space & Green Infrastructure*

#### 6.9.23 Outside of the main element of the application (ie the new prison) there are further areas of interest which form elements of open space and green infrastructure. These are as follows:

- Western area (Biodiversity Net Gain area) (see **Figure 101 – black box**)
- Northern area (see **Figure 101**)
- Play area (see **Figure 101 – yellow box**)
- Landscape belt (see **Figure 101 – green box**)

These areas all serve a distinct purpose as set out below.



**Figure 101: Comprehensive Landscape Masterplan**

#### 6.9.24 Western area

This area has been identified by the applicants as an area in which to accommodate the necessary measure to achieve Biodiversity Net Gain. This strategy has been agreed by LCC Ecology as set out in **Section 6c2** of this report. The BNG area will be open to the public and will include informal pathways connecting to the existing Public Right of Way and will provide informal leisure provision for local residents.

#### 6.9.25 Northern area

This area forms a triangle between the application site, existing prison and the adjacent Welland Avenue properties. The area will accommodate a landscape screen to soften the appearance of the development from the Welland Avenue properties, whilst also providing a visual and acoustic barrier to aid with the mitigation of residential amenity issues

#### 6.9.26 Play area

This area is an existing open space siting between existing residential properties on Welland Avenue. The site is under the ownership of the MoJ, but is used on an informal basis by residents, with evidence of sporting equipment being present on site when Officers have visited the site. The intention is that the MoJ would provide and maintain play equipment in this area for the use of residents, maintaining its “low-key” presence so as not to become a destination for visitors. It is not intended that the facility would be made available to visitors to the Prison, with play facilities being included within the proposed ERH at the new prison.

#### 6.9.27 Landscape belt

This area is located around the south, west and eastern boundaries of the with the primary function of providing screening of the prison within the surrounding landscape replacing habitat which would be lost as part of the development

- *Other Design Matters*
- 6.9.28 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 **Appendix A – Conditions 16 & 17**) or considered as part of any subsequent Reserved Matters submission for the development.
- *Summary*
- 6.9.39 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 would accord with Policy GD8 of the Harborough District Local Plan in this respect.

## 10. Socio-Economics

- 6.10.1 The application is supported by a statement which considers the various socio-economic impacts of the proposed development.

- *Socio-Economic Policy*

- 6.10.2 Policy BE1 of the Harborough District Local Plan contains a specific criterion with regards to employment creation potential of the Proposed Development. Criteria 1a states:

- 1. *Scale and Distribution*

*In addition to the delivery of existing commitments, a minimum of 59 hectares for office B1(a) and (b), industrial B1(c) and B2, and storage and distribution B8 will be provided in the following locations:*

*a. at Market Harborough, a minimum of 24 hectares including the following allocations:*

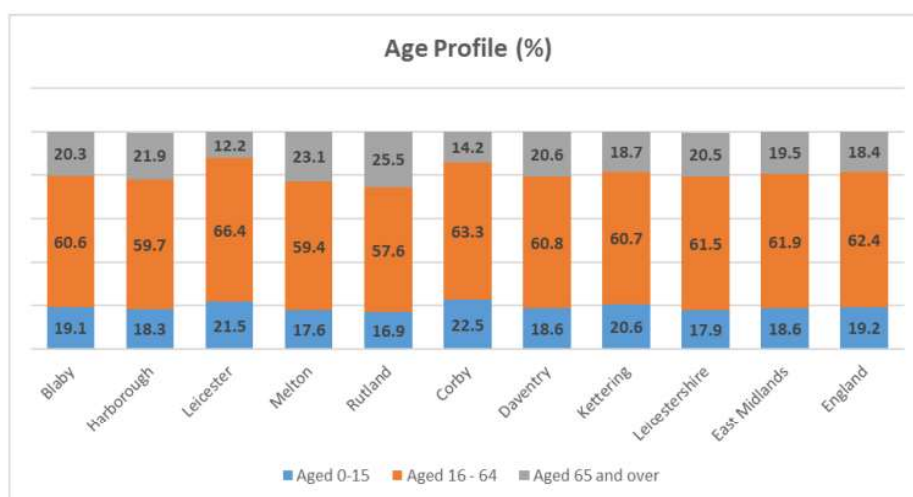
- i. Land at Airfield Farm (North West Market Harborough SDA) – approximately 13 hectares in accordance with Policy MH4.*
- ii. Airfield Business Park, Leicester Road - approximately 6 hectares in accordance with Policy MH5;*
- iii. Compass Point Business Park, Northampton Road - approximately 5 hectares in accordance with Policy MH6;*

Other relevant Socio-Economic Policy and Guidance is set out in **Section 5** of this report.

- *Demographic Context*

- 6.10.3 The submitted study has examined the impact of the development on Harborough District but given the nature of the development, data for Harborough district has been analysed alongside comparison data for other local authorities adjacent to the area and Leicestershire to provide a broader local context; the East Midlands to provide regional context; and England has been used to provide higher-level evaluation and comparison of national norms.
- 6.10.4 Office for National Statistics (ONS) data for 2020 shows that Leicestershire has a total population of c.706,200, with Harborough District having a population of c.93,800. **Figure 102** shows the age profile of the residential population according to ONS 2020 Population Estimates data for Harborough, other representative Local Authorities, the East Midlands and for England.
- 6.10.5 As can be seen, the East Midlands region has a slightly high (in comparison to the national picture) percentage of population defined in the age group 65 and over, however, overall it is broadly consistent with the national norms in terms of overall age profile. Except for Leicester and Corby, all the Local Authority areas reviewed in the study exceeded these norms in the 'Aged 65 and over' category. Rutland has the

highest (25.5%) followed by Melton (23.1%) and then by Harborough (21.9%). In terms of the working age population (i.e. those aged 16 to 64) in the comparison areas, with the exception of Leicester and Corby, all show lower percentages than the national norm (62.4%). This variance against the regional and national norm is greatest in Rutland (57.6%), Harborough (59.7%) and Melton (59.4%). This data needs to be considered in the context of access to local workforce resources. However, by virtue of the fact that the variance is relatively minor, the report concludes that it is unlikely that age profile will be a major factor in determining impacts at local and regional levels.



**Figure 102: Age Profile by Local Authority, Region and Country**

6.10.6 **Figure 103** shows the statistics for those identified as 'Economically active' in the defined local areas, region and for comparison, England. Labour supply statistics for the East Midlands' region from the annual population survey show that those classed as 'Economically Active' as a percentage of the 16-64 population is consistent with national norms for England as a whole. Those classified as 'Unemployed' as a percentage of 'Economically Active' is consistent with the national percentage. Data for the study area reveal consistently lower percentages classified as 'Unemployed' (as a percentage of those economically active) except for Leicester which records a rate consistent with the national percentage; however, the percentage of those classified as 'In Employment' in Leicester (72.5%) is lower than the national percentage (76.2%). This corresponds to a lower percentage for 'Economically Active' in Leicester also.

6.10.7 The numbers of those defined as 'Economically inactive' and the percentage of those that are classified as those who are 'Economically inactive who want a job' is shown at **Figure 104**. The reports concludes that this data reveals that the percentage of those classed as 'Economically Inactive' who are seeking employment in the local defined authority areas of Blaby (28.4%), Melton (37.2%), Rutland (27%), Corby (26.3%) and Kettering (32.9%) are higher than the regional percentage (24.6%) and the national percentage (20.9%). Leicester is consistent with the regional percentage. No statistics are available for Harborough or Daventry



Area	Economically active		In Employment		Employees		Self employed		Unemployed	
	Numbers	%	Numbers	%	Numbers	%	Numbers	%	Numbers	%
Blaby	47,400	80.1	46,200	78.1	41,700	70.5	4,500	7.6	1,200	2.5
Harborough	47,100	89.7	46,300	88.2	39,300	74.8	7,000	13.4	!	!
Leicester	178,400	75.5	171,200	72.5	154,000	65.2	17,200	7.3	7,200	4.1
Melton	25,000	84.9	25,000	84.9	22,500	76.3	2,100	7.0	!	!
Rutland	15,500	78.6	15,000	75.7	12,100	61.3	2,800	14.0	600	3.8
Corby	40,500	87.6	39,000	84.5	36,500	79.0	2,500	5.5	!	!
Daventry	41,400	83.4	40,200	80.9	32,700	65.9	7,400	15.0	!	!
Kettering	51,800	85.1	50,400	82.8	45,300	74.5	5,100	8.3	!	!
Leicestershire	352,500	83.1	341,600	80.6	301,400	71.1	39,200	9.2	10,900	3.1
East Midlands	2,349,600	79.7	2,262,500	76.8	1,964,000	66.6	293,400	10.0	87,100	3.7
England	27,681,300	79.4	26,561,800	76.2	22,607,900	64.9	3,866,300	11.1	1,119,400	4.0
! Estimate and confidence interval not available since the group sample size is zero or disclosive (0-2).										

**Figure 103: Labour Supply – Economic Activity (April 2019 – March 2020)**

Area	Economically inactive		Economically inactive who want a job	
	Numbers	%	Numbers	%
Blaby	11,800	19.9	3,300	28.4
Harborough	5,400	10.3	!	!
Leicester	57,800	24.5	14,400	24.9
Melton	4,500	15.1	1,700	37.2
Rutland	4,200	21.4	1,100	27.0
Corby	5,700	12.4	1,500	26.3
Daventry	8,200	16.6	!	!
Kettering	9,100	14.9	3,000	32.9
Leicestershire	71,500	16.9	23,000	32.1
East Midlands	597,400	20.3	146,800	24.6
England	7,163,400	20.6	1,496,600	20.9
! Estimate and confidence interval not available since the group sample size is zero or disclosive (0-2).				

**Figure 104: Economically Inactive (April 2019 – March 2020)**

- 6.10.8 In the twelve months to end of 2020, Q2 (12 months ending) Leicestershire had recorded 59.23 crimes per 1000 people, this ranks Leicestershire 6 out of 25 in all English local authorities. Devon had the lowest number of offences 44.48 crimes per 1000 people in this quarter with Derbyshire having the largest number at 97.65 crimes per 1000 people offences. The number of offences in Leicestershire had decreased from 63.17 crimes per 1000 people in the last equivalent period. Harborough District had recorded 49.09 crimes per 1000 people, this ranks Harborough 24 out of 188 in All English district local authorities; Corby had recorded 94.62 crimes per 1000 people, this ranks Corby 132 out of 188 in local authorities. Leicester recorded 114.60 crimes per 1000 people, this ranks Leicester 50 out of 57 in All English unitary authorities.

○ *Assessment of Socio-Economic Impacts*

**6.10.9 Economic Benefits**

The principal economic benefits of the proposed development will come in two phases, the Construction phase of the development, then, once completed, the Operational phase.

- 6.10.10 The construction phase would result in an increase in temporary jobs. This would generate increased GVA due to the purchase of goods and services in the local and regional supply chain.
- 6.10.11 The construction process would require specialist skills and techniques and productivity gains associated with the construction method will likely reduce the total number; therefore, the applicants assume that the majority of these jobs would be filled from outside the local area, within the wider county. The Economic Impact of a New Prison report<sup>68</sup> indicates that 10% of construction jobs (approx. 135 in total) would/should be undertaken by local residents, this is forecast to be c.13 FTE construction jobs for local residents. Officers have liaised closely with representatives of the MoJ and have secured an undertaking that a Local Labour Agreement will be secured as an obligation within any future S106 Agreement associated with the development (see **Appendix B**). The GVA for the Proposed Development could be c.£129.3 million based on the cost of construction provided. Like turnover/expenditure, this would be a one-off occurrence over the project lifecycle (not per annum).
- 6.10.12 The submitted report states that the expenditure incurred to build the Proposed Development would be multiplied throughout the supply chain of the businesses involved. The businesses in the supply chain would therefore employ staff to deliver the work. The expenditure of staff employed to build the Proposed Development would also be multiplied throughout the economy. The Additionality Guide produced by English Partnerships provides multiplier ratios to estimate the multiplier impacts from supplier spending; the Economic Impact of a New Prison report<sup>69</sup> utilised this guidance to apply multipliers of 1.1 at local level and 1.5 at regional level. The applicants suggest that the businesses directly involved in the construction would spend money on goods and services within the supply chain. Utilising the above multiplier ratios (again at local and regional level), the construction of the Proposed Development could support a further c.£106.5 million turnover/expenditure through supply chain activities at regional level, of which £35.8 million could be expected to occur at the local level. Additional turnover/expenditure could generate a further £35.5 million GVA at regional level, of which £12.9 million could be expected to occur at the local level. Using the economic multipliers above, the applicants suggest that the additional turnover/expenditure and GVA would mean that a further 40 jobs could be supported at region level, of which 13 which could be expected at the local level. All impacts for the construction phase, in terms of jobs, turnover/expenditure and GVA, would be supported on a temporary basis, aligned to the spend taking place during the construction period.

---

<sup>68</sup> [20052013 Economic Impact of Prison DRAFT for client v3 \(crimeandjustice.org.uk\)](https://www.crimeandjustice.org.uk/sites/crimeandjustice.org.uk/files/Economic%20Impact%20of%20a%20New%20Prison.pdf)  
(<https://www.crimeandjustice.org.uk/sites/crimeandjustice.org.uk/files/Economic%20Impact%20of%20a%20New%20Prison.pdf>)

<sup>69</sup> [20052013 Economic Impact of Prison DRAFT for client v3 \(crimeandjustice.org.uk\)](https://www.crimeandjustice.org.uk/sites/crimeandjustice.org.uk/files/Economic%20Impact%20of%20a%20New%20Prison.pdf)  
(<https://www.crimeandjustice.org.uk/sites/crimeandjustice.org.uk/files/Economic%20Impact%20of%20a%20New%20Prison.pdf>)

- 6.10.13 The above impacts are gross and do not allow for factors such as deadweight, leakage, displacement and substitution. Ratios have therefore been identified for each of these factors. When applying these factors, it is possible to estimate that the construction of the Proposed Development, would create c.£72.8 million GVA, c.76 jobs (of which 8 would be local). Including multipliers, the Proposed Development could temporarily support 23 net new jobs in the region with 3 being drawn from the local area; £21.8 million additional turnover/expenditure to the region of which £3.2 million additional GVA would be attributed at local level. All net impacts for the construction phase, in terms of jobs, turnover/expenditure and GVA, would be supported on a temporary, one-off basis, in line with the lifecycle of the construction programme.
- 6.10.14 Once complete, the development would provide an ongoing, annual economic impact known as the Operational Impact. All these impacts are new or 'gross', as despite the proximity of the proposals to the existing HMP Gartree, it will be a completely new and separate prison; the existing facilities will continue to operate throughout and beyond the construction period. The prison is therefore not expected to displace any existing economic activity, unlike a new retail or commercial unit for example, which might compete with existing retailers or businesses. For the purposes of the submitted socio-economic report, most of the impacts are identified at the wider regional level, but local impacts are also outlined where applicable. It is also acknowledged that the impacts will be 'spread' across local and regional boundaries into other adjacent authorities. It has also been assumed that the new prison would be at full capacity once operational.
- 6.10.15 The MoJ's Economic Impact of a New Prison (2013)<sup>70</sup> report identified that 54% of the 780 staff at the prison could be expected to live in the local area. This is in recognition that specialist skills would be required for positions such as Prison Officers, some of which would need to be sourced from outside the local area. Considering that to ensure operational capability when opening any new prison, experienced staff would be used, who are likely to come from outside the region. Taking current staffing data relating to comparable facilities provided by the MoJ, and using current analysis undertaken by the MoJ relating to distances commuted by staff across all categories, it is possible to make several assumptions that impact this ratio. Applying the up-to-date MoJ data to the Proposed Development means that c.740 jobs could be occupied by people residing within a 40 miles radius of the Proposed Development and c.40 posts could be filled by people from elsewhere. Based on MoJ staffing data, this would realise a total salary income of c.£17.1 million.
- 6.10.16 The MoJ identified that spending on goods and services by a prison is equivalent to £6,700 per prisoner per annum. When adjusting this figure for inflation, the total spend per annum on 1,715 prisoners could be c.£13.7 million. The MoJ identified that 19 per cent of the expenditure is spent in the local area. This means that c.£2.7 million could be expected to be retained in the local area per annum<sup>71</sup>. The MoJ's Economic Impact

---

<sup>70</sup> [20052013 Economic Impact of Prison DRAFT for client v3 \(crimeandjustice.org.uk\)](https://www.crimeandjustice.org.uk/sites/crimeandjustice.org.uk/files/Economic%20Impact%20of%20a%20New%20Prison.pdf)  
(<https://www.crimeandjustice.org.uk/sites/crimeandjustice.org.uk/files/Economic%20Impact%20of%20a%20New%20Prison.pdf>)

<sup>71</sup> [20052013 Economic Impact of Prison DRAFT for client v3 \(crimeandjustice.org.uk\)](https://www.crimeandjustice.org.uk/sites/crimeandjustice.org.uk/files/Economic%20Impact%20of%20a%20New%20Prison.pdf)  
(<https://www.crimeandjustice.org.uk/sites/crimeandjustice.org.uk/files/Economic%20Impact%20of%20a%20New%20Prison.pdf>)

report<sup>72</sup> quantifies the total turnover per job as £59,200. This means that 230 FTE jobs could be supported in the wider economy because of expenditure by the prison. Of these jobs, 46 FTE could be expected to be occupied by local residents. The expenditure on goods and services would be multiplied throughout the supply chain of businesses providing goods and services to the prison (e.g. suppliers of the caterers which provide food to the prison). Therefore, adopting the methodology of the MoJ's Economic Impact report and applying a mid-point multiplier ratio of 1.3<sup>73</sup>, a further c.£17.9 million could be spent in the region's economy.

6.10.17 The MoJ's Economic Impact report<sup>74</sup> identified an induced spend per employee (per annum) of £14,905 for locally residing staff and £2,638 for non-local staff (when adjusted for inflation). Based on modelling derived from current MoJ data relating to staff residing within a 40 miles radius of the Proposed Development this provides a potential total spend per annum of c.£12.1 million locally. The expenditure of prison staff supports jobs in the wider economy. The MoJ's Economic Impact report<sup>75</sup> identified that induced expenditure of £137,000 per annum was enough to support one FTE job. On this basis, and adjusting for inflation, it is expected that 34 induced jobs could be supported from the expenditure locally. The MoJ Economic Impact report<sup>76</sup> identified that the average spend by visitors of prisoners was £9.23. When adjusted for inflation, with an average of 37 visits per prisoner per annum. The 1,715 prisoners at the Proposed Development could therefore generate c.63,500 visits per year, leading to a potential £644,569 annual expenditure from prison visitors. As with the expenditure of prison staff, the expenditure of prison visitors also supports jobs in the wider economy. Utilising the same figure from the MoJ's Economic Impact report<sup>77</sup> (and adjusting for inflation), whereby £137,000 per annum spend supports one FTE job, this could result in a further 2 FTE jobs supported in the economy. These induced jobs from visitor spend would be locally based, as visitor spend would occur locally when they visit the prison.

#### 6.10.18 Community Benefits

The potential socio-economic benefits of the proposal go beyond the normally recognised ones of job creation and increased GVA. As an example, the recently opened HMP Five Wells in Wellingborough operates on with a heavy emphasis on community engagement, be this in terms of the integration of local businesses into the training and educational element of the prison, or the visitors hall being made available for community use one day per week, or facilities being made available within the Entrance Hub for the local MP to host their surgery sessions, therefore

---

<sup>72</sup> [20052013 Economic Impact of Prison DRAFT for client v3 \(crimeandjustice.org.uk\)](https://www.crimeandjustice.org.uk/sites/crimeandjustice.org.uk/files/Economic%20Impact%20of%20a%20New%20Prison.pdf)  
(<https://www.crimeandjustice.org.uk/sites/crimeandjustice.org.uk/files/Economic%20Impact%20of%20a%20New%20Prison.pdf>)

<sup>73</sup> The MoJ's Economic Impact of a New Prison report (2013) referred to multiplier effects of 1.1 at local level and 1.5 at regional level.

<sup>74</sup> [20052013 Economic Impact of Prison DRAFT for client v3 \(crimeandjustice.org.uk\)](https://www.crimeandjustice.org.uk/sites/crimeandjustice.org.uk/files/Economic%20Impact%20of%20a%20New%20Prison.pdf)  
(<https://www.crimeandjustice.org.uk/sites/crimeandjustice.org.uk/files/Economic%20Impact%20of%20a%20New%20Prison.pdf>)

<sup>75</sup> [20052013 Economic Impact of Prison DRAFT for client v3 \(crimeandjustice.org.uk\)](https://www.crimeandjustice.org.uk/sites/crimeandjustice.org.uk/files/Economic%20Impact%20of%20a%20New%20Prison.pdf)  
(<https://www.crimeandjustice.org.uk/sites/crimeandjustice.org.uk/files/Economic%20Impact%20of%20a%20New%20Prison.pdf>)

<sup>76</sup> [20052013 Economic Impact of Prison DRAFT for client v3 \(crimeandjustice.org.uk\)](https://www.crimeandjustice.org.uk/sites/crimeandjustice.org.uk/files/Economic%20Impact%20of%20a%20New%20Prison.pdf)  
(<https://www.crimeandjustice.org.uk/sites/crimeandjustice.org.uk/files/Economic%20Impact%20of%20a%20New%20Prison.pdf>)

<sup>77</sup> [20052013 Economic Impact of Prison DRAFT for client v3 \(crimeandjustice.org.uk\)](https://www.crimeandjustice.org.uk/sites/crimeandjustice.org.uk/files/Economic%20Impact%20of%20a%20New%20Prison.pdf)  
(<https://www.crimeandjustice.org.uk/sites/crimeandjustice.org.uk/files/Economic%20Impact%20of%20a%20New%20Prison.pdf>)



benefitting from the enhanced security on offer at the Prison. Whilst it is acknowledged that, due to the higher security category being proposed as part of this application (HMP Five Wells is a Category C facility, rather than the Category B facility proposed here), there are opportunities that can be investigated. The MoJ have committed to working with the management team, the local Council and the wider community to discuss such initiatives and to allow them to evolve organically over the course of time prior to the opening of the facility if approved. These benefits, and the mechanisms to secure them are discussed in more detail in **Section 6d** of this report.

#### 6.10.19 Strategic Benefits

Employment opportunities created because of the staffing needs of the Proposed Development could marginally increase the demand for housing; jobs may be filled by existing MoJ personnel and/or new recruits migrating to the area. However, it is anticipated that additional demand is unlikely to significantly affect the local housing market. The MoJ Economic Impact report<sup>78</sup> states that there is insufficient evidence to state whether the location of a prison close to residential areas has an impact on the attractiveness of the area to rent and buy residential properties. This is because the housing market is affected by a multitude of factors, the majority of which are situated outside the local area. The report referenced analysis of house prices for the postcodes surrounding case study prisons, consultation with local estate agents and compared them against regional and national prices. No clear difference in prices was attributed to the location in relation to proximity to a prison<sup>79</sup>. It is therefore considered that the Proposed Development is unlikely to have a long-term significant impact on house prices as the Proposed Development is located adjacent to existing prison facilities.

6.10.20 The development of a new Category B prison alongside the existing facilities would provide an additional 1,715 prison spaces. Furthermore, due to being newly designed, the prison would also result in improved facilities being available, supporting the effective rehabilitation and increased safety of prisoners.

6.10.21 The prison population is currently forecast to increase over the next 10 years reaching unprecedented levels by the end of the decade. The MOJ and its executive agency, Her Majesty's Prison and Probation Service (HMPPS) is embarking on a programme of prison expansion, delivering over 18,000 additional prison<sup>80</sup> places through a portfolio of programmes and projects, including the 10,000 Additional Prison Places Programme, first announced by the Prime Minister in August 2019. That commitment was part of the Conservative manifesto (2019) which confirmed the Government would 'add 10,000 more prison places, with £2.75 billion already committed to refurbishing and creating modern prisons'. The Government announced in June 2020<sup>81</sup>, that four new prisons would be built across England over the next six years as part of the 10,000 Additional Prison Places Programme. In 2021, the commitment

---

<sup>78</sup> [20052013 Economic Impact of Prison DRAFT for client v3 \(crimeandjustice.org.uk\)](https://www.crimeandjustice.org.uk/sites/crimeandjustice.org.uk/files/Economic%20Impact%20of%20a%20New%20Prison.pdf)  
(<https://www.crimeandjustice.org.uk/sites/crimeandjustice.org.uk/files/Economic%20Impact%20of%20a%20New%20Prison.pdf> )

<sup>79</sup> [20052013 Economic Impact of Prison DRAFT for client v3 \(crimeandjustice.org.uk\)](https://www.crimeandjustice.org.uk/sites/crimeandjustice.org.uk/files/Economic%20Impact%20of%20a%20New%20Prison.pdf)  
(<https://www.crimeandjustice.org.uk/sites/crimeandjustice.org.uk/files/Economic%20Impact%20of%20a%20New%20Prison.pdf> )

<sup>80</sup> [Spending Review 2020 documents - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/spending-review-2020-documents)  
(<https://www.gov.uk/government/publications/spending-review-2020-documents> )

<sup>81</sup> [Four new prisons boost rehabilitation and support economy - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/four-new-prisons-boost-rehabilitation-and-support-economy)  
(<https://www.gov.uk/government/news/four-new-prisons-boost-rehabilitation-and-support-economy> )

for 18,000 new spaces was increased to 20,000 as part of the Autumn Budget and Spending Review<sup>82</sup>.

- 6.10.22 These 10,000 additional prison places are a major step in a multi-billion-pound programme to deliver modern prisons that will help boost rehabilitation and reduce reoffending, providing improved security and additional training facilities to help offenders find employment on release. The Government has made it clear that the four new prisons form a major part of plans to transform the prison estate and create environments where offenders can be more effectively rehabilitated and turned away from crime for good. The Government has also stated that as well as providing a boost to our Criminal Justice System (CJS) and contributing to its reform, the four new prisons will create thousands of new permanent jobs and send a clear signal that the Government can and will continue to invest in the vital national infrastructure this country needs.
- 6.10.23 The New Prisons programme aligns with the HMPPS Business Strategy: Shaping our Future<sup>83</sup> and vision of 'working together to protect the public and help people lead law-abiding and positive lives', and delivers against the four HMPPS principles, all of which have clear social benefits:
- Enable people to be their best.
  - Transform through partnerships.
  - Modernise our estates and technology.
  - An open, learning culture.
- 6.10.24 The Project is also strongly aligned with MoJ's guiding principles and is central to delivering two of the three MoJ Priority Outcomes set out in the MoJ Outcome Delivery Plan 2021 – 2022<sup>84</sup>, both of which, again, have clear benefits to society:
- i. Protect the public from serious offenders and improve the safety and security of our prisons.
  - ii. Reduce reoffending.
- 6.10.25 In the recent past, there has been an imbalance between the needs of prisoners and the types and locations of prisons they are held in. A need has been identified by MoJ for the new Category B Training Prison, and as such, this proposal would meet an identified need. The New Prisons Programme is focused on delivering the right type of prisons at the right time. Historically the prison estate has built Category C prisons to Category B standards, this allows flexibility to hold Category B prisoners should this cohort increase. This programme has taken the approach to design each prison specifically for the cohort it is being built to hold. This enables the establishments to better meet the distinct services that each cohort needs, which in turn transforms our prisons into places of rehabilitation. Category B training prisons have more heavy/complex industry workshops, feature longer educational courses and have a higher demand for inpatient facilities than resettlement prisons.
- 6.10.26 The four new prisons have been designed to hold prisoners in an environment specifically suited to meet their rehabilitative needs, that enables a regime specifically designed to address their offending behaviour. This design will also significantly improve levels of safety for both prisoners and staff when compared to prisons of the

---

<sup>82</sup> [Autumn Budget and Spending Review 2021 \(HTML\) - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/autumn-budget-and-spending-review-2021-documents/autumn-budget-and-spending-review-2021-html)  
(<https://www.gov.uk/government/publications/autumn-budget-and-spending-review-2021-documents/autumn-budget-and-spending-review-2021-html> )

<sup>83</sup> <https://www.gov.uk/government/publications/hmpps-business-strategy-shaping-our-future>

<sup>84</sup> <https://www.gov.uk/government/publications/ministry-of-justice-outcome-delivery-plan/ministry-of-justice-outcome-delivery-plan-2021-22#c-priority-outcomes-delivery-plans>

same category within the existing estate, again, providing clear social benefits, not only to prisoners, but also to the staff working at the facility.

- 6.10.27 HMPPS modelling has indicated that, if the MoJ did nothing to expand the existing estate save for new prisons already under construction, Category B Training demand would outstrip capacity by c. 2,140 nationally in April 2027. Further to this a Category B Training Prison provides crucial flexibility as it can house Category C cohorts, should the forecast population change in the future. Such a change would likely alter the dynamic of the relationship between the Prison and the local community due to increased integration of Prisoners into the community (including day release on license to vocational placements and being release from the Prison at the end of their sentence). To this end, Officers have secured a S106 obligation (see **Appendix B** of this report) requiring an amended Community Engagement Scheme (see **Para 6.10.18** and **Section 6d** of this report) be submitted to and approved in writing prior to any such change of Category coming in to force. The amendment of this agreement in these circumstances would enable the District Council to ensure that the prison continues to benefit the community as far as possible, whilst also minimising the impacts of any change in category.

#### 6.10.28 Health Impacts

The promotion of health and wellbeing for the future occupants and employees of the Proposed Development and the surrounding local community has been a key consideration in its design. Not only will the prison be energy efficient and sustainable, but it will aim to achieve the majority of the health and wellbeing credits under the BREEAM 2018 UK New Construction assessment.

##### ○ *Summary*

- 6.10.29 On top of the highly significant contribution the need for additional Prison spaces (which has already been attributed weight earlier in this report), the majority of the remaining social and economic provision as part of the development comes as a result of the employment generation of the development, both during Construction and Operational phases. In summary, the Proposed Development would attract the following Social and Economic benefits:

- Economic:

- 6.3 76 net fte jobs during the construction period.
- 6.4 Estimated £72.8 million GVA (net) during the construction period, with an additional £21.8 million indirect and induced GVA (gross).
- 6.5 778 fte jobs created during the operational stage, with approximately 737 employees likely to reside locally.
- 6.6 The operational spend of the prison will amount to £13.7 million, with £2.7 million being retained locally supporting 276 jobs at a regional level.
- 6.7 The operational regional supply chain spend will equate to £17.5 million per annum.
- 6.8 Expenditure from prison staff and visitors within the local and regional economy will equate to £12.1 million per annum, supporting 236 jobs.

- 7 Social:

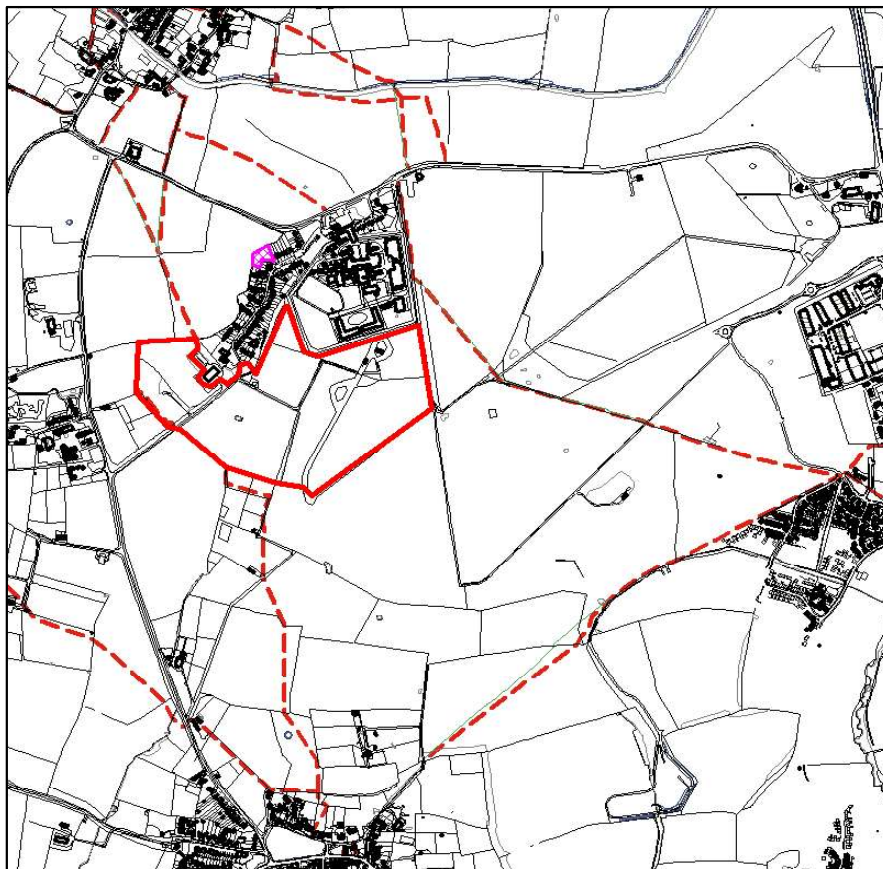
- 7.3 Delivering new prison places to meet an identified need, in the right geographical location;
- 7.4 Providing safe, secure and modern facilities to deliver improved outcomes for prisoners and reduce reoffending rates;
- 7.5 Local apprenticeship, training and supply chain opportunities will be created throughout the construction and operational stages of the development.
- 7.6 The appointed contractor will be contractually obliged to meet key performance targets including: a 25% local spend within 25 miles of the

site; £50,000 spend with voluntary, community and social enterprises; and at least 1 community project per year.

It is therefore considered that the proposals will have a major beneficial impact upon the socio-economic profile of the District and surrounding area and would therefore accord with Policy IN1 of the Harborough District Local Plan and the is in keeping with the spirit of Policy BE1 of the Harborough District Local Plan in this respect.

## 11. Footpaths

- 6.11.1 There is one public footpath within the site the A22 footpath which runs from Welland Avenue north towards Foxton School (and on towards the village) running inside the western and northern boundaries of the “Biodiversity Net Gain” area. Footpath A22 also runs southeast of Welland Avenue for approximately 180m along the inner edge of the application site boundary. (see **Figure 105**). There are also a number of other footpaths in the area, particularly footpath A35 which runs from the eastern edge of HMP Gartree towards the North-west Market Harborough SDA.



**Figure 105: Existing Rights of Way around the site**

- *Footpath and connectivity Policy*
- 6.11.2 Policy IN2 of the Harborough District Local Plan contains a specific criterion with regards to the provision of linkages into Market Harborough. Criteria 2c states:  
*“Residential and commercial development proposals will be permitted, subject to the provision of:...*  
*c. protection of, connection to, and extension where practicable of existing pedestrian, cycle and equestrian routes;”*  
Other relevant Footpath Policy and Guidance is set out in **Section 5** of this report.



- *Assessment of Impacts*

- 6.11.3 There will be no physical impediment or diversion of any Public Right of Way as result of development. Leicestershire County Highways have requested a S106 financial obligation to improve the surface footpath A22 outside of the proposed development between Gallow Field Road and Swingbridge Street in Foxton. This contribution will cover the cost of re-laying 300 metres of pathway to a 2m width in standard tarmac and associated works e.g. timber edgings etc. to improve the route to school. Whilst this path is already hard-surfaced, this surface is in a poor state of repair in places, and the improvements are considered necessary in order to help provide safe routes to school removing the reliance on parking at the junction of Gallow Field Road and Foxton Road. This work will provide a *minor beneficial* impact for the network.
- 6.11.4 Elsewhere along A22, where the footpath passes through the application site, whilst it is acknowledged that further details of how the existing PROW is to be treated will become apparent through any subsequent Reserved Matters submission, the LHA has recommended a condition requiring the submission of a scheme for the treatment of the PROW to be submitted and agreed (see **Appendix A – Condition 20**).
- 6.11.5 Further to the south west, where footpath A22 passes along the inner edge of the site boundary, whilst there will be no physical impact upon the footpath, there will no doubt be a change to the user experience of this footpath. Currently, the footpath traverses alongside an existing hedgerow on the edge of an agricultural field, with a wire fence separating the footpath from the application site. (see **Figure 106**) This would be the situation for a stretch of approximately 180m before the route turns away from the site and passes through the hedgerow.



**Figure 106: Line of Public Right of Way 22 through application site**

- 6.11.6 As can be seen at **Figure 107**, the area of the application site which is adjacent to A22 would provide the car parking facility. As can be seen at **Figure 107**, there will be landscaping present in this area, and an enhanced landscape boundary can be secured by condition so as to minimise the impact of the car park upon the user

experience of the footpath (see **Appendix A – Conditions 5**). Concerns have been raised through representations regarding the potential for “throw-overs” to occur from the Prison, and the potential impact this could have upon users of A22. The main “secure” element of the Prison would be surrounded by two lines of 5.2m high fencing which are located within a 38m “clearance zone” (within which there are no secure compounds, which are in themselves surrounded by their own 5.2m tall security fence), or 15m internal clearance (ie the closest accessible point to the inner fence) within the site. As such, to clear the outer fence, objects would have to be thrown in excess of 23m, whilst also clearing three 5.2m tall fences. In addition to this, the closest “resident compound” to the footpath is approximately 110m from the right of way, thus creating a significant distance over which objects would have to be thrown to reach this route.



**Figure 107: Extract from Landscape Masterplan indicating the relationship between A22 and the proposed development**

6.11.7 Views of the site are also possible from a number of surrounding footpaths, including some quite long range views from the south around East Farndon (see **Para 6.4.34 of this report**). The most affected routes are (see **Figure 105**):

- A22 to the south – when travelling north along this route from Lubenham, when the user crests Mill Hill, there will be expansive views of the development. This is addressed in **Para 6.4.34 of this report**.
- A25 to the east – when travelling north west along this route, leaving the built form of the north west Market Harborough SDA and travelling towards HMP Gartree, views of the site will become more readily apparent as the journey progresses. This is addressed in **Para’s 6.4.38 of this report**
- A23 to the south east – when walking this route from the north west Market Harborough SDA and travelling towards Lubenham, there will only be glimpsed views of the development.

Whilst it is acknowledged that these views may impact upon the user experience of the footpaths, over time, given the proposed landscape treatment to the south, east and western boundaries of the site, this impact will reduce, with the presence of the new Prison being seen in the context of the existing facility, with the development becoming a relatively minor element within the wider landscape context from longer

range views. Whilst the closer range views will have a greater impact, these will only be felt for relatively short sections of the journey, and therefore the impact on the user experience of the footpath network will only be considered to be a *minor negative* impact.

- *Summary*

- 6.11.8 On the basis of the above, balancing the beneficial impacts upon the physical condition of the network against the negative impacts upon the user experience of the network, it is considered that the proposals will have a neutral impact upon public rights of way and would therefore accord with Policies G11 and IN2 of the Harborough District Local Plan in this respect.

## 12. Agriculture and Soils

- 6.12.1 Despite not constituting EIA Development, the application as amended includes an Agricultural Land Classification report following a request for such from Natural England.

- *Agricultural Land Policy*

- 6.12.2 Chapter 15 of The Framework at paragraph 174b refers to planning decisions recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.

- 6.12.3 The NPPG makes reference to the five grades of agricultural land under the Agricultural Land Classification (ALC)<sup>85</sup> system. Information on the composition of the agricultural landscape is provided in the Agricultural Land Quality Report. 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. The best and most versatile land falls within grades 1 to 3A, the grading depends on the following factors;

- The range of crops that can be grown;
- The level of yield;
- The consistency of yield; and
- The cost of obtaining the crop.

The guidance recognises the value of soil for a variety of purposes including growing food and crops. The guidance also makes reference to the management of soil on development sites and the use of conditions for its protection, movement and management. Natural England are a statutory consultee which in this case was carried out as part of the Local Plan process.

- 6.12.4 Local Plan Policy G15 “Biodiversity and Geodiversity” at paragraph 2b refers to development being permitted where there is *no loss of any “best and most versatile agricultural land”* unless this is demonstrably necessary to facilitate the delivery of sustainable development.

- 6.12.5 Other relevant Agricultural Land Policy and Guidance is set out in **Section 5** of this report.

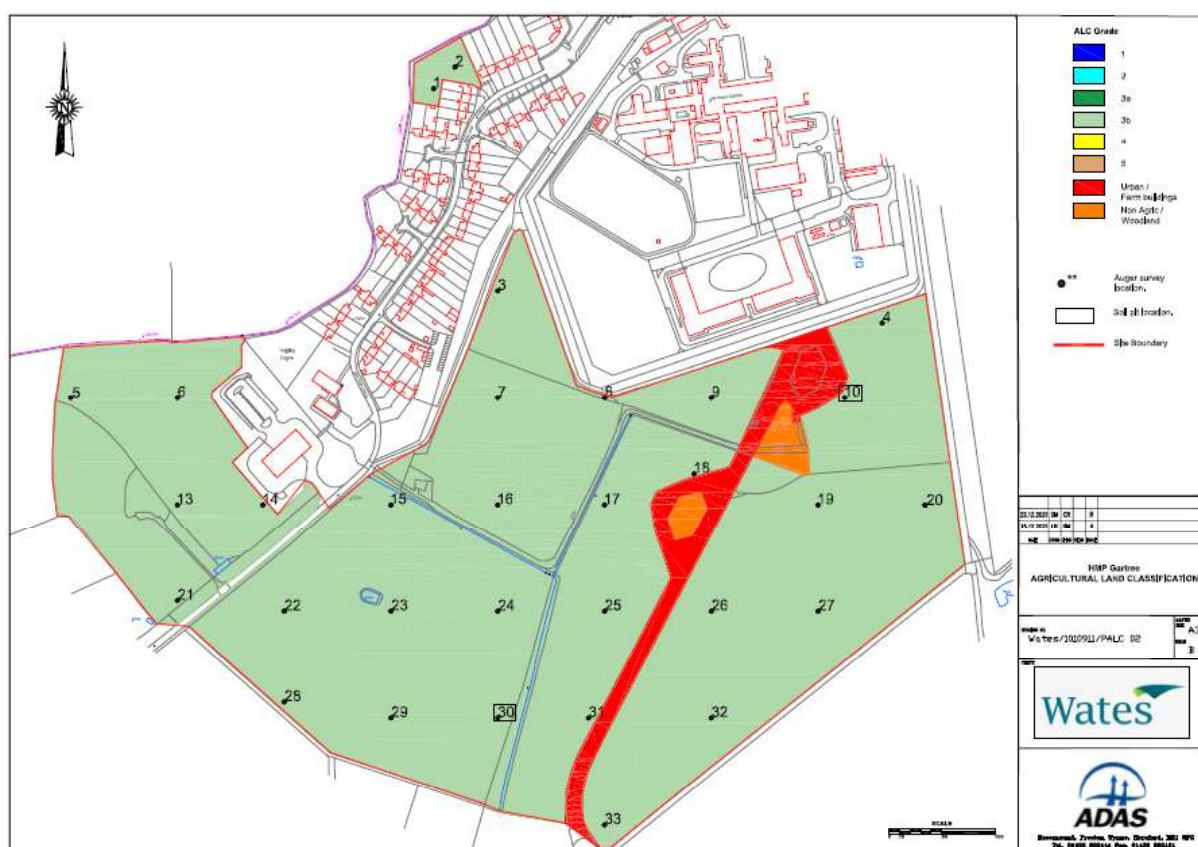
---

<sup>85</sup> [Guide to assessing development proposals on agricultural land - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/agricultural-land-assess-proposals-for-development/guide-to-assessing-development-proposals-on-agricultural-land)  
(<https://www.gov.uk/government/publications/agricultural-land-assess-proposals-for-development/guide-to-assessing-development-proposals-on-agricultural-land>)



- *Assessment of Impacts*

- 6.12.6 A detailed soil survey was carried out in December 2021. The survey was based on observations at intersects of a 100 m grid, giving a sampling density of at least one observation per hectare.
- 6.12.7 The principal soil types identified at the site have soil profiles with heavy silty clay loam and silty clay topsoils and upper subsoils over slowly permeable silty clay lower subsoils and heavy silty clay loam/silty clay topsoils over porous heavy silty clay loam and silty clay subsoils.
- 6.12.8 Overall there will be a loss of 27ha of land, of which 1.7ha is classified as either non-agricultural or urban (see **Figure 106**). The remaining 25.3ha of agricultural falls entirely within sub grade 3b, this land is not within the category of Best and Most Valuable. The land which is in agricultural use will be developed and thus lost to agriculture. Because of its grade the impact of this loss is considered to be minor adverse.



**Figure 106: Agricultural Land Classification map of the site**

- *Summary*

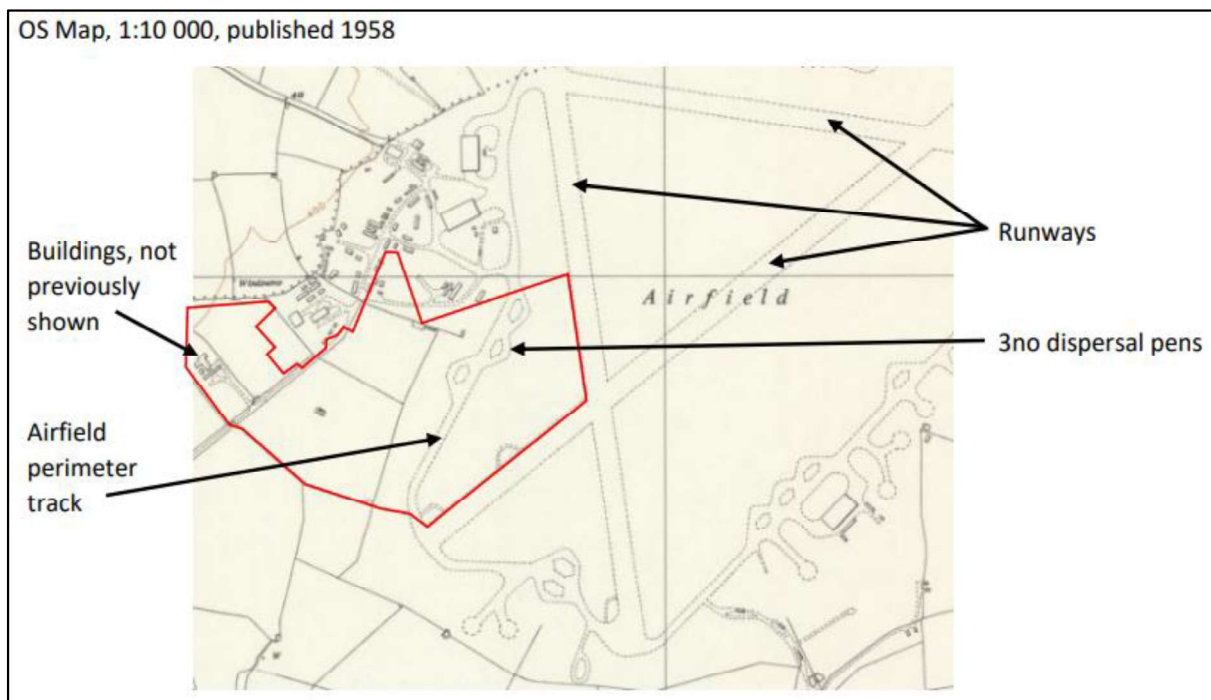
- 6.12.9 The proposed development will remove the existing agricultural use of the Site, none of which is classified as Best and Most Versatile Land. It is therefore considered that the proposals will have a neutral impact upon the best and most versatile agricultural land in the District and the proposals are therefore considered to accord with Policy GI5 of the Harborough District Local Plan in this respect.

## 13. Contamination

- 6.13.1 The application was accompanied by a report on contamination. This has been informed by a risk assessment, a desk top study and walk over site inspection, to determine whether any contamination from historic uses could have adverse impacts during construction or occupation of the site.



- *Contaminated Land Policy*
- 6.13.2 Policy GD8 of the Harborough District Local Plan contains a specific criterion with regards to the potential contamination issues on the site. Criteria 1ni states:
1. *Development will be permitted where it achieves a high standard of design, including meeting the following criteria:*
    - n. *where the site has previously been developed:*
      - i. *identifying the need for any decontamination and implementing this to an agreed programme;*
- Other relevant Contaminated Land Policy and Guidance is set out in **Section 5** of this report.
- *Assessment of Land Contamination Impacts*
- 6.13.3 The application site is was formerly occupied by RAF Market Harborough (see **Figure 107**), and has most recently been in agricultural use. In the context of this section of the report the lands use as RAF Market Harborough during WWII has to be considered. There are two main matters to consider:
- Are there remains of the buildings still on site
  - Potential for unexploded ordnances



**Figure 107: Extract of 1958 OS Map indicating former use of the site**

- 6.13.4 The foundations of runways and tracks from the former RAF base are still visible. Whilst there are no known buildings on the site dating from the use of the site as RAF Market Harborough, the original construction materials may have been removed from site or buried on the site. Of particular concern is that asbestos may have been used in the buildings construction. The Geotechnical survey established that no asbestos was detected in the topsoil samples. Although asbestos and other forms of contamination were not encountered during the investigation it is possible that such contamination may lie presently undetected at the site. It is therefore advised that a 'watching brief' is undertaken during the construction works and advice sought if contamination is found or suspected.

6.13.5 The second matter is the potential for unexploded ordnance. A separate report was commissioned to investigate this potential. There are two potential sources; unexploded bombs following an air raid, the report identifies this risk as very low. As part of the submitted Unexploded Ordnance (UXO), it is stated that the National Archives note that 83 bombs were dropped across the entirety of Market Harborough Rural District, with the closest known bombing incidents being at Great Bowden (3km east of the site) where 4 high explosive bombs were dropped and approximately 2km southwest of the site where 2 high explosive bombs were dropped.

6.13.6 The second potential source is ammunition left over after the war. The site was a WWII airfield used for training bomber crews. The fact that it was an airfield means that three significant forms of contamination could have occurred:

- Installation of 'Canadian pipe mines', also known as 'McNaughton tubes',
- Disposal of non-conventional weapons after WWII and
- Surplus ordnance buried after WWII.

Operation Crabstick was the military response in 1989 to review the post-War clearance operation of Canadian pipe mines. RAF Market Harborough does not feature on the list of airfields where they had been installed. Construction of the airfield commenced when the threat of invasion had passed, which significantly reduces the possibility that pipe mines would have been installed. Project Cleansweep commenced in 1997 to review the residual contamination as a consequence of chemical warfare agents, principally mustard agent. RAF Market Harborough does not appear on the list of locations. As a result of the above, the risk of harm from small arms ammunition and land service ammunition is considered to be low.

6.13.7 The Geo-technical assessment of environmental effects covers the demolition / construction phase and the operational phase i.e., occupation of the facility. During the demolition / construction phase the short-term risks associated with construction works is assessed as major temporary. With appropriate mitigation the risk to construction works and surrounding occupiers would be reduced to negligible. During the demolition / construction phase there is an increased risk of water infiltration prior to mitigation this impact would be major to moderate and with mitigation this again would be negligible.

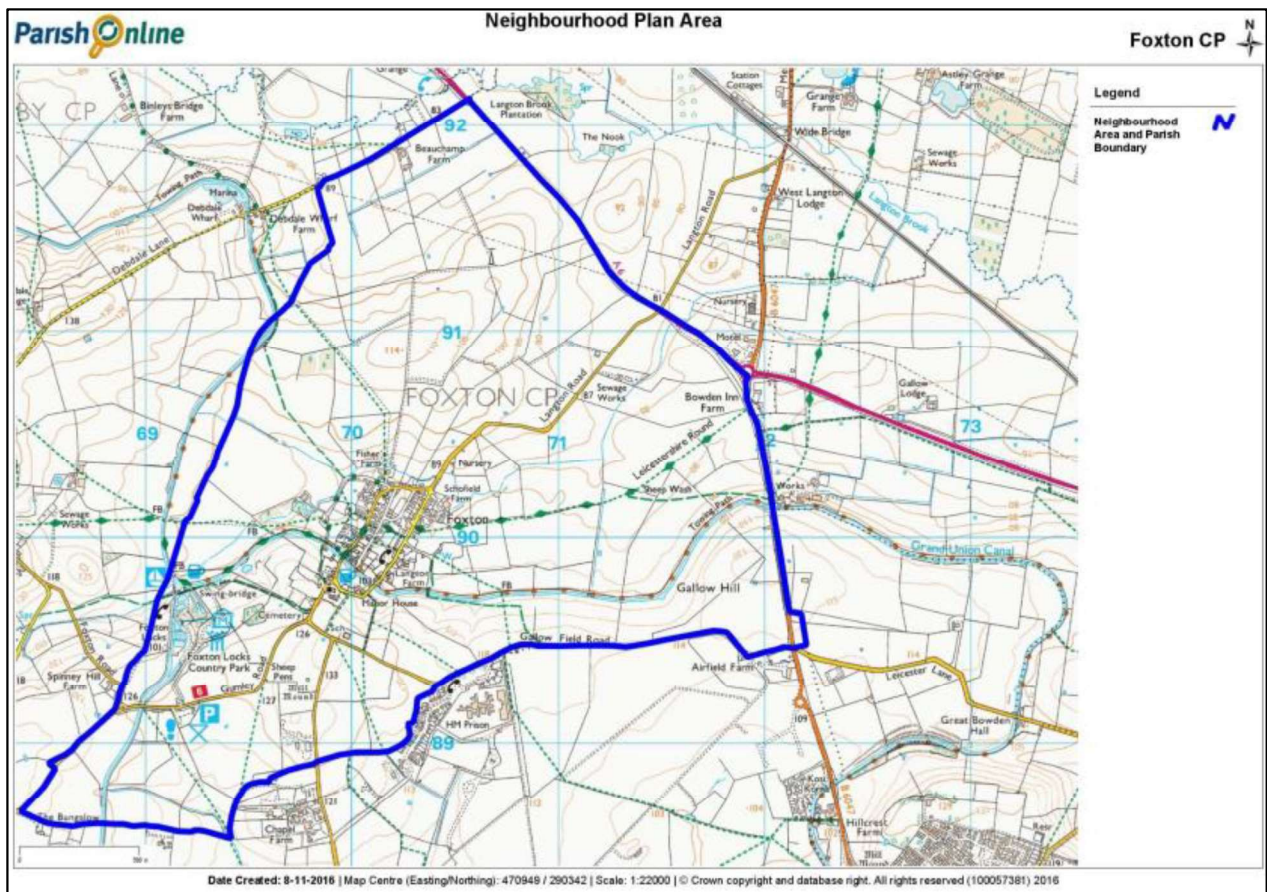
○ *Summary*

6.13.8 On the basis of the information reviewed as part of the Phase I Preliminary Environmental Risk Assessment, it is considered that with mitigation the risk of significant pollutant linkages with respect to ground contamination is very low. It is therefore considered that the proposals will have a neutral impact upon ground contamination and would therefore accord with Policy GD8 of the Harborough District Local Plan in this respect.

## 14. Other Matters

○ *Foxton Neighbourhood Plan*

6.14.1 As discussed in **Section 5a** of this report, the Foxton Neighbourhood Plan forms part of the Development Plan for the area by virtue of the fact that it is a made Neighbourhood Plan. Notwithstanding this, as can be seen at **Figure 108**, the Application Site sits outside of the FNP plan area, and therefore the content and Policies of the FNP are not relevant to the decision making process in terms of this application.



**Figure 108 – Foxton Neighbourhood Plan area**

○ *Non Planning related benefits*

6.14.2 As set out in **Section 6d** of this report, there are a number of obligations upon the Application which should be secured as part of a S106 Agreement if Planning Permission is granted for this application. These obligations are contributions / improvements / schemes that are directly related to the development and considered necessary and reasonable to mitigate the impact of the development. Over and above these, the Applicants have publicly committed to providing a tranche of additional public benefits. These include:

- Explore the acceleration of installation of FTTP broadband for residents of Welland Avenue and Stuart Crescent
- Demolition of existing, unused MoJ owned garage blocks
- Explore potential for Batchelor's Quarter building to be converted into a useable asset for the local community
- Investigate the potential to resurface the privately owned residential section of Welland Avenue
- Potential financial contribution to local bus service that serves the existing and proposed Prisons
- Package of S278 Highways improvements valued in the region of £750,000 - £1m:
  - Lubenham
    - New vehicle activated signs at four locations
    - Widening of existing pedestrian refuge between Rushes Lane and Foxton Road
    - Installation of new pedestrian refuge between Westgate Lane and Foxton Road
    - Gateway features at entrance to the village



- Road safety rumble strips at gateways
- Foxton
  - Work with LCC and Parish Council to enable Foxton to become a 20mph zone
  - Traffic calming measure to be installed at junction with Swingbridge Street to deter vehicles cutting through for access to Main street
  - Gateway features at entrance to the village

○ *Impact on Foxton School*

6.14.3 Concerns have been raised through representations regarding the impact of the proposals upon Foxton Primary School. The School is located at the junction of Gallow Field Road and Foxton Road to the north west of the application site (see **Figure 109**). The concerns largely focus around the potential conflict between road users at school drop off times. As discussed in the Highways and Public Right of Way sections of this report (see **Para's 6.3.19 & 6.11.4**), a S106 contribution has been secured as part of any consent to facilitate improvements to the existing Public Right of Way. These works will provide a safe pedestrian link between the village (and some limited kerb-side parking) and the school which will enable people to access the school without the need to park on the roadside at the school, in the vicinity of the junction. Furthermore, the LHA, as set out at **Para 6.3.24** of this report, have assessed the impact of the proposals upon this junction (and in light of the presence of the school) and are content that the junction will continue to operate safely and that there is no need for further mitigation at the junction.



**Figure 109: Location of Foxton School in the context of the proposals**

○ *Construction Management Plan*

6.14.4 As referred to throughout the report, particularly in the Highways, Noise, Air Quality and Residential Amenity sections, many issues during the construction phase can be controlled through the submission and agreement of a Construction Management Plan. The application was supported by a Framework Construction Traffic Management Plan



which deal outline how one such element will be dealt with. Whilst this CEMP has been submitted with the application, it only serves to indicate one programme of solutions to one element of the potential construction issues. As such, it is not considered to be suitable in its current form, and therefore, Officers do not recommend that this CEMP be conditioned to be complied with during the construction phase. Consequently, a condition is recommended requiring the submission of a Construction Management Plan (CEMP), covering all issues throughout the construction phase (rather than just construction traffic) (see **Appendix A – Condition 35**). The condition also requires that this CEMP be agreed by the LPA and that, once agreed, construction works on the site are carried out in accordance with the agreed CEMP.

6.14.5 Concerns have also been raised regarding the impact of Construction traffic on villages further afield from the application site but which lie on roads which may see an increase in traffic as a result of the construction of the Proposed Development. To date, no details of the likely construction routes have been agreed, it is only once the Applicants submit the CEMP which is required by condition (see **Appendix A – Condition 35**) that such impacts can be assessed. Notwithstanding this, the Applicants are in discussion with the LHA regarding the potential routes that could be used, and Officers consider that it would be necessary and appropriate to include provision within the Routing Agreement to ensure that construction traffic associated with the site is prohibited from passing through Foxton and along the residential (and privately owned) section of Welland Avenue.

○ *Renewable Energy*

6.14.6 The proposed development would be required to meet the statutory minimum contained in the Building Regulations on sustainable build standards in accordance with Policy CC1 with regard to renewable energy.

6.14.7 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.

6.14.8 During the construction phase of the development, the applicants have committed to (through their contractors) monitoring energy and fuel use and measures will be put in place to reduce consumption as far as possible. The construction site will aim to be diesel-free, using at least 40% electric and hybrid plant on site, and the applicants will aim to source all electricity for the site from renewable sources. The proposed new prison will aim to be “net zero carbon ready” which means that the buildings will be highly efficient and can be operated without the use of fossil fuels. This will be achieved through the following measures:

- Reducing energy demand from the buildings as far as possible through the specification of a highly energy efficient building fabric and low/zero carbon heating and hot water solutions (e.g. heat pumps).
- Using electricity as the primary energy source, without the need for fossil fuels (in particular natural gas).
- Future-proofing the prisons to allow the simple retrofit of any emerging technologies to reduce energy consumption and carbon emissions. This includes an allowance for future connection to local off-site renewable energy generation such as solar farms.
- Ensuring that renewable energy generation (e.g. from photovoltaic panels) is constructed on the site to provide zero carbon electricity and heat where practical.
- Using the land within the estate to capture carbon to partially offset emissions.

- Offsetting any residual carbon emissions generated by the prison operations that cannot be avoided using verified carbon offsetting providers.
- Minimising the whole life carbon emissions associated with the prison in line with PAS 2080<sup>86</sup> and taking steps to minimise the embodied carbon content as far as practicable.

6.14.9 There are no existing community energy schemes or sources of waste heat and power in the vicinity of the site that could viably provide heating to the proposed scheme. Connection to the existing heating systems with HMP Gartree was investigated by the Applicants, but not considered to be a viable solution. This was due to the complex capacity upgrades that would be required to the existing prison, with the associated operational risks to a live custodial environment. The installation of an internal gas or biomass fired heating network for the site was not considered due to the applicant's requirement for decarbonised sources of heating, in this case the use of heat pumps.

6.14.10 The new prison has been registered and will be assessed against the latest BREEAM 2018 New Construction scheme<sup>87</sup>, under the 'prison' assessment category. A BREEAM Pre-Assessment report has been prepared on behalf of the Applicant and was submitted in support of the Planning Application. This outlines a possible route to achieving a BREEAM 'Outstanding' score of 85% and the minimum credit requirements. The exact route to certification may vary as the detailed design progresses. HDC's Environment Coordinator has assessed this report and is satisfied with its content. A condition is recommended to secure this (see **Appendix A - Condition 10**)

6.14.11 A Condition seeking details of such measures is recommended at **Appendix A - Condition 13**. The fact that the proposal has the potential to provide forms of sustainable energy production and a low carbon built form are both issues which mean that it is considered that the proposals will have a minor beneficial impact upon climate change and would therefore accord with Policies CC1 and CC2 of the Harborough District Local Plan in this respect.

○ *Impact on Green Belt*

6.14.12 The government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Green Belt serves 5 purposes:

- (a) to check the unrestricted sprawl of large built-up areas;
- (b) to prevent neighbouring towns merging into one another;
- (c) to assist in safeguarding the countryside from encroachment;
- (d) to preserve the setting and special character of historic towns; and
- (e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

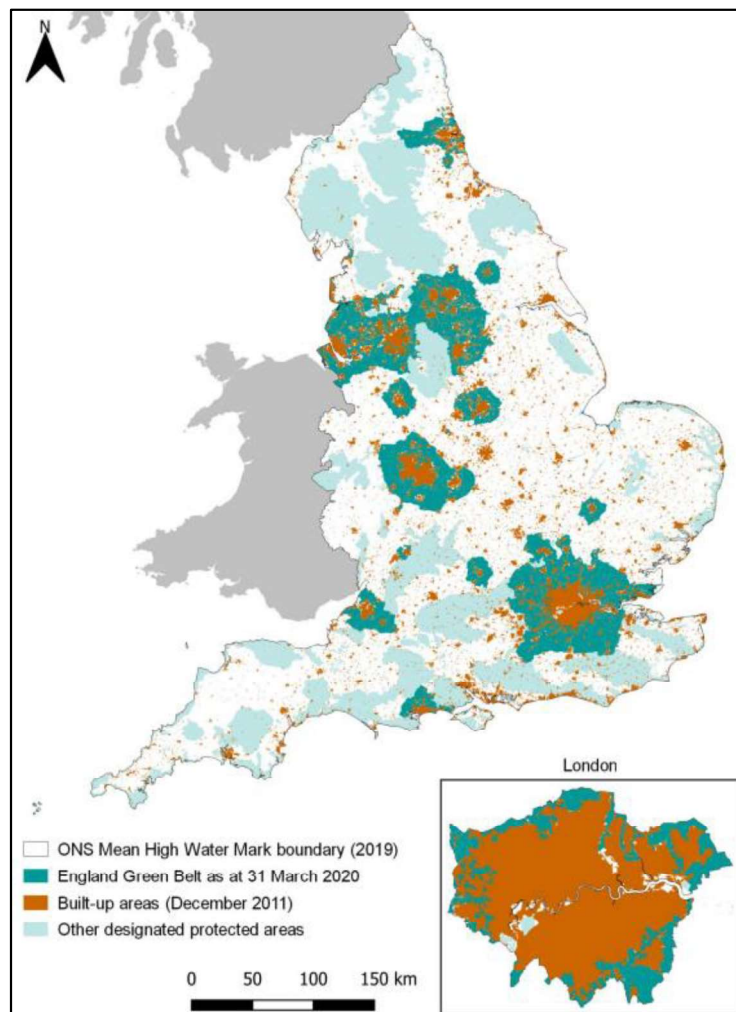
6.14.13 A number of representations (both from Parish Councils and from members of the public) have referred to the loss of, or impact upon the Greenbelt, and the subsequent need to engage Paragraphs 147 and 148 of The Framework. Para 147 states that *"Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances."* Para 148 goes on to require that

---

<sup>86</sup> [Guidance-Documents-for-PAS2080 vFinal.pdf \(constructionleadershipcouncil.co.uk\)](https://www.constructionleadershipcouncil.co.uk/wp-content/uploads/2019/06/Guidance-Documents-for-PAS2080-vFinal.pdf)  
([https://www.constructionleadershipcouncil.co.uk/wp-content/uploads/2019/06/Guidance-Documents-for-PAS2080 vFinal.pdf](https://www.constructionleadershipcouncil.co.uk/wp-content/uploads/2019/06/Guidance-Documents-for-PAS2080-vFinal.pdf) )

<sup>87</sup> [BREEAM New Construction 2018 \(UK\) - Cover temp](https://www.breeam.com/NC2018/)  
(<https://www.breeam.com/NC2018/>)

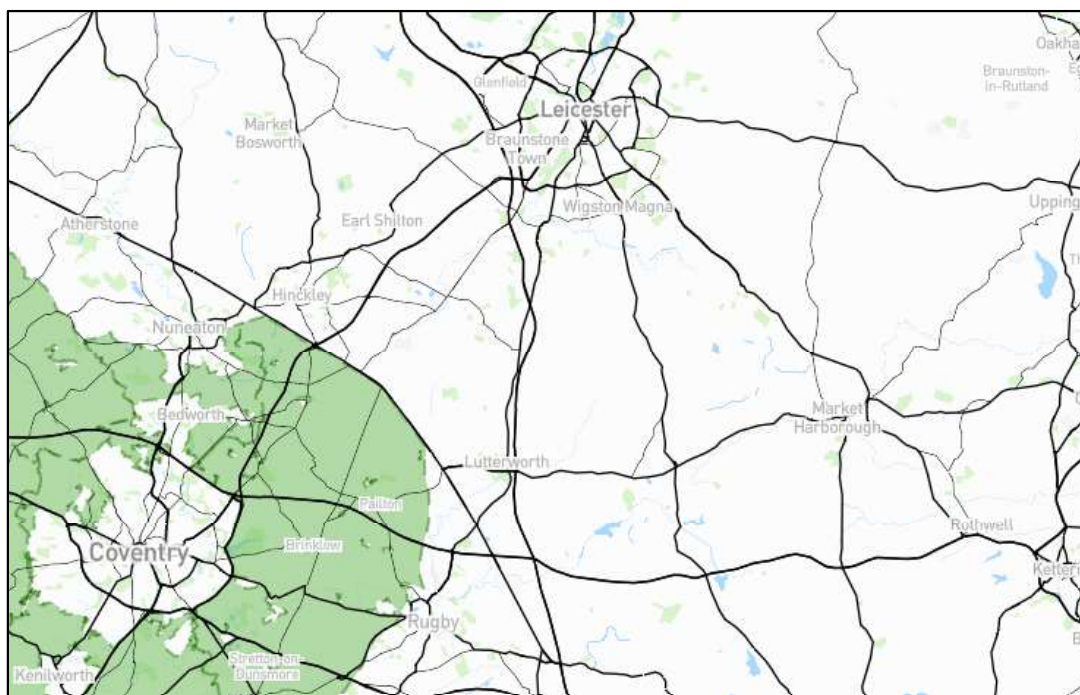
LPA's should “ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”



**Figure 110: Extent of Green Belt in England as at 31<sup>st</sup> March 2020**

- 6.14.14 An MHCLG publication in 2020<sup>88</sup> outlined that, as of 31<sup>st</sup> March 2020, land designated as Green Belt in England was estimated at 1,615,800Ha, approximately 12.4% of the land area of England, this is demonstrated at **Figure 110**. In the East Midlands, approximately 77,500Ha of land is designated as Green Belt, approximately 5% of total land area. **Figure 111** indicates the proximity of the closest area of designated Green Belt to Market Harborough, this being in the Coventry and Warwickshire area.
- 6.14.15 The fact that the application site is not located within the designated Green Belt means that Para 148 of the Framework is not engaged in the consideration of the planning application, and as such, there is no requirement for the benefits associated with the proposed development to clearly outweigh the resulting harm and therefore constitute – either individually or cumulatively – very special circumstances required if inappropriate development is to be approved in the green belt.

<sup>88</sup> [Local Authority Green Belt: England 2019-20 \(publishing.service.gov.uk\)](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/996225/England_Green_Belt_Statistics_2019-20_-_Statistical_Release.pdf)  
([https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/996225/England\\_Green\\_Belt\\_Statistics\\_2019-20\\_-\\_Statistical\\_Release.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/996225/England_Green_Belt_Statistics_2019-20_-_Statistical_Release.pdf))



**Figure 111: Designated Green Belt in relation to Market Harborough<sup>89</sup>**

○ *Other Issues raised*

6.14.16 A number of other issues have been raised through representations. These have been summarised above. Those issues that are outstanding and have not been addressed through the consideration of the Reserved Matters are tabulated below with a response to the issue raised (see **Figure 112**).

<b>Issue Raised</b>	<b>Response to Issue</b>
Not enough EV charging points proposed	Planning conditions can only secure what is necessary and required by Planning Policy. The Harborough Local Plan stipulates that provision of electric car charging should be secured where appropriate, and does not set a target for levels of provision. 10% provision is considered reasonable and appropriate at the current time, and does not restrict the applicants from installing more EV charging points as and when demand for them makes it appropriate to do so. The fact that 10% of the spaces will have provision will mean that the infrastructure already exists within the carpark to make the retrofitting of additional charging points easier than it would be to do so without the infrastructure being in place (see <b>Appendix A – Condition 11</b> ).
Impact on high pressure gas pipeline, and who is responsible for this.	The Health and Safety Executive who are responsible for the safety of the pipeline have been consulted on this matter and have confirmed that they have no objections to the proposals (see <b>Section 4:1</b> of this report)
Loss of dog walking area	The application site is entirely owned by the MoJ, with public access to it limited to the areas to the north west of Welland Avenue, both of which are areas which will remain publicly accessible once the development is completed. Part of the application includes proposals to enhance an existing area of open space on Welland Avenue, making the area more accessible and useable for the local community. A condition is recommended (see <b>Appendix A - Condition 5</b> ) which will require details of the landscaping of this area to be submitted as part of any subsequent Reserved Matters application. A further condition is recommended (see <b>Appendix A - Condition 7</b> ) so as to ensure that this area is delivered and

<sup>89</sup> Source: <https://urbanistarchitecture.co.uk/green-belt-map/>



	made available for use prior to the first occupation of the Proposed Development, and retained for such use in perpetuity. Due to the Biodiversity benefits of this element of the proposal, its maintenance will also be secured through the S106 agreement (see <b>Appendix B</b> )
I object to another prison when there is already one that needs upgrading.	It is acknowledged that the existing HMP Gartree could be upgraded, however, this would not achieve any meaningful contribution to the identified need for 20,000 new Prison spaces as set out in Section 6a of this report.
Proposals would set a precedent for further development including residential	All Planning Applications are dealt with on their own merits, any approval of a Prison facility on this site – whilst being a material consideration in the assessment of future applications – will not set a precedent meaning that future development in the area will be approved
Welland Ave is a private road, not MoJ owned	Welland Avenue is a Private Road, its ownership being divided between multiple land owners. The stretch of Welland Avenue which passes through the residential area is owned by individual residents, however, once Welland Avenue passes beyond the residential area, ownership of the road changes to that of the MoJ
Alternative access options	<p>Alternative access routes for the construction traffic associated with the development are currently being investigated by the applicants. Construction access to the site will be considered in detail by the LPA at a later date.</p> <p>In terms of the operational access to the site, this has been assessed by the LHA who have raised no concerns, and as such, the MoJ have no intention of investigating alternative points of access to the development.</p>
Is more staff housing going to be provided this time?	There are no plans as part of this proposal to provide additional housing provision specifically related to the Prison.
This will turn the whole area into the criminal depository for the whole of England	There are currently 118 operational prisons in England and Wales with an operational capacity of 81,195 as of December 2021 <sup>90</sup> . With Gartree's current operational capacity of 608 and assuming that the operational capacity of the new prison would be 1715, that gives an operational capacity of 2323 across the two facilities. This equates approximately 3% of the operational capacity for England and Wales
Exhaust fumes of approx 2500 prisoners	It is unclear what is meant by "exhaust fumes of approx. 2500 prisoners", however, a detailed Air Quality Assessment has been submitted with the report which is assessed in Section 6c:7 of the report
Impact on outlook from properties	There is no legal right to a view, and as such, any change to the outlook from a property is not a planning consideration. What is a planning consideration is the impact of a development upon the surrounding landscape <sup>91</sup> , and the impact of the development upon the residential amenity of neighbouring properties <sup>92</sup>
Impact upon Property prices	As noted in Section 6c:10 of this report, the impact of prison facilities upon the house prices in the vicinity of the facility has not been proven. Any potential impact on house prices (if any) is likely to have been an influence on the purchase price of the property initially, and the presence of an additional Prison is a further unknown factor.

<sup>90</sup> [prison-pop-december-2021.ODS \(live.com\)](https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fassets.publishing.service.gov.uk%2Fgovernment%2Fuploads%2Fsystem%2Fuploads%2Fattachment_data%2Ffile%2F1046471%2Fprison-pop-december-2021.ODS&wdOrigin=BROWSELINK)

([https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fassets.publishing.service.gov.uk%2Fgovernment%2Fuploads%2Fsystem%2Fuploads%2Fattachment\\_data%2Ffile%2F1046471%2Fprison-pop-december-2021.ODS&wdOrigin=BROWSELINK](https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fassets.publishing.service.gov.uk%2Fgovernment%2Fuploads%2Fsystem%2Fuploads%2Fattachment_data%2Ffile%2F1046471%2Fprison-pop-december-2021.ODS&wdOrigin=BROWSELINK))

<sup>91</sup> This is addressed in Section 6c 4

<sup>92</sup> This is addressed in Section 6c 8

Increase in rubbish after visiting days.	Officers acknowledge that there can sometimes be an issue with litter in the vicinity of the existing HMP Gartree. Notwithstanding this, this is not a Planning Consideration and as such, should have no bearing upon the consideration of this planning application.
Increased burden on NHS services.	As part of the consultation process on the Planning Application, HDC consulted both the West Leicestershire CCG and University Hospitals of Leicester NHS Trust, neither of which returned any comments on the application to the LPA
Increase in Drug related issues in Market Harborough	It is acknowledged that there may be a perception that drug related issues in Market Harborough may increase as a result of the development, however, as part of the application process, HDC consulted with Leicestershire Police, and no such concern has been raised by the Force.
The MoJ do not make good neighbours. Communication is poor	The Applicants acknowledge communication between the existing HMP Gartree and local residents may not have been as good as it should have been in the past, and they are working with the Governor at HMP Gartree to address this. Notwithstanding this, ant communication breakdown between the Prison and local residents is not a Planning Consideration and as such, should have no bearing upon the consideration of this planning application.
Impact on the local housing register.	Many representations refer to more than 100 prisoners at the newly built Prison in Wrexham leaving the prison homeless in 2020. HMP Berwyn is a Category C facility, a facility from which Prisoners can be released into the community. The application being currently considered is for a Category B Prison, from where prisoners are transferred to a Category C facility prior to release. As such, the presence of a Category B Prison close to Market Harborough should have no discernible impact upon the housing register or the number of homeless people in the town.
Impact on tourism including the nearby Foxton Locks.	The tourism value of Foxton Locks lays in its heritage value which has been assessed in Section 6c 1 of this report. Furthermore, there are other examples of Prison facilities located in close proximity to heritage based tourism sites, such as HMP Huntercombe / Nuffield Place – a National Trust property immediately adjacent to the aforementioned prison.
It is unclear whether the Canal and River Trust have even been consulted?	Schedule 4 of the DMPO <sup>93</sup> stipulates that LPA's should only consult the Canal and Rivers Trust on Planning Applications which are likely to affect any inland waterway owned or managed by the CRT. A letter from the Department of Environment to Chief Planning Officers on 9 <sup>th</sup> June 1997 clarified the meaning of "likely to affect" by advising that <i>"development likely to affect the particular waterway" covered:</i> 6 <i>development which involves any digging of foundations</i> 7 <i>the building of anything large which could impose a loading on the side of the waterway</i> 8 <i>any development which could create a breach in the waterway for example by increasing surface water discharges"</i>
The Public consultation process by the MOJ was deficient. Concerns raised don't appear to have taken into account	The public consultation carried out by the MoJ prior to submission of the Planning Application is set out in 3d of this report. Whilst the Government recommends that Applicants engage with the community, there is no requirement for such engagement, and as such, the fact that pre-application engagement has been carried out is sufficient in terms of Planning Regulations and Policy.  Notwithstanding this, the MoJ have committed to working with the local community throughout the application process, and have sought (and

<sup>93</sup> [The Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015 \(legislation.gov.uk\)](https://www.legislation.gov.uk/uksi/2015/595/schedule/4/made)  
[https://www.legislation.gov.uk/uksi/2015/595/schedule/4/made\)](https://www.legislation.gov.uk/uksi/2015/595/schedule/4/made)

	continue to seek) to provide a highways scheme that addresses some the concerns raised where possible and appropriate. It must be noted that these Highways works are not required in terms of Highway safety as confirmed in Section 6c3 of this report, however, they could potentially respond to amenity concerns and general concerns of the community.
Loss of open spaces for alternative uses	The application site is entirely owned by the MoJ, with Public Access to it limited to the areas to the north west of Welland Avenue, both of which are areas which will remain publicly accessible once the development is completed
Increased burden on local schools.	The presence of the prison will not increase attendance at local schools per se, this will only occur as a result of housing development, at which stage the impact on school in the locality will be assessed and addressed appropriately
Market Harborough is struggling to cope with current levels of development	The impact of current development was assessed as part of the planning applications for these developments. The impact of the proposed development has been assessed against a baseline which includes all permitted and otherwise committed (ie Local Plan allocated) development in the locality
Why have Harborough District Council only sent planning notification letters out to 102 homes...???	HDC's Statement of Community Involvement <sup>94</sup> sets out the standards for consulting on Planning Applications. In summary, the Council will notify the owner / occupier of adjoining properties about the planning application by letter. A site notice will be displayed, as required by regulations. Section 3d of the report sets out the consultation that HDC have carried out as part of this application.
Moral and ethical issues related to Prisons	Notwithstanding people's opinions on the Criminal Justice system, Planning decisions have to be based upon Planning Policy and other Material Considerations. One such material consideration is the Governments desire to provide additional prison spaces as set out in Section 6a of this report.
The money being spent on this should be spent on Schools and Hospitals instead	as set out in Section 6a of this report, the application has been submitted in response to the 2020 and 2021 Budget and Spending Reviews requirement to deliver 18,000 (and subsequently 20,000) additional prison spaces across the Country
There are new prisons in neighbouring towns providing significant new prison capacity	It is acknowledged that there are other new prisons in the area (HMP Five Wells and HMP Glen Parva) however, these facilities are not part of the same programme as the current planning application which is to address the identified need for 20,000 new Prison spaces as set out in Section 6a of this report.
The transport assessment data is out of date	It is standard practice to base transport modelling on the most recent available Census data. The 2021 Census data was not available at the time of the production of the Transport Assessment, and as such, the most recent, available data – ie the 2011 Census – was used. It must be noted that this data is only used for modelling purposes in terms of driver habits, the baseline data which is then modelled is based on up to date data including all approved and committed development in the area.
No existing play area for children who live on Welland Avenue	The application includes proposals to enhance an existing area of open space on Welland Avenue, making the area more accessible and useable for the local community. A condition is recommended (see <b>Appendix A - Condition 5</b> ) which will require details of the Play Area to be submitted as part of any subsequent Reserved Matters application. A further condition is recommended (see <b>Appendix A - Condition 7</b> ) so as to ensure that the Play Area is delivered and made available for use prior to the first

<sup>94</sup> [https://www.harborough.gov.uk/downloads/download/1407/statement\\_of\\_community\\_involvement](https://www.harborough.gov.uk/downloads/download/1407/statement_of_community_involvement)

	occupation of the Proposed Development, and retained for such use in perpetuity.
Perception of safety for staff and local residents, including escaped Prisoners	The proposed facility has been design so as to ensure that there is no interaction between prisoners and adjoining residents. The conduct of visitors is not a planning consideration likewise, neither is the relationship between Staff and Prisoners. As such, these issues can bear no weight in the consideration of the planning application. It is acknowledged that there may be a perception that the safety of local residents may be put at risk as a result of the development, however, as part of the application process, HDC consulted with Leicestershire Police, and no such concern has been raised by the Force.
The new employees would need housing, where will they live?	It is anticipated that the Prison will source employees from within 40miles of the facility if approved (as set out in Section 6c:10 of this report). Future HDC Local Plans and subsequent Reviews will assess the employment base of the area (amongst other factors) to identify if any additional housing is required to accommodate any potential population increase
This proposal, together with the proposal to increase the capacity of the existing prison 900 inmates, would result in the largest HMP in the country with over 2,500 inmates.	<p>Whilst the new prison application is adjacent to the existing HMP Gartree, if approved, it would be operated completely separately to the existing facility. There are a number of other examples of co-located facilities across England and Wales, such as<sup>95</sup>:</p> <p>HMP Belmarsh - 770 HMP Isis - 630 HMP Thameside - 1230</p> <p>HMP Wymott - 1070 HMP Garth - 845 Proposed new Prison - 1715</p> <p>HMP Rye Hill - 625 MHP Onley - 740</p> <p>HMP Brinsford - 570 HMP Featherstone - 680 HMP Oakwood - 2100</p> <p>HMP Downview - 350 HMP Highdown - 1200</p> <p>HMP Gartree - 608 (855 if extended) Proposed new Prison - 1715</p> <p>As can be seen, whilst the two facilities (if HMP Gartree is extended) would have a significant operational capacity across the two facilities, it would not result in the largest co-located group of facilities in the Country.</p>
The Socio - Economic Statement relies upon the Applicants own reports	Supporting Statements have to refer to relevant publications. The Ministry of Justice (2013) Economic Impact of a New Prison report was prepared and published by Peter Brett Associates LLP. Peter Brett Associates have an established track record of preparing professional studies for public bodies on a range of issues.
There are already safety concerns at the current Gartree	The planning merits of the new prison can not be conflated with the perception of poor performance at the existing facility. The two facilities will be independent of one another with vastly differing facilities. The new

<sup>95</sup> [prison-pop-december-2021.ODS \(live.com\)](https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fassets.publishing.service.gov.uk%2Fgovernment%2Fuploads%2Fsystem%2Fuploads%2Fattachment_data%2Ffile%2F1046471%2Fprison-pop-december-2021.ODS&wdOrigin=BROWSELINK)  
([https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fassets.publishing.service.gov.uk%2Fgovernment%2Fuploads%2Fsystem%2Fuploads%2Fattachment\\_data%2Ffile%2F1046471%2Fprison-pop-december-2021.ODS&wdOrigin=BROWSELINK](https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fassets.publishing.service.gov.uk%2Fgovernment%2Fuploads%2Fsystem%2Fuploads%2Fattachment_data%2Ffile%2F1046471%2Fprison-pop-december-2021.ODS&wdOrigin=BROWSELINK))



prison. Three people died at HMP Gartree during 2020.	prison provides an opportunity to provide state of the art safety, wellbeing and healthcare facilities which should help to address any concerns that may be present at the existing facility
It is not appropriate to build a mega-prison that will require hundreds of staff when the existing prison is unable to meet staff needs.	The issue of staffing of the facility is not a planning matter. As set out in <b>Section 6:10</b> of this report, the available labour market in the area is sufficient to be able to sustain the development.
How will IN/3 be complied with?	Developments are only required to comply with the Local Plan when read as a whole. There will always be particular Policies which are not relevant to a certain type of development, and in the case of this application, IN/3 is not applicable. Notwithstanding this, each cell will be provided with Intranet connectivity to the Prison's Local Area Network. Furthermore, as discussed earlier is <b>Section 6:14</b> of this report, the MoJ are currently investigating the potential to upgrade the broadband provision within the Gartree development.
Impact of increased Prison population upon Covid (or other pandemic) case rate reporting and subsequent implications	The intricacies of the "Track and Trace" reporting system and how this information was then implemented is not a planning matter. One would hope that lessons will have been learned from the performance of the system in order that improvements can be made if a future pandemic is experienced.
This type of facility needs to built in the north of the UK to help with unemployment, not in Market Harborough  Prisons should be spread across the country	The main purpose of the proposed development is not to provide employment, however, it is acknowledged that this is a benefit. Prisons are required across the country, and, as set out in Section 6a of this report, the additional Prison proposals are located in the areas that best serve the demand for spaces. Given the geographically central location of Leicestershire with the country, locating prison development in the area enables it to serve a large area
The proposed re-routing of the Public Right of Way needs further consideration	The application does not propose or require the re-routing of any Public Right of Way as a result of the development
There are no airports within an hour's drive.	The presence of or lack of an airport within close proximity to the site is not a material planning consideration in the assessment of the Proposed Development.
Cycle parking should be included on any reserved matters masterplan	Any subsequent submission of Reserved Matters will include full details of parking (including cycle and motorcycle) for the proposed development.
S106 contribution for traffic calming in villages	The LHA were consulted as part of the application and have not identified a requirement for such an obligation to form part of any subsequent S106 agreement
Conditions are needed to ensure that benefits are maximised locally.	As set out in Section 6c:10 of this report, any subsequent S106 Agreement will include an obligation for the Applicants to enter into a Community Engagement Scheme as well as a Local Labour Agreement for both the Construction and Operational phases of the development is approved (see <b>Appendix B</b> )

S106 contribution for NHS emergency services.	The CCG and UHL were consulted as part of the application and have not identified a requirement for such an obligation to form part of any subsequent S106 agreement
If this gets passed questions should be raised at the highest level of government.	The application has been submitted by a Government department, and, as set out in Section 6a of this report, is in response to the 2020 and 2021 Budget and Spending Reviews requirement to deliver 18,000 (and subsequently 20,000) additional prison spaces across the Country
Volunteer support for the current prison is in extremely short supply.	The availability of volunteers to help out at a facility is not a planning consideration to be given weight as part of the consideration of the planning application
This will possibly be one of the largest prisons in Europe	If built, the new facility will be one of the five largest prisons in the UK, with largest being HMP Oakwood which currently holds approximately 2000 prisoners <sup>96</sup> . The largest Prison in Europe Fleury-Mérogis Prison in Paris which holds more than 4,100 prisoners <sup>97</sup>
Proposed development is a 'done deal'	Any assumption that the proposals are a done deal are incorrect and unfounded. HDC Planning Officers make a recommendation on the Planning Application to the Planning Committee based upon the facts of the and the responses from consultees. This recommendation will then be considered by the Planning Committee in a public meeting following a site visit to view application site. Members are bound by the Council's Constitution to have an open mind on the merits of the proposal before hearing the cases to be made by all parties at the Committee Meeting. It is only once the Planning Committee have heard from all registered parties that the merits of the Application are debated and considered by the Committee.
Conflict with HDC Policy CS1 (Spatial Strategy) and Policy CS13	These Core Strategy Policies are out of date and have been replaced by appropriate Policies within the Harborough District Local Plan. As such, any perceived conflict with Core Strategy Policies can have no bearing at all upon the determination of the Planning Application
Impact of light pollution on astronomy and the night sky	The impact of the development in terms of light pollution has been appropriately assessed in Section 6c4 of this report. Any potential impact on astronomy is not a Planning matter, and as such, can not be assessed as part of the consideration of the Planning Application
Why was HMP Ashwell closed if there is a need for prison spaces?	HMP Ashwell was closed in March 2011 following a riot at the prison in April 2009 which resulted in significant damage including that caused by a fire. 75% of the facility was rendered uninhabitable as a result of the damage. It was considered by the MoJ that the cost of repairing and maintaining the building was too high <sup>98</sup> so as to be economically viable, hence the decision to close the facility and sell the site. Furthermore, as set out in Section 6a of this report, the 10,000 Additional Prison Places Programme, first announced by the Prime Minister in August 2019.
Should be looking for proactive solutions to the crime issue, not reactive measures	Planning decisions have to be based upon Planning Policy and other Material Considerations. One such material consideration is the Government desire to provide additional prison spaces as set out in Section 6a of this report. There is currently no official programme for the reduction

<sup>96</sup> • [UK largest prisons 2021 | Statista](https://www.statista.com/statistics/914500/largest-prisons-by-capacity-in-england-and-wales/)


(<https://www.statista.com/statistics/914500/largest-prisons-by-capacity-in-england-and-wales/>)

<sup>97</sup> [Fleury-Mérogis Prison - Wikipedia](https://en.wikipedia.org/wiki/Fleury-M%C3%A9rogis_Prison#:~:text=Fleury-M%C3%A9rogis%20Prison%20%28%20Maison%20d%27arr%C3%AAt%20de%20Fleury-M%C3%A9rogis%29%20is,is%20operated%20by%20the%20Ministry%20of%20Justice%20)

([https://en.wikipedia.org/wiki/Fleury-M%C3%A9rogis\\_Prison#:~:text=Fleury-M%C3%A9rogis%20Prison%20%28%20Maison%20d%27arr%C3%AAt%20de%20Fleury-M%C3%A9rogis%29%20is,is%20operated%20by%20the%20Ministry%20of%20Justice%20](https://en.wikipedia.org/wiki/Fleury-M%C3%A9rogis_Prison#:~:text=Fleury-M%C3%A9rogis%20Prison%20%28%20Maison%20d%27arr%C3%AAt%20de%20Fleury-M%C3%A9rogis%29%20is,is%20operated%20by%20the%20Ministry%20of%20Justice%20))

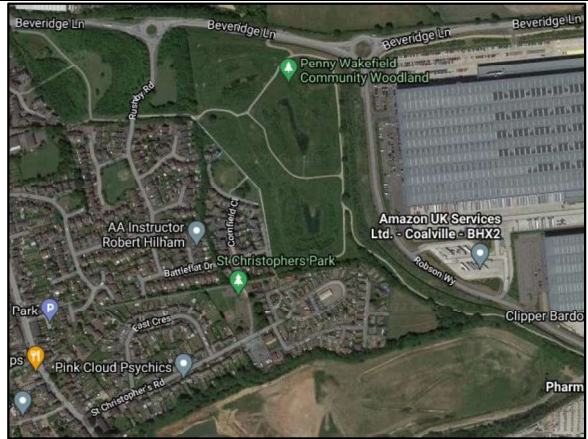
<sup>98</sup> [Prisons shutdown unveiled by government - BBC News](https://www.bbc.co.uk/news/uk-12178498)

(<https://www.bbc.co.uk/news/uk-12178498>)

	of offending, and as such, this is not a Material Consideration in the determination of the Planning Application.
Market Harborough has become a commuter town and the local identity of the area has been greatly diminished.	The Proposed Development relates to the creation of a new Prison, whether or not Market Harborough has become a commuter town has no bearing upon the consideration of this Planning Application
It will create a prison approaching the scale of a USA prison.	The proposed prison would house up to 1715 prisoners. As of 2021 <sup>99</sup> , the 10 largest prisons in the world were all located in the USA. The 10 <sup>th</sup> largest (Shelby County Jail) had a population of approximately 6,000 prisoners, with the largest (Los Angeles County Jail) having a population of approximately 20,000 prisoners
Car parking in the town will be insufficient	It is unclear how this proposed development will increase car parking in the town centre, staff and visitor parking will be provided as part of the development working at the prison. Furthermore, as set out earlier in this table, the impact on car parking in the town centre of any additional housing that may or may not be required in the future will be assessed once any requirement is quantified.
Significantly negative impact on the special character of this listed building (Kiln Yard, Marston Lane, East Farndon).	 <p>The submitted LVIA includes a viewpoint from the Public Right of Way to the north of Kiln Yard (see <b>Figure 57</b> in Section 6c4 of this report). Kiln Yard sits on an elevated plot, and features a distinctive “attic solarium” which is afforded extensive views across the landscape, including towards Market Harborough and the application site. The property sits outside of the study area identified within the Heritage Assessment submitted in support of the application. Whilst it is acknowledged that the proposed development will be visible from this property, the Official List Entry<sup>100</sup> for the property makes no reference to these views, and as such, the views from the property are not considered to contribute to the significance of the heritage asset. Due to the nature of the property, it is considered that its setting would constitute the plot within which it is set, including the garage, entrance gates and piers, the latter of which are mentioned within the Official List Entry. Consequently, any change to the long distance view from the property is not considered to result in any harm to the setting of the heritage asset.</p>
Impact on events at the South Leicestershire showground	The showground already sits within the backdrop of the existing prison which was already operational when the showground was located at the site. The Proposed Development includes significant screening to its open boundaries, and as such, once matured, this screening will reduce the visual impact of the Proposed Development to a greater extent than the existing prison which features no landscape screening to its eastern boundary towards the showground.

<sup>99</sup> [Top 12 Largest Prisons in the US \[Update 2022\] \(usabynumbers.com\)](https://usabynumbers.com/largest-prisons-in-the-us/) (<https://usabynumbers.com/largest-prisons-in-the-us/>)

<sup>100</sup> [KILN YARD, East Farndon - 1246868 | Historic England](https://historicengland.org.uk/listing/the-list/list-entry/1246868?section=official-listing) (<https://historicengland.org.uk/listing/the-list/list-entry/1246868?section=official-listing>)

S106 agreement to repair and upgrade Welland Avenue with pinch points and signage either end to minimise non-residential traffic going through the estate	S106 obligations can only be included in situations whereby all affected landowners are in happy with the obligation, and are willing to sign the S106 Agreement. The MoJ have periodically, over a number of years, attempted to engage with the multitude of landowners of Welland Avenue regarding different proposals to seek to improve the road, but to date, they have been unsuccessful. The latest of these attempts was in January 2022 when they wrote to all residents of Welland Avenue seeking their opinion on whether or not they would like to see Welland Avenue resurfaced. Unfortunately, without 1005 agreement from these landowners, the MoJ are powerless to carry out any improvements to this section of Welland Avenue, and this agreement has still not been forthcoming.
Why can't you build prisons out of the way, where it does not affect hard working people, somewhere like where Amazon Depo are built	<p>The Amazon facility at Coalville is located within 100m of the adjacent housing development which is a similar relationship as that which would exist between the Proposed Development and the properties on Welland Avenue.</p> 
Completely wrong to build a new prison at Gartree in addition to enlarging the existing one	The application to construct a new Houseblock at the existing HMP Gartree has been withdrawn by the MoJ, and therefore that proposal can be afforded no weight in the consideration of this planning application
Following cuts to bus routes, how is public transport going to be able to offer a service to the prison?	Leicestershire County Council as the responsible body for Public Transport provision in the County have been consulted on the application, and, as set out in Section 6c3 of this report, have made no request for funding to be allocated to the provision of Public transport services

**Figure 112: Table of outstanding issues and responses**

#### **d) Section 106 Obligations & Viability**

- *Developer Contributions Legislation / Policy*
- 6.38 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.
- 6.39 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 benefit's that meet the three legal tests under Regulation 122 of the CIL Regulations.
- 6.40 These legal tests are also set out as policy tests in paragraph 56 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..



- 6.41 Policy IN1 of the Harborough District Local Plan 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 Supplementary Planning Document, January 2017.
- *Assessment of Developer Contributions*
- 6.42 **Appendix B** identifies the CIL compliant developer contributions sought by consultees, a summary of the CIL compliance of the requests 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. It is recommended that the determination of the trigger points in the Section 106 Agreement be delegated to the Development Services Manager. The assessment carried out by Officers concludes that all stakeholder requests are CIL compliant.
- 6.43 As set out in **Appendix B**, a request has been made by Officers for a Local Labour Agreement to be created for the development. The aim of this would be to increase the share of local residents who work in the new development both during the Construction and Operational phases. There may also be an opportunity to include a commitment to apprenticeship schemes, again, for both the Construction and Operational phases. A further request has also been made by Officers for a Community Engagement / Enhancement scheme to be drawn up for the development. The intention of this scheme would be to identify the potential for increased community engagement between the prison and the surrounding local community with the aim of creating a facility which is integrated into, rather than being imposed upon the local community. The recently opened HMP Five Wells in Wellingborough operates on with a heavy emphasis on community engagement, be this in terms of the integration of local businesses into the training and educational element of the prison, or the visitors hall being made available for community use one day per week, or facilities being made available within the Entrance Hub for the local MP to host their surgery sessions, therefore benefitting from the enhanced security on offer at the Prison.
- 6.44 Whilst it is acknowledged that, due to the higher security category being proposed as part of this application (HMP Five Wells is a Category C facility, rather than the Category B facility proposed here), there are opportunities that can be investigated. The MoJ have committed to working with the management team, the local Council and the wider community to discuss such initiatives and to allow them to evolve organically over the course of time prior to the opening of the facility if approved. There may be opportunities to look at bespoke initiatives as part of these discussions which arise from that engagement, for example the refurbishment of the building next to the existing HMP Gartree Training Centre has the potential for community use. One initiative that Officers would be very keen to see implemented revolves around the use of food waste. HMP Five Wells have procured a Food Waste composter which processes food waste into fertilizer pellets. Such a facility could have a wider use than just that of the food waste generated by the prison, and an agreement between the Council and the Prison could be investigated to enable commercial food waste from restaurants in the locality to be processed at the prison. This would be a significant environmental benefit to the local area if this could be secured.
- 6.45 it would be vital than any Community Engagement / Enhancement scheme which is secured via the S106 is revisited on a regular basis throughout the life of the development so as to ensure that the best possible benefits are secured in the best interests of both the Prison and the local community. Furthermore, as discussed above, the benefits that can be secured as part of a Category C prison as opposed to

a Category B facility are considerably different, as are the potential impacts. As such, it is recommended that the S106 should include an obligation so as to ensure that any Community Engagement / Enhancement scheme is amended and resubmitted to the LPA for approval no later than 6 months prior to any change in security category of the Prison.

**e) Assessment of Alternatives**

- 6.46 Development which is subject to an Environmental Impact Assessment is required to be subject to an Assessment of Alternatives as part of the submission. As set out in **Para 3.42 of this report**, this proposal does not fulfil the criteria to be considered an EIA Development, and therefore, an Assessment of Alternatives is not a formal requirement of the planning submission. Notwithstanding this, as part of the Planning Statement submitted in support of the planning application, the applicants have set out their “Site Selection and Alternative Sites” assessment.
- 6.47 The type of prison subject to this application has a national remit and meets a national requirement for additional prison places within Category B. HMPPS has conducted extensive confidential research and development work, which has indicated that the maximum efficiency for construction cost and operations of the current prison design would be derived from 1,468-1,715 place prisons. The proposed new prison on land adjacent to HMP Gartree will comprise seven houseblocks with a proposed capacity of 1,715 prisoners. As a national service, HMPPS uses individual prisons’ capacity to meet national and wider geographical demand. When considering surplus demand for Category B prison places it serves a national requirement (as opposed to lower category prisons C and D which serve a regional requirement).
- 6.48 Internal modelling carried out by the Applicant has indicated that, if the MoJ did nothing to expand the existing estate save for new prisons already under construction, Category B Training demand would outstrip capacity by c. 2,140 nationally in April 2027. Further to this a Category B Training Prison provides crucial flexibility as it can house Category C cohorts, should the forecast population change in the future.
- 6.49 The MoJ initiated their site selection process following the publication of the 2016 Prison Safety and Reform White Paper (see **Section 5b**). By June 2020 and the publication of the 10,000 Additional Prison Places Programme (see **Section 5b**) the MoJ had identified that 4 new Prisons were required to meet the demand, and that these 4 new prisons would be built across England over the next 6 years (from 2020). It was also confirmed at this stage that these 4 new prisons would be in addition to those already under construction at Wellingborough and Glen Parva.
- 6.50 The site selection strategy for the 10,000 Additional Prisoner Places Programme balances a number of important considerations. Sites within MoJ ownership and suitable for development were identified, alongside other government owned land. In addition, an extensive market search was undertaken by Cushman & Wakefield (the Planning Agent for the application) informed by a requirement circulated to over 600 agents, a desktop search over multiple online databases and contact with commercial property agents to identify potential options.
- 6.51 Both the government land and market site search were informed by the same criteria, which contained Mandatory (i.e. site size; area of search), Secondary (ie relatively flat site; good transport access; not significantly overlooked; capable of connection to utilities; and outside floodplains) and Tertiary (i.e. previously developed / brownfield; a suitable shape for prison development; ease of recruitment; manageable in terms of ground conditions / contamination; not prejudiced by major ecological or historic

designations; and not affected by significant public rights of way or other similar issues) criteria.

- 6.52 Land in MoJ ownership was considered as priority sites given the potential for quicker delivery to meet challenging delivery programme and avoid additional costs and time delays associated with the purchase of land. A site search for privately owned sites was conducted by Cushman and Wakefield on behalf of the MOJ in early 2020 within the parameters identified by the MOJ, however this search did not bear fruit due to a combination of cost, timescales required to acquire privately owned sites or not fulfilling the required criteria.
- 6.53 On a national scale, several sites were shortlisted against the criteria above and four sites were selected for further consideration. Others were discounted, for example due to site constraints, areas of flood risk, infrastructure requirements, contamination issues, and accessibility. In addition, the site search for a site for a new Category B prison required a location easily accessible to the north and south to serve a national remit. The application site fulfils these criteria. The applicants considered that the proposed site satisfied many of the site search criteria and is situated in a region where substantial demand for additional prison places is expected. The site is already owned by the MoJ. On this basis, the site was selected by the Applicants as the preferred option. Officers consider that the above demonstrates the considerable scope and range of the site selection process undertaken by the Applicants over a significant period of time.

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

- 6.54 In assessing this application, the Case Officer has worked with the Applicant's in a positive and proactive manner consistent with the requirements of paragraph 38 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 Section 38(6) of the Planning and Compulsory Purchase Act 2004 require planning applications are determined in accordance with the provisions of the development plan unless material considerations indicate otherwise. The development plan for the district is The Harborough Local Plan 2011-2031. **Section 5a** of this report sets out the relevant local plan policies.
- 7.2 The application site is located outside the existing or committed built-up area of Market Harborough, Foxton and Lubenham in what is considered to be an unsustainable location. The Proposed Development does not comply with Policy GD3– *Development in the Countryside* of the Harborough Local Plan. Nor is the site judged to be in a sustainable location for new business development, failing to strictly comply with Harborough Local Plan, *Policy BE1- Provision of new business development*. In light of these acknowledged policy conflicts significant weight should be afforded against the proposal in the Planning Balance when considering the application.
- 7.3 The Proposed Development is within the Lubenham AoS, having a minor adverse impact on the AoS, however, this incursion is not considered to be of a degree which would significantly diminish the physical or visual separation between the

aforementioned settlements. Furthermore, the proposal would not result in and would not compromise (in conjunction with other development) the effectiveness of the AoS. The Proposed Development therefore complies with Lubenham Neighbourhood Plan Policy LNP01. The Proposed Development is not judged to be limited or small-scale employment, nor does it involve the conversion or re-use of existing buildings, the provision of rural/community services/facilities, land based businesses or positive farm diversification. The proposal is therefore contrary to Policy 19 of the Lubenham Neighbourhood Plan. Significant weight should be afforded against the proposal in the Planning Balance when considering the application.

- 7.4 Notwithstanding the above, the assessment that the Proposed Development is in accordance with the spirit and intentions of Policy BE1.1 is a minor beneficial material consideration to be weighed in the Planning Balance when determining the application. Part of the site is currently designated and protected as open space under Policy GI2 of the Harborough Local Plan, the proposed development both protects and enhances the existing open space in compliance with Policy GI2 and having a minor beneficial impact on the quality and access to open space at Gartree. Limited weight should be given to the potential benefits of the of the proposal in this regard.
- 7.5 As outlined above officers have identified conflict with the aforementioned policies of the Development Plan. It is established in law and reiterated within paragraph 2 of the NPPF that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, it has been identified that the prison population is forecast to increase over the next decade, creating a likely demand for prison places within this decade and beyond. The Government and specifically the MoJ and HMPPS have embarked on a national programme of prison expansion in response to this. The proposed Category B training facility would provide a substantial quantum of modern accommodation for prisoners which would contribute to meeting the acknowledged demand at a national level, in compliance with paragraphs 96 and 97 of the NPPF and the proposal would therefore have a major beneficial impact in this regard. This is a key material consideration which must be afforded significant weight in favour when weighed in the balance of the determination of the application.
- 7.6 The proposed development would not harm any Conservation Areas or Listed Buildings. The proposed development would result in the breaking up of part of a former runway which is a features associated with the former RAF Market Harborough, which could be considered to be a non-designated heritage asset due to its contribution to the defence of the Country. Furthermore the proposal would result in the loss of some potentially iron-age archaeological remains, again, considered to be non-designated heritage assets. The harm identified is of limited importance and weight in terms of NPPF Paragraph 203. Whilst the recording of these non designated heritage assets is considered to be a mitigation against the impact of the proposal, moderate weight should be afforded in favour of these public benefits of the development.
- 7.7 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. Furthermore, in accordance with the Environment Act, the proposed Development provides for a Biodiversity Net Gain through the ecological enhancement of land within the application site. As such, significant weight should be given to the benefits of the proposal upon Ecology.
- 7.8 The LHA – as statutory consultee and guardian of the highway network – 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. It is considered that, subject to the required mitigation, there would be no significant harm caused by the proposal upon the surrounding highway network, and as such, limited weight should be given to the potential impacts of the proposal in highways terms.

- 7.9 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) and is not designated as Green Belt. As such, any identified harm is only on a local level. The proposed development will have some moderate adverse effects in landscape/visual terms, which weigh against the proposal. However, the proposals have been designed to minimise these effects with significant landscaping belts to the boundaries. It is accepted that this landscape mitigation will not be in full effect upon the completion of the development, rather it could take up to 15yrs from planting to provide its maximum cover. However, with careful control via condition, this planting could be brought forwards in order that it already has some maturity by the time the development is complete, and, given the anticipated extensive life span of the Proposed Development, this is considered to be a relatively short period. As acknowledged by Inspector Baird in the Land north of Halloughton, Southwell, Nottinghamshire appeal<sup>101</sup> at para 22 “...you cannot make an omelette without breaking a few eggs”. Given their nature and scale, it is inevitable that large scale institutional facilities may result in landscape harm. In this context, national policy adopts a positive approach indicating that planning decisions should take into account wider security requirements by recognising and supporting development required for operational security purposes. Furthermore, as set out in **Paras 6.15 – 6.26** of this report, there are significant other material considerations which have to be weighed in the Planning Balance. The harm caused by the proposal upon the surrounding landscape is considered to be moderate, which should be given limited weight in the Planning Balance.
- 7.10 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 noted that, during required off site works to facilitate some of the mitigation, there will be a impact upon local residents due to the disruption created in the locality. 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.
- 7.11 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 route in proximity to a Primary School, it is considered that the impact of the development will be negligible at worst, and as such, limited weight should be given to the potential impacts of the proposal on Air Quality.
- 7.12 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. A more detailed consideration of the impact of the

---

<sup>101</sup> Reference: APP/B3030/W/21/3279533 ([planninginspectorate.gov.uk](https://planninginspectorate.gov.uk))  
(<https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3279533>)

development upon residential amenity will be carried out at Reserved Matters stage if Outline Consent is granted. On the basis of the above, no weight should be given to Residential Amenity issues at this stage

- 7.13 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. As such, significant weight should be given potential local and regional economic public benefits of the proposal.
- 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' and therefore the impact of the proposal on the best and most versatile agricultural land is neutral.
- 7.15 The proposed development will require the remediation of ground contamination on the site. On the basis that this work is only necessary as a result of the development, the impact of the proposal on ground contamination is neutral.
- 7.16 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.
- 7.17 Whilst in the majority of cases a finding that the Proposed Development does not accord with the policies of the development plan would lead to the application being refused, in this case, there are other significant Material Considerations that have to be weighed in the balance of the determination of the application. As set out in **Paras 6.15 to 6.29** and **7.5** above, it is considered that significant weight should be given to the National benefits to be found in the provision of additional prisoner accommodation.
- 7.18 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. 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 / S278 agreement)
- 7.19 In reaching this recommendation, Officers have taken into account the adopted Harborough District Local Plan 2011 to 2031, the Lubenham Neighbourhood Plan, the NPPF, the PPG and other material considerations as well as the technical reports and subsequent additional pieces of information which were submitted in support of the application. Officers are satisfied that this provides sufficient information to assess the impact of the proposals.

## **Appendix A – Recommended Conditions and Informatives**

### **1) Outline Planning Permission – Time Limit for Submit**

The development hereby approved shall commence prior to the expiration of two years from the date of approval of the last of the reserved matters to be approved. Applications for the approval of all of the reserved matters shall be made to the Local Planning Authority before the expiration of two years from the date of this permission.

REASON: To meet the requirements of Section 92 of the Town and Country Planning Act 1990.

### **2) Outline Planning Permission – Approval of Details**

No development shall commence on site until details of the access, appearance, landscaping, layout and scale (hereinafter called "the reserved matters") have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON: The application was made for outline planning permission and is granted to accord with the provisions of Section 92 of the Town and Country Planning Act 1990.

### **3) Approved plans/parameters**

The development hereby permitted shall be carried out in complete accordance with the approved plans listed in schedule:

[insert name or number of schedule of plans]

REASON: For the avoidance of doubt and to ensure that the proposed development is carried out as approved.

### **4) On-site foul water drainage scheme (Anglian Water)**

No development shall commence on site until a scheme for on-site foul water drainage works, including connection point and discharge rate, has been submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of the development, the foul water drainage works must have been carried out in complete accordance with the approved scheme.

REASON: To prevent environmental and amenity problems arising from flooding

### **5. Landscaping**

The layout and landscape details required in the reserved matters applications (condition 2) shall include a detailed Landscape Plan for the development which shall include (but not be limited to) details of:

- The Welland Avenue Play Area (to include details of play equipment)
- Enhanced boundary treatment between the proposed development and PRow A22
- Details of landscape proposals within the Biodiversity Net Gain area
- Details of planting within perimeter landscape belt

REASON: To ensure the provision of suitable landscaping in the interests of amenity and the character and appearance of the area and to accord with Harborough Local Plan Policy GD8

### **6. Landscape Management**

The layout and landscape details required in the reserved matters applications (condition 2) shall include 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 (to include the Welland Avenue Play Area, Biodiversity Net Gain area and perimeter landscape belt)
- II. Sustainable Urban Drainage Systems, watercourses and other water bodies
- III. Green Infrastructure linkages including any pedestrian and cycle links, public rights of way and bridleways.

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 Harborough Local Plan Policies GI1, GI2, GI4 and GI5

#### **7. Welland Avenue Play Area**

The Welland Avenue Play Area shall be delivered and made available for use prior to first use of the proposed development. Thereafter it shall be retained and available for use as a play area in perpetuity.

REASON: To ensure that the facility is made available in good time and to accord with Harborough Local Plan Policies GI2

#### **8. 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

#### **9. Materials**

Prior to construction of any external walls, details of all external materials to be used in the construction of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority, and the development shall only be carried out in accordance with the approved details.



REASON: To safeguard the appearance of the development and the character and appearance of the area, having regard to Harborough Local Plan Policy GD8, and the National Planning Policy Framework.

**10. BREAAAM/Climate condition.**

As part of the Reserved Matters application an updated BREEAM assessment report shall be submitted to and agreed by the LPA. The development shall achieve a BREEAM score of Excellent.

REASON: To ensure that the development accords with Policies CC1 and CC2 of the Harborough District Local Plan

**11. EV Charging points**

As part of the Reserved Matters submission details indicating the provision of Electric Vehicle Charging Points at a minimum of 10% of all car parking spaces shall be submitted.

REASON: To ensure that the development accords with Policy CC1 of the Harborough District Local Plan

**12. REMs broadly in accordance with D+A**

The development hereby permitted shall be carried out in complete accordance with the Design and Access Statement / Masterplan [insert ref]

REASON: For the avoidance of doubt and to ensure that the proposed development is carried out as approved

**13. Renewable Energy**

Prior to the first use of the hereby approved development, details of renewable and low carbon technologies to be used in the development shall be submitted to and approved in writing by the District Planning Authority. If it is not proposed to install such measures, details of why it is not appropriate to do so shall be submitted in writing.

REASON: To ensure that the development is sustainable as possible and appropriate technologies are employed and to accord CC1 and L1 of the Harborough Local Plan

**14. Refuse and Recycling**

Prior to the first use of the hereby approved development, 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

**15. 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

**16. 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 existing and future residents and to accord with Core Strategy Policy CS11

**17. External Lighting**

The appearance details required in Condition 2 shall include a scheme for the external lighting of the development (including details of permanent external lighting including layout plan, contour plan, a virtual plan, lighting type, luminaire type, intensity, mounting height, aiming angles and luminaire profiles). The scheme will also be accompanied by a detailed Lighting Assessment which predicts, assesses and verifies light emissions (including glare) at nearest receptors in accordance with relevant lighting guidance including, but not restricted to the guidance from by the Institution of Lighting Professionals. The scheme shall also identify suitable and appropriate mitigation where required. The scheme shall be implemented as approved and retained as such in perpetuity.

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

**18. 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.

**19. Travel Plan**

The development hereby permitted shall be brought into use in accordance with the targets and measures contained in the Atkins, 'Gartree 2 - Outline Travel Plan', Revision P06, dated 12 August 2021 and submitted to the Local Planning Authority on 20 September 2021.

REASON: To reduce the need to travel by single occupancy vehicle and to promote the use of sustainable modes of transport in accordance with the National Planning Policy Framework (2021).

**20. Public Right of Way**

Notwithstanding the submitted plans no development shall take place until a scheme and timetable for delivery for the treatment of Public Right of Way (PROW) A22 through the proposed development site to Welland Avenue has been submitted and approved in writing by the Local Planning Authority. This scheme shall include provision for the management of the PROW during construction (including any arrangements for a temporary diversion) fencing, surfacing, width, structures, signing and landscaping in accordance with the principles set out in the Leicestershire County Council's Guidance Notes for Developers. Thereafter the development shall be carried out in accordance with the approved scheme and timetable.

REASON: To protect and enhance Public Rights of Way and access in accordance with Paragraph 100 of the National Planning Policy Framework (2021).

**21. Highways Condition Survey**

The development hereby permitted shall not commence unless and until:

- i. A pre-development condition survey of Foxton Road between A4304 Lubenham and the application site (the route for HGVs as set out in the Framework Construction Traffic Management Plan) has been carried out and submitted to the Local Planning Authority and approved in writing.
- ii. A post development condition survey of Foxton Road between A4304 Lubenham and the application site (the route for HGVs as set out in the Framework Construction Traffic Management Plan) has been carried out and submitted to the Local Planning Authority within three months of the completion of the development hereby approved.
- iii. A method statement has been submitted to the Local Planning Authority and approved in writing identifying how any damage to the carriageway or highway verge, which may be inadvertently caused as a result of the development, will be made safe and remediated in full by the developer at their cost.

REASON: To ensure any significant impacts on the highway network, or on highway safety from construction vehicles associated with the development, can be cost effectively mitigated to an acceptable degree in accordance with the National Planning Policy Framework (2021).

**22. Biodiversity Net Gain**

Prior to commencement of development a final Biodiversity Net Gain plan demonstrating Biodiversity Net Gain of at least 22.32 habitat units and 2.65 hedgerow units and 30-year management plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved details shall be implemented in accordance with the approved plans and no later than 1 year following commencement of development.

REASON: To enhance the biodiversity of the area, having regard to Harborough Local Plan Policy GI5, and the National Planning Policy Framework.

**23. Wildlife Management Plan**

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a Wildlife Management Plan, to include as appropriate detailed proposals for the protection of bats, birds, reptiles, great crested newts and badgers, and measures for the mitigation (in accordance with the submitted Ecological Reports) of any harm likely to be caused by the development. This mitigation shall include:

1. pre-removal checks for bat roosts of the four trees and buildings identified as having bat-roost potential;
2. a sensitive lighting plan and strategy, featuring no permanent lighting along Welland Avenue and minimise impacts on currently-dark areas;
3. the installation of new Barn Owl boxes (refer to section 5 and 6 of the Barn Owl report);
4. the installation of new bat boxes (refer to section 6 of the Bat Activity survey;
5. relocation of the main Badger sett, with an updated survey to be carried out (and submitted to the LPA for approval) in the 6 months immediately prior to the programmed start of site clearance (refer to the Badger Bait-marking Survey and Relocation Strategy).
6. Hedgehog checks to be carried out prior to the clearance of vegetation, debris, or other locations where they may shelter

7. The provision of a minimum of 10 hedgehog homes within the application site. The development shall be carried out in accordance with the approved management plan.

REASON: To identify and ensure the survival and protection of important species and those protected by legislation that could be adversely affected by the development, having regard to Harborough Local Plan Policy GI5, and the National Planning Policy Framework.

**24. Nest Seasons**

Demolition of buildings/structures, felling of trees and removal of shrub and scrub and commencement of other enabling works shall not be carried out during the nesting season. If any works are required during the nesting season, this shall be carried out following the all clear from a nest check carried out by a suitably qualified ecologist. Any active nests must be safeguarded with a 5m stand-off using road pins and hazard tape or fencing.

REASON: To identify and ensure the survival and protection of important species and those protected by legislation that could be adversely affected by the development, having regard to Harborough Local Plan Policy GI5, and the National Planning Policy Framework.

**25. Surface Water drainage**

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.

**26. Surface Water Management**

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.

**27. Surface Water Maintenance**

No occupation of the development approved by this planning permission shall take place until such time as details in relation to the long-term maintenance of the 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 surface water drainage system (including sustainable drainage systems) within the proposed development.

**28. Infiltration Testing**



No development approved by this planning permission shall take place until such time as infiltration testing has been carried out (or suitable evidence to preclude testing) to confirm or otherwise, the suitability of the site for the use of infiltration as a drainage element, has been submitted to and approved in writing by the Local Planning Authority.

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

**29. Watercourse Diversions**

Prior to approval of the Reserved Matters, full details of diverted and removed watercourses are to be submitted and approved in writing by the Local Planning Authority.

REASON: To ensure that sufficient space is available for maintenance access with minimal culverting, and consideration of blockage risk.

**30. Archaeology**

No demolition/development shall take place/commence until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition/development shall take place other than in accordance with the agreed WSI, which shall include:

- a) the statement of significance and research objectives,
- b) the programme and methodology of site investigation and recording
- c) the nomination of a competent person(s) or organisation to undertake the agreed works
- d) the programme for post-investigation assessment and subsequent analysis, publication &
- e) 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

**31. Risk Based Land Contamination Assessment**

No development (except any demolition permitted by this permission) shall commence on site, or part thereof, until a Remedial Scheme and a Verification Plan has been submitted to and agreed in writing by the Local Planning Authority. The Remedial Scheme shall be prepared in accordance with the requirements of:

- a) CLR 11 Model Procedures for the Management of Land Contamination, published by The Environment Agency 2004.
- b) BS 8485:2015+A1:2019 Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings
- c) Or any documents which supersede these.

The Verification Plan shall be prepared in accordance with the requirements of:

- a) Evidence Report on the Verification of Remediation of Land Contamination Report: SC030114/R1, published by the Environment Agency 2010;
- b) CLR 11 Model Procedures for the Management of Land Contamination, published by The Environment Agency 2004.
- c) BS 8485:2015+A1:2019 Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings
- d) CIRIA C735, "Good practice on the testing and verification of protection systems for buildings against hazardous ground gases"
- e) CIRIA, 2014
- f) Or any documents which supersede these.

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.

If required, the Risk Based Land Contamination Assessment shall be carried out in accordance with:

- BS10175:2011+A2:2017 Investigation Of Potentially Contaminated Sites Code of Practice;
- BS8576:2013 Guidance on Investigations for Ground Gas – Permanent Gases and Volatile Organic Compounds (VOCs) and
- CLR 11 Model Procedures for the Management of Land Contamination, published by The Environment Agency 2004.
- Or any documents which supersede these.

Thereafter, the development shall be implemented in accordance with the approved details and retained as such in perpetuity.

*REASON: To ensure that the land is fit for purpose and to accord with the aims and objectives of Paragraph 170, 178 and 179 of the NPPF*

### **32. Completion/Verification Investigation Report**

Prior to occupation of the completed development, or part thereof, A Verification Investigation shall be undertaken in line with the agreed Verification Plan for any works outlined in the Remedial Scheme and a report showing the findings of the Verification Investigation relevant to the whole development, or part thereof, 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 the aims and objectives of Paragraph 170, 178 and 179 of the NPPF*

### **33. Noise**

Concurrent to the submission of the Reserved Matters, an updated noise survey shall be submitted to the LPA for approval. This survey should take account of the fixed limits which were set in noise assessment for fixed plant and any potential mitigation that can be provided in terms of screening.

*REASON: To ensure that the residential amenity of surrounding properties is afforded adequate protection and to ensure compliance with Policy GD8 of the Harborough District Local Plan*

**34. Construction (Traffic) Environment Management Plan**

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 (LPA). The CEMP shall provide for, and include details of the timing of the provision of:

- 1) the parking of vehicles for site operatives and visitors;
- 2) The means of access and routing for demolition and construction traffic and indication of signage locations to assist those delivering to the site
- 3) details of a Construction Communications Strategy which contains points of contact and details for residents to report HGVs utilising inappropriate routes;
- 4) A construction travel plan
- 5) temporary highway works;
- 6) a detailed reactive and proactive road cleaning schedule, incorporating the use of road sweepers, on-site wheel wash facilities and the use of hand brooms on wheels and roads where necessary.
- 7) Footpath diversions where necessary
- 8) Proposed mitigation schemes on the highway network where necessary
- 9) measures to protect the trees and hedges to be retained within the site during the construction works (having regard to British Standard 5837 (2012) 'Trees in relation to design, demolition and construction – recommendations') including the periods before and after materials, machinery and equipment are brought onto site;
- 10) measures to protect the wildlife habitats and wildlife corridors during the duration of the construction works;
- 11) measures for the eradication of invasive non-native species
- 12) details of ongoing invasive non-native species monitoring
- 13) measures to control the emission of dust and dirt during construction;
- 14) measures for the control of lighting of compounds and works during construction;
- 15) details of the management of surface water run-off on site during construction of the development, to include details of any temporary localised flooding management system and a scheme to treat and remove suspended solids from surface water run-off during construction;
- 16) hours of operation, including the hours of construction and the hours for the loading/unloading of materials;
- 17) details of any piling operation to be undertaken;
- 18) Construction noise and vibration strategy
- 19) loading and unloading of plant and materials;
- 20) storage of plant and materials used in constructing the development;
- 21) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- 22) location, layout and scale of contractors compound;
- 23) the storage of fuel and chemicals;
- 24) Earthworks and soil management strategy in accordance the 'Construction Code of Practice for the Sustainable Use of Soils on Construction Sites', DEFRA 2009 (as amended)
- 25) Sustainable site waste management plan for recycling/disposing of waste resulting from demolition and construction work;
- 26) Details of carbon neutrality or carbon emission minimisation measures to be implemented

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

REASON: To ensure that the residential amenity of surrounding properties is afforded adequate protection; to ensure the protection of the highway network; to protect the surrounding environment and habitats; and to protect the amenity of the area in accordance with Policies GD8 and GI5 of the Harborough District Local Plan

## **Informatives**

### **1. Burning of waste**

It is recommended that no burning of waste on site is undertaken unless an exemption is obtained from the Environment Agency. The production of dark smoke on site is an offence under the Clean Air Act 1993. Notwithstanding the above the emission of any smoke from site could constitute a Statutory Nuisance under section 79 of the Environmental Protection Act 1990.

### **2. Hours of work**

Other Building works, deliveries, clearance or any works in connection with the development shall take place on site between the hours of 08.00 – 18.00 hours Monday to Friday, 08.00 – 13.00 Saturday and at No time on Sunday or Bank Holidays.

### **3. Downstream Flooding**

Desktop analysis has suggested that the proposed development will lead to an unacceptable risk of flooding downstream. We therefore highly recommend that you engage with Anglian Water at your earliest convenience to develop in consultation with us a feasible drainage strategy. If you have not done so already, we recommend that you submit a Pre-planning enquiry with our Pre-Development team. This can be completed online at our website <http://www.anglianwater.co.uk/developers/pre-development.aspx>. Once submitted, we will work with you in developing a feasible mitigation solution.

### **4. Drainage**

If a foul or surface water condition is applied by the Local Planning Authority to the Decision Notice, we will require a copy of the following information prior to recommending discharging the condition:

Foul water:

Feasible drainage strategy agreed with Anglian Water detailing the discharge solution including:

- Development size
- Proposed discharge rate (Should you require a pumped connection, please note that our minimum pumped
- discharge rate is 3.8l/s)
- Connecting manhole discharge location (No connections can be made into a public rising main)
- Notification of intention to connect to the public sewer under S106 of the Water Industry Act (More information
- can be found on our website)
- Feasible mitigation strategy in agreement with Anglian Water (if required)

Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.

### **5. Protection of existing assets**



A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.

**6. Building near to a public sewer**

No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.

**7. Drainage adoption**

The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

**8. PRoW re-routing**

A Public Right of Way must not be re-routed, encroached upon or obstructed in any way without authorisation. To do so may constitute an offence under the Highways Act 1980. If the developer requires a Right of Way to be temporarily diverted, for a period of up to six months, to enable construction works to take place, an application should be made to [networkmanagement@leics.gov.uk](mailto:networkmanagement@leics.gov.uk) at least 12 weeks before the temporary diversion is required.

**9. PRoW surface**

Any damage caused to the surface of a Public Right of Way, which is directly attributable to the works associated with the development, will be the responsibility of the applicant to repair at their own expense to the satisfaction of the Local Highway Authority.

**10. Network Management**

The Applicant should be advised to contact Leicestershire County Council's Network Management team at the earliest opportunity to discuss access to the road network to carry out works. The team can be contacted at: [networkmanagement@leics.gov.uk](mailto:networkmanagement@leics.gov.uk)

**11. SUDS**

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 return period event plus an appropriate allowance for climate change, based upon the submission of drainage calculations.

**12. Drainage**

Full details for the drainage proposal should be supplied including, but not limited to; construction details, cross sections, long sections, headwall details, pipe protection details (e.g. trash screens), and full modelled scenarios for the 1 in 1 year, 1 in 30 year and 1 in 100 year plus climate change storm events.

**13. Surface Water Management**

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.

**14. Surface Water Maintenance Plan**

Details of the surface water Maintenance Plan should include for routine maintenance, remedial actions and monitoring of the separate elements of the surface water drainage system that will not be adopted by a third party and will remain outside of individual property ownership. For commercial properties (where relevant), this should also include procedures that must be implemented in the event of pollution incidents.

**15. Infiltration**

The results of infiltration testing should conform to BRE Digest 365 Soakaway Design. The LLFA would accept the proposal of an alternative drainage strategy that could be used should infiltration results support an alternative approach. Where infiltration is deemed viable, proposed infiltration structures must be designed in accordance with CIRIA C753 "The SuDS Manual" or any superseding version of this guidance.

**16. Culverting**

The scheme shall include full consideration of Leicestershire County Council's Culverting Policy (Flood Risk Management Strategy Appendix – A3 P1.1 Policy 1) through minimising the length of watercourse being culverted by the proposals.

**17. Ordinary Watercourse**

Where there are any works proposed as part of an application which are likely to affect flows in an ordinary watercourse or ditch, the applicant will require consent under Section 23 of the Land Drainage Act 1991. This is in addition to any planning permission that may be granted.

Guidance on this process and a sample application form can be found via the following website: <http://www.leicestershire.gov.uk/flood-risk-management>

**18. Culverting**

Applicants are advised to refer to Leicestershire County Council's culverting policy contained within the Local Flood Risk Management Strategy Appendix document, available at the above link. No development should take place within 5 metres of any watercourse or ditch without first contacting the County Council for advice.

This consent does not consider local watercourse bylaws. It is the responsibility of the applicant to check if the local borough or district council has their own bylaws which the proposals will also need to consider.

**19. Standing Advice – Maintenance**

Note that it is the responsibility of the Local Planning Authority 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.

**20. Standing Advice – Overland flow routes**

Overland flow routes as shown on the update map for surface water should be considered such that buildings are not placed directly at risk of surface water flooding. Such flow routes should be utilised for roads and green infrastructure

**21. Standing Advice – Ditches**

Where a drainage ditch adjoins or flows through a development, provision should be made such that the ditch can be made throughout the life of the development. The ownership and responsibility for maintenance of the ditch should also be clearly identified and conveyed to the relevant parties.

**22. BNG**

The applicant should be aware that if plans change significantly, the metric will need to be re-run at the reserved matter stage.

**23. Consdtruction (Traffic) Management Plan**

Construction traffic management arrangements shall be implemented in accordance with the 'Gartree 2 - Framework Construction Traffic Management Plan', Revision P04, dated 10 August 2021 prepared by Atkins and submitted to the Local Planning Authority on 20 September 2021.

## Appendix B – S106 Obligations

<b>Request by HDC</b>	<b>Obligation for Local Labour Agreement</b>		
<b>Amount /Detail</b>	<b>Delivery</b>	<b>CIL Justification</b>	<b>Policy Basis</b>
To submit to the Council for approval the Local Labour Agreement setting out the measures to be implemented in order to secure employment opportunities for local people during both the Construction and Operational phases of the development	Not less than three months prior to the commencement of the development	To ensure that the development provides employment benefits to the local community	Objective 2 and Policy IN1 of the Harborough District Local Plan 2011-2031  HDC Planning Obligations Supplementary Planning Document Jan 2017.  LCC Planning Obligations Policy 2019
<b>Request by HDC</b>	<b>Obligation for Community Engagement Scheme</b>		
<b>Amount /Detail</b>	<b>Delivery</b>	<b>CIL Justification</b>	<b>Policy Basis</b>
To submit to the Council for approval the Community Engagement / Enhancement scheme setting out the measures to be implemented in order to secure public benefits for the local community	Not less than three months prior to the first operation of the development  Scheme to be revisited and resubmitted every 5yrs  Scheme to be revisited and resubmitted no later than 6 months prior to any potential change in Security Category	To ensure that the development provides public community benefits for the local community  To ensure that deliverable benefits are appropriate to the needs of the community at the time  To ensure that the deliverable benefits are appropriate to the off-set the potential impacts of the altered security category	Local Plan Vision, Objective 5 and Policy IN1 of the Harborough District Local Plan 2011-2031  HDC Planning Obligations Supplementary Planning Document Jan 2017.  LCC Planning Obligations Policy 2019
<b>Request by LCC</b>	<b>Obligation for Biodiversity Net Gain</b>		
<b>Amount /Detail</b>	<b>Delivery</b>	<b>CIL Justification</b>	<b>Policy Basis</b>
Biodiversity Net Gain – On-site enhancement  Provision of on-site enhancement that has the capacity to provide Biodiversity Net Gain of at least 22.32 habitat units	To be implemented in accordance with the approved plans and no later than 1 year following commencement of development.	To ensure that the development will deliver measurable net gains in biodiversity as proposed in the application to meet with national policy.  Measures use a recognised methodology based on objective evidence to assess and calculate biodiversity impact (Natural England, Metric 3.0, July 2021)	Policy G15 and IN1 of the Harborough District local Plan 2011-2031  The Framework paragraphs 180d  Harborough Infrastructure Development Plan 2017

and 2.65 hedgerow units and 30-year management plan			HDC Planning Obligations Supplementary Planning Document Jan 2017.  Environment Act
<b>Request by LLC</b>	<b>Obligation for Highways</b>		
<b>Amount /Detail</b>	<b>Delivery</b>	<b>CIL Justification</b>	<b>Policy Basis</b>
Improvements to the Public Right of Way (A22) linking Gallow Field Road and Swingbridge Street  <b>£102,898.00</b>	Prior to commencement of the development	To protect and enhance Public Rights of Way and access in accordance with Paragraph 100 of the National Planning Policy Framework 2021.	Planning Obligations SPG (Jan 2017)  Leicestershire Planning Obligations Policy Adopted 10 July 2019
Appointment of a Travel Plan Co-ordinator.	From commencement of development until 5 years after the first occupation of the facility	To ensure effective implementation and monitoring of the Travel Plan submitted in support of the Planning Application.  The Travel Plan Co-ordinator shall be responsible for the implementation of measures as well as monitoring and implementation of remedial measures.	
Travel Plan monitoring fee  <b>£6,000</b>	Prior to first use of the development	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.	



## Appendix C – Leicestershire County Council Highways substantive comments

### **Substantive response of the Local Highway Authority to a planning consultation received under The Development Management Order.**



Response provided under the delegated authority of the Director of Environment & Transport.

---

#### **APPLICATION DETAILS:**

Planning Application Number: 21/01600/OUT

Highway Reference Number: 2021/1600/03/H/R1

Application Address: Land Adj HM Prison Welland Avenue Gartree Lubenham Leicestershire

Application Type: Outline

Description of Application:

Re-consultation. Outline Planning Application with all matters reserved except for means of access and scale for the construction of a new Category B prison of up to 82,555sqm within a secure perimeter fence together with access, parking, landscaping and associated engineering works

---

#### **GENERAL DETAILS**

Planning Case Officer: Mark Patterson

Applicant: Ministry Of Justice

County Councillor: Phil King

Parish: Lubenham

Road Classification: Unadopted / Private

---

#### **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 impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe. Based on the information provided, the development therefore does not conflict with paragraph 111 of the National Planning Policy Framework (2021), subject to the conditions and/or planning obligations outlined in this report.

#### **Advice to Local Planning Authority**

##### **Background**

This is the Local Highway Authority's (LHA) second formal response to the planning application for a new Category B prison of up to 82,555sqm within a secure perimeter fence together with access, parking, landscaping and associated engineering works on land adjacent to the existing HM Prison, Welland Avenue, Gartree.

In the initial highway observations dated 4 October 2021 the LHA advised that given the volume of evidence submitted in support of the planning application the LHA needed more time than the statutory consultation period to formulate its substantive response.

The impact of the proposed development as set out in the Atkins Transport Assessment (TA) Version 2 (dated 12 August 2021) has now been reviewed and forms the basis of further formal observations along with the other highways and transport information referenced below:-

- Planning application form;
- Cushman and Wakefield covering letter dated 10 September 2021;
- Cushman and Wakefield document ref: 661277-0000-CUS-GTX0000-XX-RP-T-0001, 'Gartree 2 - Planning Statement', Revision P02, dated 11 August 2021;
- Pick Everard, document ref: 'Gartree 2- Design and Access Statement', Revision P09, dated 31 August 2021;
- Pick Everard drawing number: 61277-00-PEV-GTX0011-ZZ-DR-A-9000, 'Site Location Plan - Existing', Revision P04, dated 30 July 2021;
- Pick Everard, drawing number: 661277-0000-PEV-GTX0011-ZZ-DR-A-9002, 'Site Block Plan - Proposed Planning', Revision P06, dated 3 August 2021;
- Atkins document ref: 661277-0000-ATK-GTX0000-XX-RP-X-0002, 'Gartree 2 - Outline Travel Plan', Revision P06, dated 12 August 2021; and
- Atkins document ref: 661277-0000-ATK-GTX0000-XX-RP-X-0003, 'Gartree 2 - Framework Construction Traffic Management Plan', Revision P04, dated 10 August 2021.

#### **Proposed Development**

The LHA understands the proposed development will cover two parcels of land primarily to the north and south of Welland Avenue with a smaller parcel of land just south of Gallow Field Road and provide a range of buildings / facilities on land including:

- Seven new houseblocks each accommodating up to 245 prisoners (1,715 prisoners in total), totalling c.53,122 sqm GEA;
- Supporting development including kitchen, workshops, kennels, entrance resource hub, central services Hub and support buildings, totalling c. 29,433 sqm GEA; and
- Ancillary development including car parking (c. 523 spaces), internal road layout and perimeter fencing totalling 1463 linear meters enclosing a secure perimeter area of 11.69 ha; and

The Applicant anticipates that there will be up to 858 employees who will work in various shift patterns. Further details of the predicted number of trips the proposed development could generate can be found later on in these observations.

The location of the proposed development is shown in Figure 1 below:





Figure 1 - Site Location Plan reproduced from Figure 1 in Cushman and Wakefield Planning Statement

### **Site Access**

Vehicular access to the proposed development is proposed to be taken from Welland Avenue which is private road before it joins the public highway at Gallow Field Road to the north and Foxton Road to the south. The Applicant has indicated that all traffic associated with the prison will be required to arrive / depart via Foxton Road to reduce the impact of the development on the residents of Welland Avenue.

The Applicant has submitted a traffic calming scheme for Welland Avenue (Appendix E of the TA) to encourage traffic associated with the prison to arrive and depart via Foxton Road. The Applicant has also submitted several swept path drawings for larger vehicles that will visit the site.

As Welland Avenue is a private road, the LHA understands that the Applicant has designed the vehicular access to meet their specific requirements and therefore has no further comments to make on the site access arrangements. However, the LHA does not consider that an agreement on the routing of development traffic avoiding the northern section of Welland Avenue can be secured by planning condition. This is a matter for the LPA to consider.

### **Highway Safety**

The Applicant has undertaken a review of the Personal Injury Collision (PIC) data for a period of five years from 2016 to 2020. The study area reviewed covers the following links / junctions:

- Welland Avenue link between Gallow Field Road and Foxton Road;
- Gallow Field Road link between B6047 Harborough Road and Welland Avenue;
- Gallow Field Road link between Welland Avenue and Foxton Road;
- Foxton Road link between Gallow Field Road and Welland Avenue;
- Foxton Road link between Welland Avenue and A4304 Lubenham;
- Gallow Field Road / B6047 Harborough Road junction;
- Gallow Field Road / Welland Avenue junction;
- Gallow Field Road / Foxton Road junction;
- Foxton Road / Welland Avenue junction; and
- Foxton Road / A4304 Lubenham junction.

The Applicant has included the study area in Figure 3.5 of the TA which is reproduced below in Figure 2. Full details of the PIC data are in Appendix B of the TA.

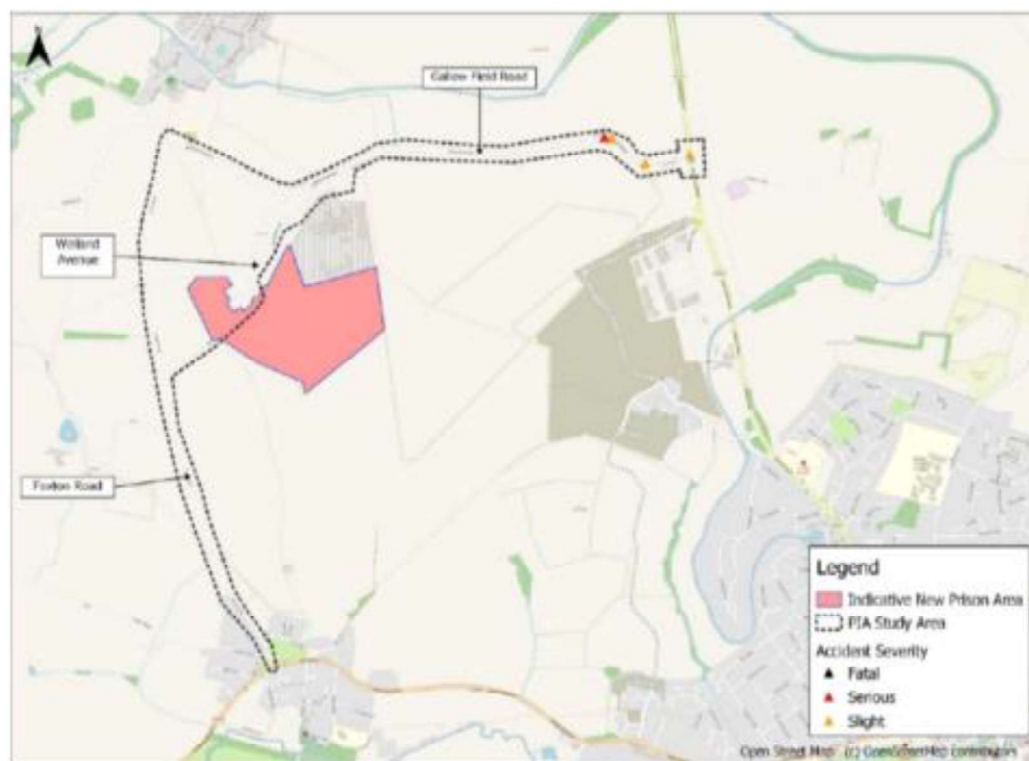


Figure 2 - Personal Injury Collision study area reproduced from Figure 3.5 of the TA

To ensure the latest PIC data has been reviewed the LHA has checked its own database for the period 1 January 2016 to 30 August 2021. This shows that there were six PICs during period under consideration. The key findings of the LHA's review are detailed below:-

- Four slight and two serious collisions in the study area during period under consideration; and



- One collision in 2016 and 2017, two collisions in 2018 and two collisions in 2021. There were no personal injury collisions in 2019 and 2020.

The LHA note that four of the PICs included motorcycles, however further analysis of the details of the collisions does not indicate any pattern and given there is only predicted to be 10 (two-way trips) motorcycle trips per day from the proposed development a scheme of mitigation cannot be justified.

The LHA are aware of local concerns with the Gallow Field Road / B6047 Harborough Road junction and therefore the LHA advised the Applicant to pay particular attention to this junction in their assessment. The PIC data shows that there has been just one collision in the last 5-year period. This occurred in October 2017, and was classified as slight. The collision involved a turning movement from Leicester Lane right onto the B6047. Therefore, it cannot be demonstrated that there is an accident pattern that the proposed development exacerbate.

Based on their review of the PIC data the Applicant has concluded that there are no existing spatial clustering or trends that the proposed development would exacerbate. Following its own analysis of the PIC data, the LHA agrees with this conclusion.

### **Trip Generation**

Given the bespoke nature of this planning application the Applicant has based the trip generation on information used for planning applications for HMP sites elsewhere in the country. The LHA accept that this is a reasonable, evidence-based approach.

The LHA understands that uniform and non-uniformed staff will work a variety of shift patterns. The uniformed staff work in four shifts with the majority of uniformed staff (48%) arriving at the site before 08:00 and finishing at 17:30. The split for non-uniformed staff is approximately 50/50 between 08:30 to 16:30 or 09:30 to 17:00. Further details of the shift patterns for the proposed development are shown in Table 5.1 of the TA.

Based on the shift patterns the Applicant has then compared the network peak hour and the development peak hour trip generation at the Harborough Road/ Gallow Field Road/ Leicester Lane junction and the Gallow Field Road/ Foxton Road junction. The analysis demonstrated that the development peak occurs outside of the network peak at both locations. However the Applicant has considered the impact of the proposed development in two separate time periods; AM (07:00-08:00) and PM (17:00 - 18:00).

The Applicant has analysed the Journey to Work data from the 2011 Census to understand likely travel modes of staff and visitors. Whilst the Applicant has split the staff trips by mode the visitor and legal visits have been based purely on car trips due to the location of the proposed development and the fact these trips are from all over the country, which reduces the travel options available. This approach is considered to be robust.



Vehicles per hour						
	AM Peak (07:00 to 08:00)		PM Peak (17:00 to 18:00)		Daily	
	IN	OUT	IN	OUT	IN	OUT
Staff	205	21	0	240	538	538
Visitors	0	0	0	17	134	134
<b>Total</b>	<b>205</b>	<b>21</b>	<b>0</b>	<b>257</b>	<b>672</b>	<b>672</b>

Table 1: Details of trip generation for proposed development

#### Trip Distribution

After establishing the number and mode of trips predicted to be generated by the proposed development, the Applicant has also considered the origin and destinations for these trips. The trips have then been assigned to the network. Details of the trip distribution are reproduced in Table 2 below:

Route	Distribution
A – A4302 Theddingworth Road (West)	19%
B – A4304 Harborough Road (East)	25%
C – B6047 Harborough Road (South)	17%
D – B6047 Harborough Road (North)	38%
<b>Total</b>	<b>100%</b>

Table 2: Estimated Vehicle Trip Distribution

Whilst there is the possibility of some of the northbound trips (to Leicester) going through the village of Foxton, the Applicant has predicted that this would only equate to 22 trips in the AM peak hour and 18 in the PM peak hour. Based on these figures the LHA cannot justify any mitigation within the village of Foxton on grounds of highway safety or capacity when considering the tests set out in the National Planning Policy Framework (NPPF).

Given the proposed routing of traffic is via the classified road network the LHA is satisfied with the trip distribution.

#### Highway Impact

To understand the impact of the proposed development on the public highway the Applicant has considered the baseline situation in 2021 and then the future scenario when the prison is due to open in 2025.

### Traffic Surveys

To establish the baseline position the Applicant undertook several traffic surveys (classified turning counts and automatic traffic counters) in June 2021 at the following key locations in the vicinity of the proposed development:

1. B6047 Harborough Road / Leicester Lane / Gallow Field Road;
2. Gallow Field Road / Welland Avenue;
3. Gallow Field Road / Foxton Road;
4. Foxton Road / Welland Avenue;
5. A4304 / Foxton Road;
6. Gallow Field Road;
7. Foxton Road;
8. Welland Avenue (North); and
9. Welland Avenue (South).

Due to changes in traffic as a result of the Covid-19 pandemic the LHA advised the Applicant that traffic surveys conducted in June 2021 would need to have a factor applied to increase these flows to pre-pandemic levels. The Applicant has confirmed that "Covid factors" have been applied by the survey company prior to submission of the traffic flow data. The location of the traffic surveys is shown in Figure 7.2 of the TA and reproduced in Figure 3 below:

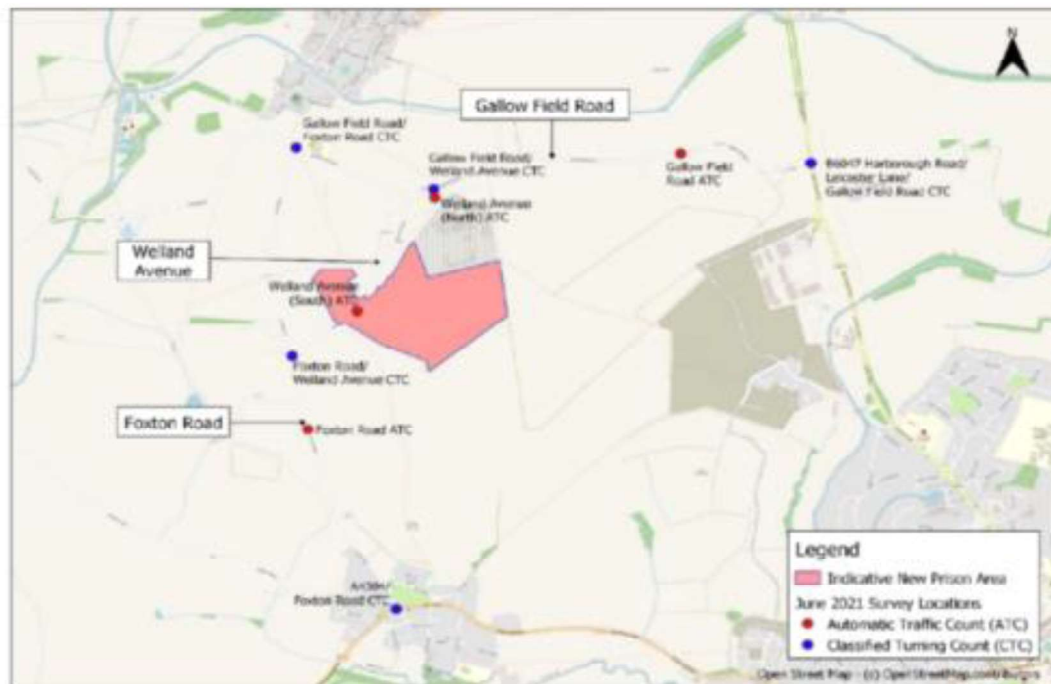


Figure 3 - Location of traffic surveys reproduced from Figure 7.2 of the TA



### Future Scenarios

The Applicant has applied a growth factor calculated from TEMPRO to the 2021 traffic surveys to create a 2025 baseline scenario ie without the proposed development. The growth factors, which have been checked and are acceptable, are reproduced below:

2021 to 2025: AM Peak = 1.0721; and

2021 to 2025: PM Peak = 1.0729

### Junction Capacity Assessments

The following junctions were identified for further, detailed assessment using industry standard junction assessment software and the flows from the traffic diagrams in Appendix I of the TA:

1. Proposed Site Access/ Welland Avenue junction;
2. B6047 Harborough Road / Leicester Lane / Gallow Field Road junction;
3. A4304 / Foxton Road junction; and
4. Gallow Field Road / Foxton Road junction.

As referenced above the Applicant has assessed the AM peak (07:00 - 08:00) and PM peak (17:00 - 18:00) for the following scenarios

- 2021 Baseline;
- 2025 Opening Year without development; and
- 2025 Opening Year with development.

Junctions 9 software allows a range of traffic flow profiles to be adopted when undertaking peak period model runs. Generally, an RFC (Ratio of Flow to Capacity) of below 0.85 (for roundabout and priority junctions) indicates that a junction operates within capacity for the assessed flows. An RFC of over 1.0 indicates that a junction operating over capacity.

The LHA has fully reviewed junction models and results of the junction capacity assessments and is satisfied that there are no capacity issues with any of the junctions that would justify a scheme of mitigation in accordance with the tests set out in the NPPF. The junction model outputs are contained in Appendices M - P of the TA.

### Internal Layout

The Applicant has indicated that there will be 523 parking spaces which includes 16 accessible parking spaces, 53 electric vehicle charging spaces and 27 car sharing users. The LHA also welcome the Applicants intention to provide 51 cycle parking spaces as part of the proposed development. The LHA would advise the Applicant that the cycle parking should be secure and undercover.

The LHA have no standards in the Leicestershire Highway Design Guide (LHDG) for prisons so the parking provision is based on end user requirements. Chapter 6 of the TA provides further analysis and justification of the level of parking being provided. This assessment indicates that based on staff/visitor arrivals at the site and considering shift patterns and accumulation there will be a maximum of 506 vehicles on the site at any time.



Notwithstanding the above, the planning application is in outline with all matters reserved except for means of access and scale, so the LHA will review the internal layout of the proposed development at the Reserved Matters stage in the event that planning permission is granted.

Further details of the indicative layout and the methodology for the parking accumulation study can be found in Appendix C and J of the TA.

#### **Transport Sustainability**

The Applicant has investigated the opportunities for employees to access the site by sustainable modes of travel i.e. walking, cycling or public transport. There are only limited opportunities for walking to / from the site but the villages of Foxton and Lubenham are a 10 minute cycle journey to the site or Market Harborough is 20 minutes away by cycle.

The site is served by the number 44 bus service, which travels between Fleckney, Market Harborough, and Foxton. The service currently operates once every one to two hours Monday – Saturday, with no Sunday service. The existing 44 bus route operates a one-way loop from the B6047 Harborough Road/ Gallow Field Road/ Leicester Lane junction around Foxton and Gartree. The service from Market Harborough towards Foxton routes via Langton Road, and does not route via Gartree. The nearest bus stop to the proposed development is Gartree, located on Gallow Field Road which would allow employees just a 10 minute walk to the prison.

#### **Travel Plan**

In line with the scale and type of development the Applicant has submitted a Travel Plan (TP) which outlines how the Applicant will reduce the number of single occupancy car journeys and also encourage employees to use sustainable modes of travel where possible.

After a review of the TP the LHA would advise the Applicant that the general principles of the TP are acceptable. The existing travel behaviours have been calculated from the 2011 Census data and not the existing prison staff and visitor travel patterns. The Applicant has confirmed to the LHA that this approach has been used primarily due to sensitivities/security issues around the origin/destination data for staff/visitors at the existing prison which is confidential.

Based on the assessment, measures and targets included in the TP, and the fact the LHA has received clarification on the approach taken by the Applicant, the LHA is satisfied that this document can be secured by way of a planning condition. To ensure the travel plan is monitored for a period of five years post occupation, the LHA will require a monitoring fee of £6,000 to be paid prior to first use of the development to be included in the Section 106 agreement.

#### **Public Right of Way**

Public footpath A22 runs through the proposed development site. Whilst further details of how the existing PROW is to be treated will emerge through any subsequent Reserved Matters submission, the LHA has advised a condition below for submission of a scheme for the treatment of the PROW to be submitted and agreed.

Furthermore, the LHA would seek a contribution of £102,898 for improvement works to footpath A22 outside of the proposed development between Gallow Field Road and Swingbridge Street



Foxton. This contribution will cover the cost of re-laying 300 metres of pathway to a 2m width in standard tarmac and associated works e.g. timber edgings etc. to improve the route to school, noting the additional traffic that the proposed development would generate to the frontage of the primary school.

#### **Framework Construction Traffic Management Plan (FCTMP)**

The LHA understands the construction works are predicted to last 36 months and therefore the Applicant has submitted a Framework Construction Traffic Management Plan (FCTMP) which outlines the systems and procedures which will be put in place to manage these works. The LHA has now had the opportunity to review the FCTMP and offers comments on the highway elements of the plan below.

#### **Parking of Site Operatives / Visitors**

The LHA welcomes the Applicant's commitment to provide appropriate loading/unloading and parking areas for construction vehicles to eliminate the requirement for construction vehicles to park or wait on the public highway.

Furthermore the Applicant has confirmed that at no time will construction personnel, including contractors and suppliers, be authorised to park outside of the site boundary, including on the public highway, unless prior permission has been granted by either the relevant landowner or the LHA.

Given the location and size of the proposed development site the LHA considers it unlikely that any vehicles will be required to park on the public highway. The LHA would advise the Applicant to provide adequate parking for all site operatives within the site to ensure there is no overspill parking on the public highway on Gallow Field Road or Foxton Road.

#### **Wheel Cleaning**

The FCTMP confirms that deleterious material on the local highway network will be kept to a minimum. The Applicant is proposing that a wheel washing station be positioned within the compound to prevent unwanted mud and debris leaving the site and a road sweeper will be used as required.

The parking areas are proposed to be constructed with hard surfacing and the Applicant has confirmed that all vehicles working within the site that accumulate mud and debris will not exit the site until they have been sufficiently washed down beforehand.

The LHA welcome the approach to wheel cleaning and note that any construction vehicles will exit via Welland Avenue before they join the public highway. Nevertheless, the LHA would remind the Applicant that it is an offence under Section 148 and Section 151 of the Highways Act 1980 to deposit mud on the public highway and they should make every effort to prevent this occurring.

#### **Construction Hours and Delivery Times**

The Applicant has confirmed that they will consider programming the timing of deliveries to reduce the impact on the local highway network. Typical working hours will be during daylight periods, although some deliveries may be programmed outside of the traditional network peak hours.



Nevertheless, the LHA would advise the Applicant that whenever possible deliveries should be scheduled to take place outside the network peak hours.

There will be no construction works undertaken out of hours, on a Sunday or on a Bank Holiday, without prior consultation with the relevant stakeholders.

Notwithstanding the above the operational hours of the site is also an amenity issue for further consideration by the LPA.

#### Routing of Construction Traffic

Following discussions with the LHA the Applicant has confirmed that construction vehicles and deliveries will come from the south and will route from the A4304 then Foxton Road and Welland Avenue to the site. The Applicant has stated that construction vehicles will not be permitted to use the northern section of Welland Avenue or route north via the Gallow Field Road / Foxton Road junction.

The LHA considers the choice of routing using an A classified road to be appropriate.

#### Temporary Construction Access

The LHA understands the Applicant will require a temporary construction access which will be located along the southern section of Welland Avenue. The layout of the temporary construction access is shown in Appendix B of the TA. Once again this access is onto a private road so the LHA has no further comments on this element of the development and any necessary permissions should be sought by the Applicant.

#### Principles of Signage

The Applicant has provided a summary of the signing strategy that is proposed to be erected on the local highway and will apply throughout the construction phase of the project. The details of the signage can be agreed at a later date should the Applicant secure planning permission for the proposed development. Nevertheless, the LHA would advise the Applicant to contact Leicestershire County Council's Network Management team at the earliest opportunity to discuss access to the road network to carry out works and location of temporary signage. The team can be contacted at: [networkmanagement@leics.gov.uk](mailto:networkmanagement@leics.gov.uk)

The LHA considers the FCTMP to be acceptable, however the LHA would advise the Applicant to continue to monitor the content of the FCTMP and amend if required as any construction works progress.

#### Closing

Based on the transport information submitted the Applicant considers that a safe and suitable access to serve the proposed development could be delivered on the private access road in line with Paragraph 110 of the National Planning Policy Framework. The Applicant has also tested the impact of the proposed development on the local highway network and the LHA considers that the residual cumulative impacts of development can be mitigated subject to the inclusion of the following conditions and contributions.



## **Conditions**

1. Construction traffic management arrangements shall be implemented in accordance with the 'Gartree 2 - Framework Construction Traffic Management Plan', Revision P04, dated 10 August 2021 prepared by Atkins and submitted to the Local Planning Authority on 20 September 2021.

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 lead to on-street parking problems in the area.

2. The development hereby permitted shall be brought into use in accordance with the targets and measures contained in the Atkins, 'Gartree 2 - Outline Travel Plan', Revision P06, dated 12 August 2021 and submitted to the Local Planning Authority on 20 September 2021.

Reason: To reduce the need to travel by single occupancy vehicle and to promote the use of sustainable modes of transport in accordance with the National Planning Policy Framework (2021).

3. Notwithstanding the submitted plans no development shall take place until a scheme and timetable for delivery for the treatment of Public Right of Way (PROW) A22 through the proposed development site to Welland Avenue has been submitted and approved in writing by the Local Planning Authority. This scheme shall include provision for the management of the PROW during construction (including any arrangements for a temporary diversion) fencing, surfacing, width, structures, signing and landscaping in accordance with the principles set out in the Leicestershire County Council's Guidance Notes for Developers. Thereafter the development shall be carried out in accordance with the approved scheme and timetable.

Reason: To protect and enhance Public Rights of Way and access in accordance with Paragraph 100 of the National Planning Policy Framework (2021).

4. The development hereby permitted shall not commence unless and until:

- i. A pre-development condition survey of Foxton Road between A4304 Lubenham and the application site (the route for HGVs as set out in the Framework Construction Traffic Management Plan) has been carried out and submitted to the Local Planning Authority and approved in writing.

- ii. A post development condition survey of Foxton Road between A4304 Lubenham and the application site (the route for HGVs as set out in the Framework Construction Traffic Management Plan) has been carried out and submitted to the Local Planning Authority within three months of the completion of the development hereby approved.

- iii. A method statement has been submitted to the Local Planning Authority and approved in writing identifying how any damage to the carriageway or highway verge, which may be inadvertently caused as a result of the development, will be made safe and remediated in full by the developer at their cost.



Reason: To ensure any significant impacts on the highway network, or on highway safety from construction vehicles associated with the development, can be cost effectively mitigated to an acceptable degree in accordance with the National Planning Policy Framework (2021).

### **Contributions**

To comply with Government guidance in the NPPF and commensurate with Leicestershire County Council Planning Obligations Policy, the following contributions are required:

1. Construction traffic routeing arrangements shall be implemented in accordance with the details included in the 'Gartree 2 - Framework Construction Traffic Management Plan', Revision P04, dated 10 August 2021 prepared by Atkins and submitted to the Local Planning Authority on 20 September 2021. During the period of construction, all traffic to and from the site shall always use the agreed route.

Justification: To ensure that all construction traffic associated with the development does not use unsatisfactory roads to and from the site.

2. Prior to commencement of the development a contribution of £102,898.00 towards improvements to the Public Right of Way (A22) linking Gallow Field Road and Swingbridge Street shall be paid to Leicestershire County Council.

Justification: To protect and enhance Public Rights of Way and access in accordance with Paragraph 100 of the National Planning Policy Framework 2021.

3. Appointment of a Travel Plan Co-ordinator from commencement of development until 5 years after the occupation of the last unit. The Travel Plan Co-ordinator shall be responsible for the implementation of measures as well as monitoring and implementation of remedial measures.

Justification: To ensure effective implementation and monitoring of the Travel Plan submitted in support of the Planning Application.

4. Prior to first use of the development hereby permitted a Travel Plan monitoring fee of £6,000 shall be paid to Leicestershire County Council for the use of 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.

### **Informative**

A Public Right of Way must not be re-routed, encroached upon or obstructed in any way without authorisation. To do so may constitute an offence under the Highways Act 1980.

If the developer requires a Right of Way to be temporarily diverted, for a period of up to six months, to enable construction works to take place, an application should be made to [networkmanagement@leics.gov.uk](mailto:networkmanagement@leics.gov.uk) at least 12 weeks before the temporary diversion is required.

Any damage caused to the surface of a Public Right of Way, which is directly attributable to the works associated with the development, will be the responsibility of the applicant to repair at their own expense to the satisfaction of the Local Highway Authority.

The Applicant should be advised to contact Leicestershire County Council's Network Management team at the earliest opportunity to discuss access to the road network to carry out works. The team can be contacted at: [networkmanagement@leics.gov.uk](mailto:networkmanagement@leics.gov.uk)

**Date Received**  
**4 October 2021**

**Case Officer**  
**David Hunt**

**Reviewer**  
**RH**

**Date issued**  
**1 November 2021**





## TECHNICAL NOTE

# Gartree 2 Prison, Market Harborough

## LCC APPLICATION REVIEW

### IDENTIFICATION TABLE

Project	Gartree 2 Prison, Market Harborough
Title of Document	LCC Application Review
Document reference	GB01T22A11-TN001.
Type of Document	Technical Note
Date	07/02/2022
Number of pages	11

### TABLE OF CONTENTS

1.	INTRODUCTION	2
1.1	CONTEXT	2
2.	TRANSPORT ASSESSMENT REVIEW	3
2.1	TRIP RATES	3
2.2	TEMPRO GROWTH FACTORS	3
2.3	TRAFFIC SURVEYS AND MODEL DATA FOR CAPACITY ASSESSMENTS	4
2.4	COMMITTED DEVELOPMENT	6
2.5	TRAFFIC FLOW ASSESSED	6
2.6	JUNCTION CAPACITY MODELLING	7
2.7	PERSONAL INJURY ACCIDENT DATA	8
2.8	LUBENHAM JUNCTIONS / A4304 – ACCIDENT AND PEDESTRIAN AMENITY REVIEW	9
3.	CONCLUSION	11
3.1	INTRODUCTION	11
3.2	B6047 HARBOROUGH ROAD / LEICESTER LANE / GALLOW FIELD ROAD JUNCTION	11
3.3	LUBENHAM JUNCTIONS / A4304 – ACCIDENT AND PEDESTRIAN AMENITY REVIEW	11

## 1. INTRODUCTION

### 1.1 Context

- 1.1.1 A Transport Assessment (TA) was prepared by Atkins in August 2021 in relation to the proposed prison (referred to as Gartree 2) located adjacent to the existing HMP Gartree, in Leicestershire.
- 1.1.2 The TA accompanied a planning application (21/01600/OUT) which was submitted in September 2021 to Harborough District Council (HDC):

*"Outline planning application (All Matters Reserved except for means of access and scale) for the construction of a new Category B prison of up to 82,555sqm within a secure perimeter fence, together with access, parking, landscaping and associated engineering works"*

- 1.1.3 Leicestershire County Council (LCC) Highways team then provided comments relating to the transport aspects of the proposed development. These are outlined in the comments report issued by LCC on 1<sup>st</sup> November 2021.
- 1.1.4 This Technical Note has been produced to provide a review of LCC Highway advice on 21/01600/OUT to assess whether the comments made by the LHA are appropriate, in particular focusing on the following perceived local concerns:
  - Capacity of the Gallow Field Road / B6047 junction; and
  - Requirement for a pedestrian crossing of the A4304 at Lubenham close to the Foxton Road / A4304 Lubenham junction.
- 1.1.5 To review how appropriate the testing of Gallow Field Road / B6047 junction is, we have reviewed the trip generation, reviewed the committed developments that also impact this junction, and have reviewed the level of flows tested by these committed developments in context of the limitations that this application faced due to the covid pandemic.
- 1.1.6 To review the potential requirement for pedestrian crossing provision over the A4304, a consideration of the development flows impacting this area has been undertaken, on top of expected base flows, to allow a judgement to be made as to the appropriateness of linking the implementation of a crossing due to impact of the development.

## 2. TRANSPORT ASSESSMENT REVIEW

### 2.1 Trip Rates

- 2.1.1 The TA provides a trip generation methodology within Appendix F for both staff and visitor trips. Appendix F outlines how a lack of publicly available information resulted in the staff trip generation being based on information used for historic planning applications at three HMP sites elsewhere in the country, including one in Leicester. The TA also states that the Ministry of Justice (MoJ) was also consulted on the proposed trip generation to ensure that it remains robust and up to date.
- 2.1.2 The Local Highway Authority (LHA) accept that this is a "reasonable, evidence-based approach". SYSTRA agrees with LCC that this approach is acceptable.
- 2.1.3 The visitor trip generation has been based on an assumption that all visitor / legal trips to the facility will be made using private car, which the LHA consider to be robust. SYSTRA agrees that this is an appropriate assumption to inform the trip generation calculations.
- 2.1.4 The calculated trip generation provided in Appendix F of the TA is summarised in Table 1 below.

Table 1. Staff and Visitor Trip Generation

	AM PEAK (07:00-08:00)		PM PEAK (17:00-18:00)		DAILY	
	IN	OUT	IN	OUT	IN	OUT
STAFF	205	21	0	240	538	538
VISITORS	0	0	0	17	134	134
TOTAL	205	21	0	257	672	672

### 2.2 TEMPro Growth Factors

- 2.2.1 Traffic growth factors were extracted from TEMPro v7.2 and applied to the June 2021 traffic count data to establish a 2025 future baseline within the TA. A summary of the TEMPro local growth factors provided in the TA are shown in Table 2 below.

Table 2. TEMPro Growth Factors

PEAK	2021-2025
AM	1.0721
PM	1.0729

- 2.2.2 The TA states that any committed development sites in the vicinity of the proposed development have been accounted for within TEMPro v7.2. SYSTRA note that growth within TEMPro is evenly distributed throughout the whole area, and the existence of a significant permitted development in the proximity of Gallow Field Road / B6047 junction is likely to impact the this junction at a higher level than TEMPro suggests.



2.2.3 SYSTRA was able to generate the same TEMPro growth rates outlined in Table 2, using rural TEMPro setting.

2.2.4 A large committed development to the southeast is currently under construction; this development has its own associated Transport Assessment outlining its specific trip impact and mitigation. This was permitted under permission 11/00112/OUT. We also note that application 21/00545/OUT – Airfield Park is currently under consideration for approval, having been submitted at a similar time. This application is located to the south west of the B6047 Harborough Road / Leicester Lane / Gallow Field Road junction.

### 2.3 Traffic Surveys and Model Data for Capacity Assessments

2.3.1 To establish the baseline position the Applicant undertook traffic surveys (classified turning counts and automatic traffic counters) in June 2021 at the following locations in the vicinity of the proposed development:

1. B6047 Harborough Road / Leicester Lane / Gallow Field Road;
2. Gallow Field Road / Welland Avenue;
3. Gallow Field Road / Foxton Road;
4. Foxton Road / Welland Avenue;
5. A4304 / Foxton Road;
6. Gallow Field Road;
7. Foxton Road;
8. Welland Avenue (North); and
9. Welland Avenue (South).

2.3.2 Due to changes in traffic as a result of the Covid-19 pandemic the LHA advised the Applicant that traffic surveys conducted in June 2021 would need to have a factor applied to increase these flows to pre-pandemic levels. The Applicant confirmed that "Covid factors" have been applied by the survey company prior to submission of the traffic flow data.

2.3.3 It was also agreed with LCC that the 2021 traffic surveys would be validated against historic traffic data provided by LCC. In the context of establishing a base flow position, SYSTRA believe this is a fair methodology, and therefore agrees with the LHA.

2.3.4 However, since that point, additional data has become available, that was collected in 2019, and is associated with other submitted planning applications. There are also predicted flows associated with the historic Airfield Farm permission. For comparison, the traffic surveys and modelling predictions carried out by three other applications within the surrounding area, have been considered:

- 11/00112/OUT – Airfield Farm
- 21/00545/OUT – Airfield Park; and
- 21/01637/FUL – Leicester Road Market Harborough (Travis Perkins)

#### 11/00112-OUT – Land At Airfield Farm Leicester Road Market Harborough Leicestershire

2.3.5 This application undertook classified turning counts undertaken within the area which provided traffic flows for the following junctions on various dates between 2000 and 2009:

1. A6 Harborough Road / B6047 Harborough Road roundabout (9 March 2005);
2. Gallow Field Road / Foxton Road priority junction (7 July 2006);
3. B6047 Harborough Road / Gallow Field Road / Leicester Lane Crossroads
4. (28 April 2009);



5. B6047 Leicester Road / Hillcrest Avenue / Alvington Way roundabout (9 March 2005);
6. B6047 High Street / Fairfield Road priority junction (8 November 2000);
7. A4304 Theddingworth Road / Foxton Road priority junction (7 July 2006);
8. B6047 High Street / A4304 St. Mary's Road / B6047 Northampton Road signal junction (22 April 2009).
9. A14 Junction 3 (ARCADY information and traffic flows, for a base of 2023, obtained from planning application KET/2009/0474: Land South of Harrington Road, Rothwell); and
10. M1 Junction 20 (No data available).

**21/00545/OUT - Airfield Park (TA February 2021)**

- 2.3.6 This application undertook manual turning and queue length counts (MCCs) that were conducted in November 2019 between 0700-0900 and 1600-1900, at the following junctions. Data was also collected at the B6047 Harborough Road-Gallow Field Road crossroads junction in June 2019.

1. Site Access / Unnamed Rd (Airfield Farm access road) roundabout;
2. B6047 Harborough Rd / Wellington Way / Airfield Farm Site Access roundabout;
3. B6047 Harborough Rd / Leicester Lane / Gallow Field Rd staggered crossroads;
4. A6 Harborough Rd / Melton Rd / B6047 Harborough Rd roundabout;
5. B6047 Harborough Rd / Alvington Way / Hillcrest Avenue roundabout;
6. B6047 Harborough Rd / Fairfield Rd T-junction;
7. A4304 / Coventry Rd ('The Square') northern signalised T-junction; and
8. A4304 / Coventry Rd ('The Square') southern signalised T-junction.

- 2.3.7 Additionally, ATC's were conducted on Harborough Road between Gallow Field Road and the canal, and on A6 between the A6 Harborough Rd / Melton Rd / B6047 Harborough Rd roundabout and Langton Road.

- 2.3.8 This application also commissioned the LCC's Strategic Transport Model – the 'Pan Regional Transport Model' (PRTM) – and specifically, its highway assignment component only (SATURN) to derive the future year traffic flows for the assessment in 2031 without and with the development. This was required by LCC. Relevant details of the model are:

"all committed and proposed housing and employment growth in Market Harborough up to 2031 which reflects the end of the Harborough local plan period"

removal of the full 50,000m<sup>2</sup> gross employment floorspace demand and highway network associated with the allocated development at Airfield Park in totality from the Do Minimum network to avoid double-counting, using the 'de-coupling' method in SATURN

inclusion of the committed off-site road safety scheme (traffic calming) through Great Bowden being implemented by the Airfield Farm residential development;

simulation of the 7.5t vehicle weight restriction on Gallow Field Road

inclusion the committed highway infrastructure (local distributor road) through the Market Harborough SDA being implemented by the developers of the SDA to provide a 40mph single carriageway highway link between the B6047 Harborough Road and the A4304.

## 21/01637/FUL – Leicester Road Market Harborough (TA August 2021)

- 2.3.9 An ATC was undertaken in May 2021 at the proposed access junction to the site on Leicester Road, to inform the site access design. No Specific junction assessments were undertaken for this application.
- 2.3.10 To gauge the impact on the immediate network, the development trip impact of applications 21/01600/OUT and 21/00545/OUT are summarised in Table 3.

Table 3. Development Trip Comparison

	AM			PM		
	IN	OUT	TOTAL	IN	OUT	TOTAL
GARTREE PRISON	205	21	226	0	257	257
21-00545-OUT	242	52	294	50	220	270

- 2.3.11 Systra note that while applications 21/01600/OUT and 21/00545/OUT have a similar trip impact on the immediate network, only application 21/00545/OUT appears to have been required by the local highway authority to use the Strategic Transport Model for the area.

## 2.4 Committed Development

- 2.4.1 21/01600/OUT used generic TEMPro growth to derive future year flows. This means that the quantum of development yet to be constructed associated with application 11/00112-OUT is not explicitly modelled.
- 2.4.2 Application 21/00545/OUT has utilised Leicestershire County Council's Strategic Transport Model – the 'Pan Regional Transport Model' to generate future year flows at this junction, as well as traffic counts at specific junctions.
- 2.4.3 It is worthy of note that both of these applications do not directly consider the others impact, other than as part of generalised network growth, and are both applications are currently under consideration.

## 2.5 Traffic flow Assessed

- 2.5.1 As there is specific concern at the B6047 Harborough Rd / Leicester Lane / Gallow Field Rd Junction, the relevant flows used to consider the final impact at this junction for applications 21/01600/OUT, 21/00545/OUT and 11/00112/OUT have been extracted and is summerised in Table 4. Additionally, the 2019 survey information recorded by application 21/00545-out and the DM scenario from application 21/00545/OUT have been included to aid comparison.

Table 4. Development Trip Comparison

APPLICATION	SCENARIO STATED	ASSESSMENT YEAR	SOURCE	COMMITTED DEV STATED	UNIT STATED	AM TOTAL JUNCTION FLOWS	PM TOTAL JUNCTION FLOWS
11-00112-out	2023 background plus committed plus dev	2021	TA dated 2020	Considered at point of production	Vehicles	175A	2035
21-01600-out	21-01600-out	2025	TA dated 2021	Yes Growth only	PCU	1802	1572
21-00545-out	2019 Survey	2019	TA dated 2021	No	Vehicles	1404	1423
	2021 DM	2021	TA dated 2021	Yes, growth only	Vehicles	1673	1755
	2021 DS	2021	TA dated 2021	Yes, growth only	Vehicles	1820	1911



- 2.5.2 It can be seen from Table 4 that the flows used to assess the final impact consideration considerably higher for application 21/00545/OUT compared to application 21/01600/OUT. The historic application for 11/00112/OUT also suggests that further impact above general growth will be experienced at this junction as that site is completed. Systra have therefore further considered the capacity impact at this junction in section 2.6.

## 2.6 Junction Capacity Modelling

- 2.6.1 As part of the supporting information for 21/01600/OUT, the following junctions were highlighted in the TA for further detailed assessment using the industry standard junction capacity assessment software Junctions 9:

9. Proposed Site Access/ Welland Avenue junction;
10. B6047 Harborough Road / Leicester Lane / Gallow Field Road junction;
11. A4304 / Foxton Road junction; and
12. Gallow Field Road / Foxton Road junction.

- 2.6.2 These junctions were modelled in the following scenarios for both the AM (08:00-09:00) and PM (17:00-18:00) peaks:

- 2021 Baseline;
- 2025 Opening Year without development; and
- 2025 Opening Year with development.

- 2.6.3 The LHA response associated with application 21/01600/OUT state that they have fully reviewed the junction models and results of the assessments, and are satisfied that there are no capacity issues with any of the junctions that would justify a scheme of mitigation in accordance with the tests set out in the NPPF.

- 2.6.4 Given what has been identified in the review of flows that has been completed in section 2.5, including the potential for cumulative impact of current applications and existing permissions, there is a significant chance that the analysis has underestimated the impact of the development at the B6047 Harborough Road / Leicester Lane / Gallow Field Road junction, due to the combination of the unusual nature of the prison application, which has not been considered through Leicestershire's Strategic Model, the constraints placed by COVID on data collection, and application 21/00545/OUT being submitted for consideration in the same period as application 21/01600/OUT.

- 2.6.5 We note that the applicant, at the time they undertook the analysis that supports their application, would most likely not have had access to the information that supports application 21/00545/OUT.

- 2.6.6 SYSTRA has reviewed the Junction 9 model geometry for the B6047 Harborough Road / Leicester Lane / Gallow Field Road junction, which uses acceptable geometric inputs. Systra has then recreated this model in Junctions 10, and created flow profiles based on the data detailed in section 2.5 to create the following scenarios:

- 2031 DM (Sourced from application 21/00545/OUT Transport Assessment)
- 2031 with application 21/01600/OUT
- 2031 with application 21/00545/OUT
- 2031 with application 21/00545/OUT and 21/01600/OUT (Cumulative)

2.6.7 Using the flows as derived above, the capacity results for the B6047 Harborough Road / Leicester Lane / Gallow Field Road junction are reported in Table 5. The turning counts are included in Appendix A, which allow comparison back to the source data.

Table 5. Capacity results for the B6047 Harborough Road / Leicester Lane / Gallow Field Road junction

SCENARIO	ARM	AM				PM			
		AVE QUEUE	95% QUEUE	DELAY	RFC	AVE QUEUE	95% QUEUE	DELAY	RFC
2031 DM	Leicester Lane	0.3	1.4	29.76	0.23	0.3	1.4	29.74	0.24
	B6047 (N)	0.3	1.2	9.66	0.21	0.2	0.5	9.63	0.16
	Gallow Field Rd	0.5	2	22.65	0.33	0.4	1.5	20.25	0.29
	B6047 (S)	0.2	0.5	10.26	0.17	0.1	0.5	8.97	0.07
2031 21/01600/OUT	Leicester Lane	0.4	1.5	37.85	0.28	0.4	1.1	37.42	0.28
	B6047 (N)	0.7	3.2	12.95	0.4	0.2	0.5	9.63	0.16
	Gallow Field Rd	0.7	3.4	35.04	0.42	2.4	12.3	80.26	0.74
	B6047 (S)	0.2	0.9	11.29	0.18	0.1	0.5	8.87	0.07
2031 21/00545/OUT	Leicester Lane	0.4	1.3	39.75	0.28	0.4	1.5	37.88	0.28
	B6047 (N)	0.3	1.2	9.92	0.21	0.2	0.9	10.9	0.18
	Gallow Field Rd	0.8	3.7	36.74	0.45	0.5	2.1	28.15	0.34
	B6047 (S)	0.2	1.0	11.07	0.19	0.2	0.5	9.6	0.13
2031 Cumulative	Leicester Lane	0.5	1.9	55.65	0.35	0.5	1.8	14.69	0.36
	B6047 (N)	0.7	3.3	13.3	0.41	0.2	0.9	56.94	0.18
	Gallow Field Rd	1.9	9.2	90.35	0.69	14.4	35.4	284.61	1.11
	B6047 (S)	0.3	1.2	12.29	0.2	0.2	0.5	9.6	0.13

2.6.8 The results in table 5 show that the Gartree Prison application impacts Gallow Field Road, and if this is combined with the flows from 21/00545/OUT, Gallow Field Road can be expected to be over capacity in the PM peak. The Junctions 10 output file is shown in Appendix B.

## 2.7 Personal Injury Accident Data

2.7.1 The Transport Assessment includes Personal Injury Accident (PIA) data from the Department for Transport has been obtained for the latest five-year period available (2016-2020). The study area covered the following roads:

- Welland Avenue;
- Gallow Field Road; and
- Foxton Road.

2.7.2 Collisions were sorted into three categories: slight, serious and fatal. The TA provides a summary table of collisions by year (Table 3.5) and by location (Table 3.6). A total of three slight and one serious were recorded collisions were recorded during the five-year study period between 2016 and 2020.

2.7.3 SYSTRA has cross-referenced the data included within the Transport Assessment with that held in the CrashMap Pro portal, which confirms these results. The full CrashMap report is included as Appendix C of this technical note.

2.7.4 The LHA provides a summary of collisions between 1<sup>st</sup> January 2016 and 30<sup>th</sup> August 2021, stating that four slight and two serious collisions were recorded within the study period under consideration, with one in 2016 and 2017, two in 2018 and two in 2021. This demonstrates that within the additional eight months analysed by the LHA (January to August 2021), two collisions were recorded within the study area. Nevertheless, the LHA agrees with the



conclusion of the TA that it cannot be demonstrated that there is an accident pattern which the proposed development could exacerbate.

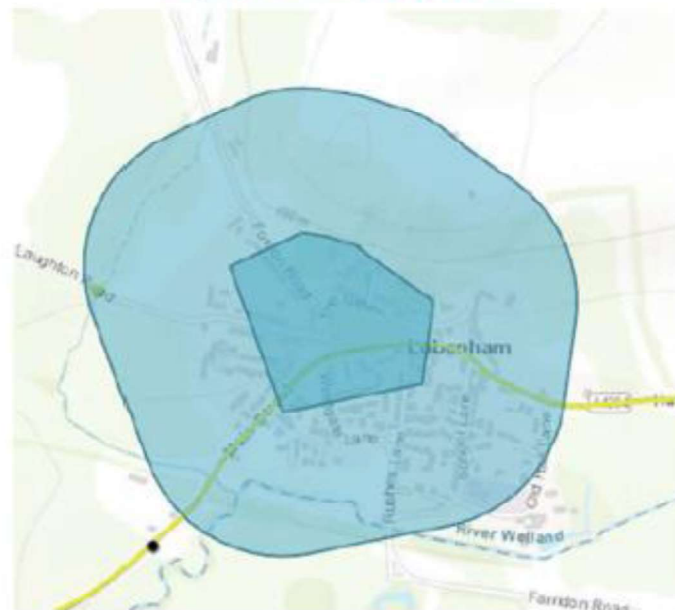
- 2.7.5 SYSTRA has taken particular interest in the collision data available for the A4304 / Foxton Road junction to understand whether there is a requirement for a pedestrian crossing at this junction. Within the five-year study period between 2016 and 2020, no collisions were recorded at the A4304 / Foxton Road junction or within 500m of the junction.
- 2.7.6 This suggests that from a safety standpoint, a pedestrian crossing is not required for the safe movement of pedestrians to the south of the site. In addition, A4304 is subject to a speed limit of 30mph, with school safety zones reducing the speed to 20mph during school peaks between School Lane to the east and Paget Road to the west.

## 2.8 Lubenham Junctions / A4304 – Accident and Pedestrian Amenity Review

### Personal Injury Collision Analysis

- 2.8.1 An assessment of collisions within the vicinity of the A4304 Lubenham has been undertaken, showing that only one slight collision occurred within the study area, in the most recent 5-year period for which data is available (2016-2020), and no serious or fatal collisions were recorded.
- 2.8.2 The area for which data was obtained, and the single slight collision is shown in Figure 1 below. The smaller polygon shows the area selected, which included the majority junctions in Lubenham, and the larger polygon shows a buffer of 300m demonstrating that only one slight collision was recorded within 300m of these junctions.
- 2.8.3 Therefore, with regards to accident analysis, the consideration of the expanded review of Lubenham does not identify any accident issue in the area.

Figure 1. Lubenham Junctions PIC Analysis



- 2.8.4 The slight collision involved one car only, which collided on its offside with a pedestrian. The pedestrian received slight injury and no other parties were injured.
- 2.8.5 As seen in Figure 1, one fatal collision was recorded on the A4304 within the 5-year period between 2016-2020, outside of the study area. This collision occurred in 2017 and involved six vehicles; three cars, two vans or goods vehicles 3.5 tonnes mgw and under, and one other vehicle (unknown).
- 2.8.6 All six vehicles collided, with none hitting any other objects on or off the carriageway. The driver of one of the cars received fatal injuries when the collision occurred and no other parties were injured.

## Traffic Flows

- 2.8.7 The development flows at the A4304 in Lubenham are provided in Table 6, which include the peak hour and daily movements expected on the A4304 to the east of Foxton Road. Also provided are the total flows on the A4304 in Lubenham, as recorded by the turning count that was collected at the A4304 / Foxton Road junction as part of the application.

Table 6. Traffic Flows at A4304 / Foxton Road Junction

Data from Transport Assessment		AM Flows			PM Flows			Daily Flows		
		East	West	Total	East	West	Total	East	West	Total
A4304 in Lubenham	Dev	51	5	57	0	64	64	168	168	336
A4304 in Lubenham	24 hr MTC	344	405	749	349	426	775	4349	4590	8739
	Combined Total	395	410	806	349	490	839	4317	4758	9075

- 2.8.8 The development can be seen to have a 3.84% daily impact on the A4304 road through Lubenham, with this impact focused at the point of staff shift changes.
- 2.8.9 There is currently a pedestrian refuge crossing around 100m from the A4304 / Foxton Road junction, situated between two bus stops.
- 2.8.10 While each local highway authority has its own guidance the criteria that pedestrian crossings are installed, 6,000 vehicles per day is often used as the level to trigger signal controlled crossings over principal routes, should pedestrian demand warrant it, with pedestrian refuges considered appropriate for 3,000 vehicles per day or less.
- 2.8.11 The level of flow on the road suggests that a pedestrian crossing facility over and above what is already there is required when the current flows are considered, and the development increases the total flows at this point.

### 3. CONCLUSION

#### 3.1 Introduction

- 3.1.1 With regards to the transport application, the areas of concern, following review of the application, are associated with the B6047 Harborough Road / Leicester Lane / Gallow Field Road junction, and the flow impact on the A4304 in Lubenham.

#### 3.2 B6047 Harborough Road / Leicester Lane / Gallow Field Road junction

- 3.2.1 With regards to the impact on this junction, the following conclusions can be made:
  - The flows considered in the TA are potentially low, when compared to data subsequently available in other applications.
  - The level of flows appears low primarily because of the proximity of other committed developments and developments currently in the planning system.
  - Using the most recently available data associated with application 21/00545/OUT the Gartree Prison application does not produce capacity results which would be considered over capacity.
  - However, a cumulative assessment with applications 21/00545/OUT and 21/01600/OUT, the Gallow Field Road arm of the junction can be expected to be over capacity in the PM peak if both applications are approved.
- 3.2.2 Therefore, while at the time of submission, the conclusions reached on the application with regards to the B6047 Harborough Road / Leicester Lane / Gallow Field Road junction could be considered correct (noting that the flows tested could be considered low) the cumulative impact assessment undertaken in this report suggests that this junction will be over capacity if both 21/01600/OUT and 21/00545/OUT are approved.

#### 3.3 Lubenham Junctions / A4304 – Accident and Pedestrian Amenity Review

- 3.3.1 The extended accident review within Lubenham suggests that there is no specific accident trend in Lubenham, and the level of accidents is low.
- 3.3.2 The review of the traffic flow levels along the A4304 suggest the existing pedestrian refuge crossing in Lubenham is insufficient provision for the level of vehicular flows.



## Appendix E – Atkins technical Note in response to Systra Review



### Technical Note

Project:	NPP - Gartree 2		
Subject:	Technical Response to LCC Application Review by SYSTRA		
Author:	Tim Rogers		
Date:	February 2022	Project No.:	5200124
Distribution:	Carly Weeks Katharine Morgan Rebecca Henson	Representing:	Mace Cushman & Wakefield Leicestershire County Council

#### Introduction

Harborough District Council (HDC) has appointed SYSTRA to undertake a review of the Highways Advice provided by Leicestershire County Council (LCC) in relation to the Transport Assessment produced by Atkins in support of the Outline Planning Application (OPA) for a new Prison (referred to as Gartree 2).

The planning reference for the Gartree 2 OPA is: **21/01600/OUT**.

The document reference for the LCC Application Review produced by SYSTRA is: **GB01T22A11-TN001**.

HDC has appointed SYSTRA to review the Highways Advice provided by LCC due to perceived local concerns in relation to the capacity of the B6047 Harborough Road / Leicester Lane / Gallow Field Road junction and the requirement for a pedestrian crossing along the A4304 in Lubenham. HDC has also raised concerns regarding the 'limitations which the application has faced due to the covid pandemic'.

Mace (on behalf of the Ministry of Justice) has commissioned Atkins to consider the points raised within the LCC Application Review produced by SYSTRA and respond accordingly. A copy of the LCC Application Review is provided in **Appendix A** of this Technical Note.

#### B6047 Harborough Road / Leicester Lane / Gallow Field Road Junction

The LCC Application Review produced by SYSTRA outlines a series of conclusions regarding the forecast impact of Gartree 2 on the B6047 Harborough Road / Leicester Lane / Gallow Field Road Junction. Atkins has summarised each of the comments below and provided a response.

**SYSTRA Conclusion:** *The flows considered in the TA are potentially low, when compared to data subsequently available in other applications.*

**Atkins Response 1:** During the pre-application scoping discussions with Highways Development Management Officers from LCC it was confirmed that the Network Data & Intelligence (NDI) team were undertaking long term monitoring within Leicestershire to determine the appropriateness of undertaking traffic surveys during the COVID-19 pandemic. It was confirmed by the NDI team that traffic surveys were permitted to proceed during June 2021 on the condition that a valid survey permit was obtained by Streetwise Services (the survey company commissioned by Atkins to undertake the required traffic surveys). As part of the permit application process, the NDI team confirmed that Streetwise Services received the appropriate uplift figures to account for the reduction in traffic as a result of COVID-19. Therefore, Atkins undertook the necessary precautions to ensure that the observed traffic data obtained was representative of the pre-pandemic traffic flows within Leicestershire.



As part of the permit application process, the NDI team provided Atkins with a Classified Turning Count (CTC) at the B6047 Harborough Road / Leicester Lane / Gallow Field Road Junction (undertaken in 2017) and an Automatic Traffic Count (ATC) along Gallow Field Road (undertaken in 2018). Atkins used the historic count data provided by the NDI team to validate the traffic surveys undertaken in June 2021.

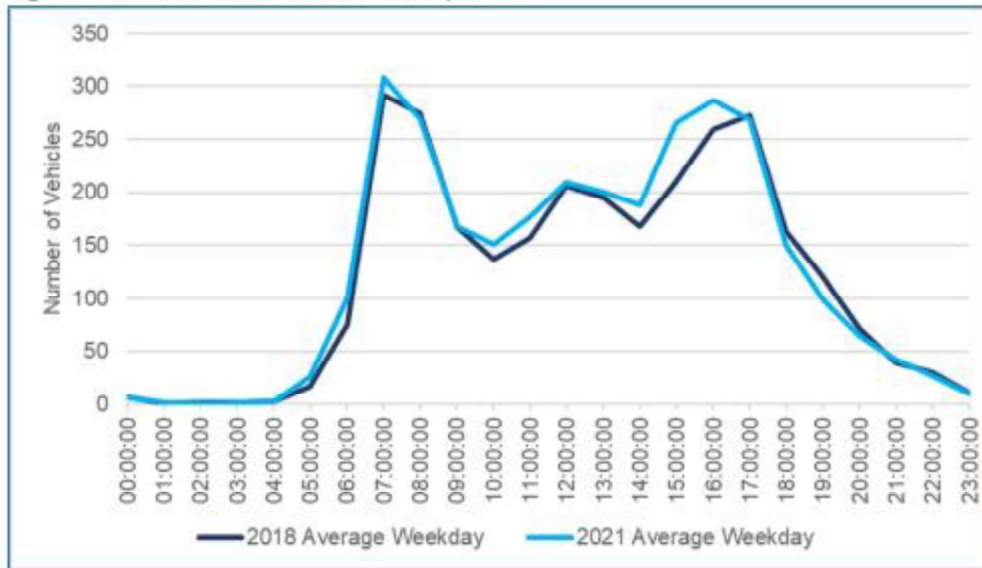
Figure 1 presents a comparison of the total traffic flows (across all turning movements) at the B6047 Harborough Road / Leicester Lane / Gallow Field Road Junction. The Transport Assessment for Gartree 2 reviewed the development impact during the AM Development Peak (07:00-08:00) and the PM Development Peak (17:00-18:00). During the AM Development Peak, the June 2021 survey flows were 6% higher than the October 2017 survey flows (1,280 compared to 1,202). During the PM Development Peak, the June 2021 survey flows were 5% lower than the October 2017 survey flows (1,342 compared to 1,419). The analysis indicates that the traffic flows in June 2021 were comparable to the traffic flows in October 2017.

Figure 1 – B6047 Harborough Road/ Leicester Lane/ Gallow Field Road Traffic Flow Comparison



Figure 2 presents a comparison of the traffic flows along Gallow Field Road. The analysis indicates that the traffic flows in June 2021 were comparable to the traffic flows in 2018.

Figure 2 - Gallow Field Road Traffic Flow Comparison



**Atkins Response 2:** Within the LCC Application Review, SYSTRA question why Leicestershire's Pan Regional Transport Model (PRTM) was not used to evaluate the impact of Gartree 2. During the pre-application scoping discussions with Highways Development Management Officers from LCC, the application of Leicestershire's PRTM was discussed. It was agreed between LCC and Atkins that the PRTM is not appropriate for the scale and location of the proposed development because the PRTM is a strategic transport model which is not validated against turning movements at specific locations. Due to the rural location of Gartree 2, which is proposed to be accessed via an unadopted road (Welland Avenue), the representation of the local highway network within the PRTM is not considered to be as accurate as a first principles approach.

**Atkins Response 3:** Within the LCC Application Review, SYSTRA also reference traffic flows from the 2010 Airfield Farm Transport Assessment (11-00112-out). This report used observed data from traffic surveys undertaken between 2000 and 2009 to forecast a 2021 baseline. It is generally not considered appropriate to reference historic traffic data which is more than 5 years old because it does not consider the latest travel patterns and trends.

**SYSTRA Conclusion:** The level of flows appears low primarily because of the proximity of other committed developments and developments currently in the planning system.

**Atkins Response:** During the pre-application scoping discussions with Highways Development Management Officers from LCC it was agreed that the Transport Assessment for Gartree 2 would be prepared in accordance with the 'Travel Plans, Transport Assessments and Statements' guidance from the Ministry of Housing, Communities & Local Government (March 2014).

Within the guidance it states that a Transport Assessment should be based on normal traffic flow and usage conditions (e.g. non-school holiday periods, typical weather conditions) but it may be necessary to consider the implications for any regular peak traffic and usage periods (such as rush hours). Projections should use local traffic forecasts such as TEMPro drawing where necessary on National Road Traffic Forecasts for traffic data. In addition, it states that an assessment of trips should be undertaken from all directly relevant committed development in the area (i.e. development that there is a reasonable degree of certainty will proceed within the next 3 years).

At the time of submitting the Transport Assessment for Gartree 2 it was not considered that there was a reasonable degree of certainty that the Airfield Farm development would proceed within the next 3 years because the Planning Application had not received consent, therefore, the application of TEMPro to account for background traffic growth, specifically Local Plan Allocations is considered appropriate in this instance.

**SYSTRA Conclusion:** *Using the most recently available data associated with application 21/00545/OUT the Gartree Prison application does not produce capacity results which would be considered over capacity.*

**Atkins Response:** Agreed

**SYSTRA Conclusion:** *With a cumulative assessment with applications 21/00545/OUT and 21/01600/OUT, the Gallow Field Road arm of the junction can be expected to be over capacity in the PM peak if both applications are approved.*

Atkins has provided two responses in relation to the SYSTRA Conclusion outlined above. The first response is in relation to the Standalone Junction Capacity Model which SYSTRA has referenced within the LCC Application Review. The second response outlines the additional analysis which Atkins has undertaken in response to the LCC Application Review.

**Atkins Response 1:** Within the LCC Application Review, SYSTRA has undertaken a standalone junction capacity assessment of the B6047 Harborough Road / Leicester Lane / Gallow Field Road junction using the geometric parameters contained within Appendix O of the Transport Assessment for Gartree 2, the traffic flows within the 2021 Airfield Farm Transport Assessment and the traffic flows from Leicestershire's PRTM.

Atkins has reviewed the model outputs provided by SYSTRA and note the following points:

- SYSTRA has modelled an AM Peak Hour of 08:00-09:00 and a PM Peak Hour of 17:00-18:00 in accordance with the Airfield Farm Transport Assessment (11-00112-out). However, the Transport Assessment for Gartree 2 specifically notes that the AM Development Peak for Gartree 2 is 07:00-08:00 and therefore it is not anticipated that there will be a cumulative impact during the same peak hour.
- In Junctions 10 you are required to input the start and end time of the AM and PM Peak Hours. This includes a 15 minute period before and after the peak periods selected. For example, a 17:00-18:00 peak hour would have a start time of 16:45 and an end time of 18:15. SYSTRA has input the following information which does not accord with either the Atkins model or the peak hours identified within the PRTM:
  - AM Peak – Start Time 08:00 – End Time 09:30.
  - PM Peak – Start Time 17:00 – End Time 18:30.
- SYSTRA has input the required visibility for the Major Arms (Arm A and Arm C) incorrectly. They have input the values the opposite way round compared to the Atkins Model.



**Atkins Response 2:** In response to the points raised by SYSTRA within the LCC Application Review. Atkins has undertaken two additional assessment scenarios to consider the cumulative impact at the B6047 Harborough Road / Leicester Lane / Gallow Field Road junction.

The two additional assessment scenarios are outlined below. As discussed, the AM Development Peak for Gartree 2 is 07:00-08:00 and the AM Development Peak for Airfield Farm is 08:00-09:00. Therefore, it is not anticipated that there will be a cumulative impact during the same peak hour. However, for the purpose of this assessment, Atkins has applied the Gartree 2 Development Peak flows (07:00-08:00) to the Airfield Farm Development Peak (08:00-09:00) to present a robust assessment.

- 2031 Cumulative with Development
  - 2021 Baseline Flows Factored to 2031 (using TEMPro).
  - Gartree 2 Development Traffic Added (21/01600/OUT application).
  - Airfield Farm Development Traffic Added (21/00545/OUT).
- 2031 Cumulative with Development (Sensitivity Test)
  - 2021 Baseline Flows Factored to 2031 (using TEMPro).
  - Gartree 2 Development Traffic Added (21/01600/OUT application).
  - Airfield Farm Development Traffic Added (21/00545/OUT).
  - Proposed HMP Gartree Expansion Traffic Added.

It is important to note that because Airfield Farm is an allocated site within the Harborough District Local Plan, the above assessment scenarios include an element of double counting because the development trips for 21/00545/OUT will also be included within TEMPro. This is considered robust. In addition, Atkins has included an assessment of the proposed HMP Gartree expansion.

The development flows for the 21/00545/OUT application at the B6047 Harborough Road/ Leicester Lane/ Gallow Field Road junction have been calculated using the PRTM flows provided in Appendix A of the LCC Application Review produced by SYSTRA.

Traffic growth factors have been extracted from TEMPro v7.2 using the rural TEMPro setting and applied to the 2021 traffic count data to establish a 2031 future baseline. A summary of the TEMPro local growth factors for Harborough Local Authority are provided in Table 1.

**Table 1 - TEMPro Growth Factors**

Peak Hour	2021 – 2031
AM Peak	1.1171
PM Peak	1.1198

Table 2 presents the results of the standalone junction capacity assessment for the B6047 Harborough Road / Leicester Lane / Gallow Field Road junction. The full outputs are provided in **Appendix B**.



**Table 2 - Model Outputs - B6047 Harbrough Road / Leicester Lane / Gallow Field Road Junction**

Approach Arm		AM Peak (08:00-09:00)			PM Peak (17:00-18:00)		
		Queue (PCU)	Delay (s)	RFC	Queue (PCU)	Delay (s)	RFC
2031 Cumulative with Development							
Leicester Lane	Left Out	0.2	14.22	0.19	0.1	13.73	0.11
	Right Out	0.4	34.16	0.28	0.3	26.70	0.22
B6047 Harbrough Road (N)	Right In	0.7	12.12	0.39	0.2	10.39	0.17
Gallow Field Road	Left Out	0.6	17.75	0.37	2.6	35.29	0.74
	Right Out	0.9	36.89	0.47	1.6	55.68	0.64
B6047 Harbrough Road (S)	Right In	0.1	11.80	0.04	0.1	8.31	0.10
2031 Cumulative with Development (Sensitivity Test)							
Leicester Lane	Left Out	0.2	14.35	0.19	0.1	13.76	0.12
	Right Out	0.4	34.78	0.28	0.3	27.26	0.23
B6047 Harbrough Road (N)	Right In	0.7	12.37	0.41	0.2	10.39	0.17
Gallow Field Road	Left Out	0.6	18.36	0.38	3.3	43.05	0.79
	Right Out	1.0	38.56	0.49	2.0	67.56	0.69
B6047 Harbrough Road (S)	Right In	0.1	11.88	0.04	0.1	8.31	0.10

The results from the standalone junction capacity modelling indicate that the B6047 Harbrough Road / Leicester Lane/ Gallow Field Road junction is forecast to operate within acceptable thresholds of capacity in all assessment scenarios.

**SYSTRA Conclusion:** At the time of submission, the conclusions reached on the application with regards to the B6047 Harbrough Road / Leicester Lane / Gallow Field Road junction could be considered correct (noting that the flows tested could be considered low) the cumulative impact assessment undertaken in this report suggests that this junction will be over capacity if both 21/01600/OUT and 21/00545/OUT are approved.

**Atkins Response:** As outlined above, the analysis contained within the Transport Assessment for Gartree 2 is considered appropriate and robust. However, in response to the points raised by SYSTRA within the LCC Application Review, Atkins has undertaken two additional assessment scenarios to consider the cumulative impact at the B6047 Harbrough Road / Leicester Lane / Gallow Field Road junction.

The results from the standalone junction capacity modelling indicate that the B6047 Harbrough Road / Leicester Lane/ Gallow Field Road junction is forecast to operate within acceptable thresholds of capacity in all assessment scenarios.

## A4304 Lubenham - Accident and Pedestrian Amenity Review

The LCC Application Review produced by SYSTRA outlines a series of conclusions regarding the forecast impact of Gartree 2 on the A4304 through Lubenham and the requirement for an improved pedestrian crossing facility. Atkins has outlined each of these conclusions below and provided a response.

**SYSTRA Conclusion:** *The extended accident review within Lubenham suggests that there is no specific accident trend in Lubenham, and the level of accidents is low.*

**Atkins Response:** Agreed.

**SYSTRA Conclusion:** *The review of the traffic flow levels along the A4304 suggest the existing pedestrian refuge crossing in Lubenham is insufficient provision for the level of vehicular flows.*

**Atkins Response 1:** SYSTRA has considered the increase in traffic along the A4304 as a result of Gartree 2 in Table 6 of the LCC Application Review. In Table 6, SYSTRA state that Gartree 2 will generate 168 additional daily trips along the A4304 East and 168 additional daily trips along the A4303 West. This is incorrect. Figure 5-2 within the Gartree 2 Transport Assessment indicates that approximately 25% of the total trip generation associated with Gartree 2 will distribute along the A4304 East and approximately 19% will distribute along the A4304 West. Therefore, Gartree 2 will generate 168 additional daily trips along the A4304 East and 128 additional daily trips along the A4303 West. SYSTRA has stated that Gartree 2 will have a 3.84% daily impact along the A4304 through Lubenham. As highlighted above, this has been incorrectly calculated. The correct value is 3.39%. This is not considered to be a significant increase in traffic.

**Atkins Response 2:** SYSTRA has stated that the existing pedestrian refuge crossing in Lubenham is insufficient for the level of vehicular flows. Traffic Signs Manual (Chapter 6) - Traffic Control (ISBN 9780115537448) was published in 2019 and provides technical advice on designing traffic light junctions, crossings, and other types of traffic control. It supersedes the advice given in a range of traffic advisory leaflets and local transport notes and should be used when assessing the provision of stand-alone crossings.

Traffic Signs Manual (Chapter 6) states that a site assessment should be carried out by an experienced practitioner (when assessing the provision of stand-alone crossings) and the following information should be obtained/considered:

- **Vehicle Speeds**
  - Vehicle speeds should be recorded at peak and off-peak periods. The measured speed of vehicles in each direction, taken roughly 50 m before the crossing site, should be recorded and the highest 85th percentile speed used in the assessment. The speed limit should also be noted.
- **Crossing Difficulty**
  - Crossing difficulty may be assessed by considering the number of gaps in the traffic flow which are acceptable to pedestrians, and the delay to pedestrians caused by having to wait for an acceptable gap.
- **Pedestrian Demand**
  - Pedestrian flows should be recorded to demonstrate if there is sufficient demand to justify the provision of a stand-alone crossing.
- **Average Crossing Time and Speed**
  - Measuring the average crossing speed for pedestrians may reveal whether there is a large number of people who may be slower, and therefore need extra time to cross.

There is currently not enough evidence to demonstrate that the existing pedestrian refuge crossing in Lubenham is insufficient for the level of vehicular flows. However, the analysis presented above demonstrates that Gartree 2 will not generate a significant increase in traffic along the A4304.

**Atkins Response 3:** The Ministry of Justice are willing to consider any transport improvements which may be required to facilitate the proposed development in line with the National Planning Policy Framework (NPPF).

However, in accordance with the NPPF, any planning contributions must be:

- 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.

Table 5-2 and Table 5-3 within the Gartree 2 Transport Assessment outline the Modal Split for Staff and Visitors respectively. The analysis within the Transport Assessment demonstrates that the development proposals will not generate any additional walking trips on the existing transport network. In addition, the analysis presented above demonstrates that Gartree 2 will not generate a significant increase in traffic along the A4304. Therefore, it is not considered that the proposed improvements to the existing pedestrian refuge along the A4304 within Lubenham is necessary to make the development acceptable in planning terms or directly related to the development.



## Appendix F – LCC Highways response to Systra Review and Atkins technical note

Substantive response of the Local Highway Authority to a planning consultation received under The Development Management Order.



Response provided under the delegated authority of the Director of Environment & Transport.

---

### APPLICATION DETAILS:

Planning Application Number: 21/01600/OUT

Highway Reference Number: 2021/1600/03/H/R2

Application Address: Land Adj HM Prison Welland Avenue Gartree Lubenham Leicestershire

Application Type: Outline

Description of Application:

Re-consultation. Outline Planning Application with all matters reserved except for means of access and scale for the construction of a new Category B prison of up to 82,555sqm within a secure perimeter fence together with access, parking, landscaping and associated engineering works

---

### GENERAL DETAILS

Planning Case Officer: Mark Patterson

Applicant: Ministry Of Justice

County Councillor: Phil King

Parish: Lubenham

Road Classification: Unadopted / Private

---

**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 impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe. Based on the information provided, the development therefore does not conflict with paragraph 111 of the National Planning Policy Framework (2021).

### Advice to Local Planning Authority

#### Background

Following issue of a substantive response on this application on 1st November 2021, the LPA have reconsulted the LHA requesting comments on the following documents:

1. Systra Technical Note: Gartree 2 prison, Market Harborough - LCC Application Review dated 7th February 2022
2. Atkins Technical Note: NPP – Gartree 2 – Technical Response to LCC Application Review by Systra dated February 2022



### **Systra Technical Note**

Systra had been appointed by Harborough District Council to review the advice provided by the LHA in its Observations dated 1st November 2021. It appears that Systra had been instructed to focus on two key areas following local concerns:

1. The capacity of the Gallow Field Road/B6047 Harborough Road junction
2. The provision of a pedestrian crossing on the A4304 Harborough Road at Lubenham, near to its junction with Foxton Road

In its Observations dated 1st November 2021, the LHA concluded the following in respect of the above areas of concern:

1. "The LHA has fully reviewed junction models and result of the junction capacity assessments and is fully satisfied that there are no capacity issues with any of the junctions that would justify a scheme of mitigation in accordance with the tests as set out in the [National Planning Policy Framework] NPPF".
2. In respect of the provision of a pedestrian crossing, this was not specifically addressed in the Observations on the basis that the submitted Transport Assessment does not demonstrate any increase in pedestrians crossing the A4304 at Lubenham as a consequence of the development proposals. However, the LHA offers further advice on this below.

The Systra Technical Note is separated into several headings, and the LHA provides the following Observations:

### **Transport Assessment review**

This section of the Technical Note appears to focus on discrediting the Transport Assessment submitted by the Applicant in support of the planning application, rather than a review of the advice of the LHA. It relies on information that does not form part of the formal planning application submission.

Nonetheless, the Systra review concludes the following:

- Trip rates based on HMP sites elsewhere in the country – Systra agrees with the LHA the approach is acceptable
- Visitor trip generation based on 100% car use - Systra agrees with the LHA that the approach is acceptable
- TEMPRO growth – Systra was able to generate the same TEMPRO growth rates as applied in the Transport Assessment, and therefore agrees with the LHA
- Traffic surveys conducted in June 2021 with the application of Covid factors – Systra agrees with the LHA that this is a fair methodology

However, in respect of traffic surveys, whilst accepting the survey methodology used by the Applicant, the Systra report then goes on to review survey data from a number of other planning applications, with data ranging from 2000 to 2019. The purpose of this review appears to be to

generate baseline data that will better serve to demonstrate that the Gallow Field Road junction is operating over capacity. It should be noted that the raw data does not form part of the Systra report and cannot therefore be verified.

Atkins, on behalf of the Applicant, provide a clear evidence-based rebuttal of the assumptions made in the Systra report. The LHA would highlight that the Systra approach is unconventional and relies on survey data that is significantly older than three to five years which is the timeframe accepted by the industry to ensure that it reflects the latest travel patterns and trends. This timeframe is set out in the Department for Transport "Guidance on Transport Assessment (GTA)". Whilst it is acknowledged that this Guidance has been archived, it remains industry good practice and is cross-referenced in the Leicestershire Highway Design Guide (LHDG). The GTA sets out that survey data should be surveyed within the last three years using methodology agreed by the LHA. This is the approach that was undertaken by the Applicant to produce the Transport Assessment submitted in support of the application, as detailed in the Atkins Technical Note, and indeed as accepted by Systra (as above).

The data relied on by Systra not only uses factored data from 20+ years ago, no information is presented in respect of the peak hours assessed (noting the am peak for Gartree 2 is before the network peak of 08:00-09:00), conditions on the network, network changes, behavioural changes, potential for double counting (committed developments also accounted for in TEMPRO growth), whether flows have been taken directly from Pan Regional Transport Model (PRTM) outputs (noting that PRTM does not validate at turning count level) and includes for the subsequently withdrawn application for the expansion of Gartree.

In addition, the LHA have not been presented with any junction models produced by Systra for detailed checking and review. As stated above, the Applicant provided junction models to the LHA for reviewing and checking when submitting the Transport Assessment that supports this application.

The Systra report goes on to conclude that "Gallow Field Road can be expected to be over capacity in the PM peak". Table 5 of the submitted Technical Note demonstrates that one arm (Gallow Field Road) in the pm peak (only) exceeds the theoretical capacity of 0.85 RFC. This does not demonstrate that the junction as a whole operates over capacity. Moreover, the inputs used in the junction model cannot be relied upon for the reasons set out above.

In conclusion, the LHA maintains that its advice as provided in the Observations dated 1st November 2021 is correct, that it cannot be demonstrated that the development would have a severe impact on the Gallow Field Road junction in accordance with the NPPF, and that the findings of the Systra junction modelling exercise cannot be relied upon. This conclusion has also been reached by Atkins who have set out further capacity assessments in their Technical Note.

The LHA re-iterates that Systra state that the survey methodology applied by the Applicant is acceptable, and only appear to generate different baseline data to serve to demonstrate that the Gallow Field Road junction is operating over capacity. The LHA would be willing to robustly defend its position through any appeal process.



#### Lubenham junctions/A4304 accident and pedestrian amenity review

Systra has undertaken a review of personal injury accident data and concluded that the data and analysis as presented in the Transport Assessment submitted in support of the application is correct. Systra conclude that "from a safety standpoint, a pedestrian crossing is not required for the safe movement of pedestrians to the south of the site". They also go on to state that an "expanded review of Lubenham does not identify any accident issues in the area". The LHA agree with the conclusions reached.

At Table 6, Systra appear to have misinterpreted the traffic flow data from the submitted Transport Assessment, and a full explanation of this error is provided in the Atkins Technical Note.

Systra state that "whilst each local highway authority has its own guidance the criteria that pedestrian crossings are installed, 6,000 vehicles per day is often used as the level to trigger signal-controlled crossings over principal routes" and suggests that a "pedestrian crossing facility over and above what is already there is required when the current flows are considered".

The Systra report contains no detailed assessment nor accurate calculation of traffic flows and importantly no assessment of pedestrian flows has been undertaken. In addition, no evidence is presented to suggest that the application will increase pedestrian movement in Lubenham, nor does the report conclude that a signalised crossing is needed.

Outside of the planning application process the LHA has undertaken an assessment based on a nationally recognised formula to assess the justification for a signalised pedestrian crossing on the A4304 in the vicinity of Foxton Road using a calculation involving both pedestrian and vehicle flows. This is known as 'PV2' and effectively evaluates the potential for conflict between vehicles and pedestrians.

The assessment produces a figure which relates to different types of crossings. For a 'dropped' crossing a score of between 0.4-0.7 would need to be achieved, for a zebra crossing a score of 0.7-0.9, and for a signal-controlled puffin crossing a score of 0.9 and above.

A PV2 calculation for this location produced a score of 0.074 which does not meet the criteria for any type of formal crossing, noting that there is an existing pedestrian refuge in this location. This position will not change as a consequence of the proposed development at HMP Gartree.

In summary, the LHA maintains its advice as set out in its observations dated 1st November 2021. The application as submitted cannot be demonstrated to result in a severe impact at the Gallow Field Road/B6047 junction, nor can a signalised pedestrian crossing in Lubenham be justified consistent with the tests as set out in the NPPF.

Date Received  
25 February 2022

Case Officer  
Rebecca Henson

Reviewer  
LS

Date issued  
11 March 2022

## APPENDIX G: Joint Parish and Action Group response



Ref: GA/AM/02122/L0001am

22<sup>nd</sup> March 2022

Mr Mark Patterson  
Harborough District Council  
The Symington Building  
Adam and Eve Street  
Market Harborough  
Leicestershire, LE16 7AG

Dear Mark

**Response to Application Reference 21/01600/OUT on behalf of:**

- 1. Lubenham Parish Council**
- 2. Foxton Parish Council**
- 3. East Farndon Parish Council**
- 4. Great Bowden Parish Council**
- 5. Gumley Parish Meeting**
- 6. Loughton Parish Meeting**
- 7. Gartree Action Group**

**Re outline planning application (all matters reserved except means of access and scale) for the construction of a new Category B prison up to 82,555sqm within a secure perimeter fence, together with access, parking, landscaping and associated engineering works on land adjacent to HM Prison, Welland Avenue, Gartree**

Following your recent conversation with my colleague Alex Munro I write to you on behalf of my joint clients who wish to **OBJECT** to the current prison proposals in the strongest possible terms.

This response has been prepared following a full review of the planning application and its progress to date as well as continual and ongoing liaison with representatives of all of the groups which we represent. It comprises our assessment of the technical and planning merits of the proposal. We (Armstrong Rigg Planning) are very familiar with the rural character of the hinterland of Market Harborough and, critically, its constrained road network. This submission is intended to supplement the earlier objections of the groups which we represent rather than supersede them.

This letter makes it clear that, based on the evidence presented to officers to date – in respect of highways impact in particular, that in our professional opinion this proposal is ill-conceived and that the council can have absolutely no confidence that the grant of permission for this application will not result in significant harm to the local area. In which case there are strong material planning grounds to refuse this application under delegated powers.

The Exchange | Colworth Science Park  
Sharnbrook | Bedford | MK44 1LZ  
t 01234 867135 | e info@arplanning.co.uk | w www.arplanning.co.uk

Armstrong Rigg Planning Ltd  
Registered in England & Wales No 08137553. Registered Address:  
The Exchange, Colworth Science Park, Sharnbrook, Bedford, MK44 1LZ.



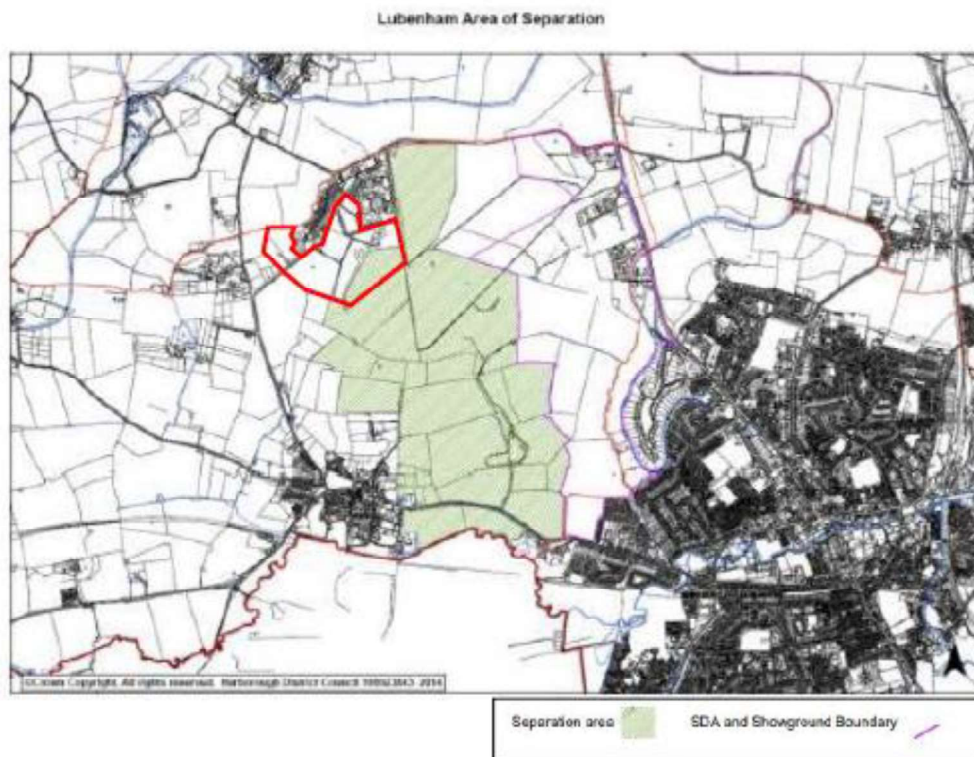


### Conflict with the development plan

As a start point, and most fundamentally, the application proposals are in clear conflict with the development plan which for this site comprises the Harborough Local Plan 2011-2031 (adopted April 2019) and the Lubenham Neighbourhood Plan (adopted May 2017). It is clear from reading the Planning Statement accompanying the application, prepared by Cushman and Wakefield, that this conflict is significantly downplayed.

It firstly lies outside any built-up area boundary identified in the Local Plan and therefore is at odds with **Policy GD3** 'Development in the countryside' which, whilst providing a lengthy list of exceptions of development types that may be appropriate in locations outside settlement boundaries, does not cover the proposed end use. Indeed, its catch-all criteria covering "other uses" (criteria I) only presents an exception if they both "justify" and "are compatible with" a countryside location. As will be explored throughout this letter a significant infrastructure proposal of this type passes neither of these tests.

Then, of particular concern to our clients, it lies in the 'Lubenham and Gartree Area of Separation' which was included as a new policy protection for the countryside between the two villages and Market Harborough in the Lubenham Neighbourhood Plan. The location of the application site and its contravention of this gap is shown below:



Corresponding **Policy LNP01** cites its intent to use the area of separation to preserve the "distinctive character and separate identities of Lubenham and Gartree" and does not envisage the erosion of the gap with a substantial proposal of the type offered by the current application. However, what is clearly demonstrated by the plan extract included above is that the proposal will more than double the build extent of the village of Gartree. This will result in a radical change to the character of the village whilst drawing the extent of built form almost half a kilometre

closer to Lubenham to the south, a village which currently only lies 1.3km from the current southern extent of the prison grounds.

This magnitude of change and erosion of the gap fundamentally conflicts with the intentions of **Policy LNP01** which seeks to ensure that development neither diminishes the physical or visual separation between settlements or compromises the effectiveness of the gap. On this basis the proposal is undeniably harmful and in contravention with both the intent and the wording of this policy.

### Highways impact

What is then the most significant concern of most respondents to this application, and central to our clients' objection, is the highways impact of the proposal. We have fully reviewed the various submissions dealing with this matter and it is clear to us that at best there is significant confusion and disagreement between Harborough Council officers and Leicestershire County Council (LCC) in respect of likely impact. In reality it must be concluded that the applicant has failed to demonstrate that there will not be a significant and harmful effect on the local highways network, particularly on a cumulative basis, which should result in the refusal of this application under the terms of paragraph 111 of the National Planning Policy Framework (NPPF).

The assessment of the highways impact of the proposal to date presents a muddled and often contradictory picture. The initial response from LCC presented no objection. Clearly officers distrusted this advice and an independent review of both the Transport Assessment and LCC advice was commissioned, undertaken by Systra. This study found two clear deficiencies in the assessment:

- Firstly, the Systra review concluded that the B6047 Harborough Road / Leicester Lane / Gallow Field Road junction will be over capacity if both 21/01600/OUT (this application) and 21/00545/OUT, for a business park at Airfield Farm, are approved. You will of course be aware that the business park application received a resolution to grant permission at the council's Planning Committee on 15<sup>th</sup> February 2022 which, allied with the allocation, represents a firm and indeed vital commitment as the proposal seeks to deliver one of the council's key employment sites on the edge of Harborough subject of **Policy MH4** 'Land at Airfield Farm'. As such it must be treated in any assessment of highways impact as a site which has a clear presumption towards its delivery and will come forward.

The findings of the Systra report therefore present a dilemma to officers, that the approval of the current prison application may in fact place the delivery of a prominent employment site which forms a key component of both the local plan's economic strategy as well as an integral element of the proposals to grow Market Harborough itself at risk. The ability of the proposal to compromise the delivery of a recent adopted local plan, and its employment strategy, represents a material consideration of significant weight which must be weighed against the proposal in the overall planning balance.

- Secondly, the Systra review concludes that the expected traffic flow levels along the A4304 would suggest the existing pedestrian refuge crossing in Lubenham is insufficient provision for the increase in movement. Insufficient consideration has therefore been given to pedestrian safety in the highway and with no mitigation of this effect currently offered it is clear that this presents clear grounds to refuse the proposal under the guidance of paragraph 111.

We note that the applicant was then quick to respond to the findings of the Systra report with the issue of its own review (a review of the review) by its highway consultant Atkins. This seeks to refute the conclusion that the highway network has insufficient capacity and makes a vague offer of mitigation in respect of pedestrian safety. LCC has since issued its own support for Atkins position whilst criticising the independent Systra analysis. This was submitted to officers on 11<sup>th</sup> March 2022.



This redoubling of LCC's own position in the face of the Systra criticism results in a position where Harborough's own officers are essentially at odds with the Highway Authority. What is telling, however, is that the current position of the council is based on an entirely independent review of the Transport Assessment, undertaken by Systra. We can confirm that our clients are in the process of securing additional professional highways advice which will be made available to officers and members prior to the earliest likely committee date of 5<sup>th</sup> April 2022.

Modelling aside – what appears entirely clear to us and is at the heart of the objections from the long list of residents and interested parties, is that the fundamental intention of this application is to deliver a substantial infrastructure project in the heart of Harborough's open countryside and at a location poorly served by a largely rural highway network. Common sense alone would dictate that this is not an appropriate location for a development which will generate 778 new job positions, not to mention additional deliveries, visitors, prisoner transit, and the additional traffic flow that goes with this.

#### Site selection process

It is understood that the proposed provision of a new prison at Gartree comprises part of the Ministry of Justice's (MoJ) 'Four New Prisons' programme which seeks to meet both a regional but also nationwide need for new prison spaces. As part of this programme two new prisons are sought in the north and two in the south. Notably none are sought in the Midlands, where it could reasonably be described the application site lies.

Accordingly, the search for sites has been conducted on a national basis. On the selection criteria the Planning Statement confirms that *"land in MoJ ownership was considered as priority sites given the potential for quicker delivery to meet challenging delivery programme and avoid additional costs and time delays associated with the purchase of land"*. This was one of the leading criteria that dictated the location of the new prisons. This, however, has likely skewed the site search and resulted in the identification of proposed locations that are less sustainable than other reasonable alternatives – including urban brownfield land.

Indeed, when referencing the comparable sequential test to be applied to retail uses described by the PPG land ownership is not a key consideration – instead, it is the availability of the land that should be assessed. This is designed to ensure that operators do not buy the intended development site first and then plan second as an apparent *fait accompli*. There should be no special dispensation for public bodies. Indeed, the MoJ, as a ministry of government, is empowered more so than any private sector operator through access to compulsory purchase. Ownership of land should not be determining criteria. Instead, connectivity, local character, supporting infrastructure and access to a sufficient local skill base must represent far more compelling factors in identify sites for such significant infrastructure uses.

The additional 778 staff expected to be required by the prison will inevitably have to drive significant distances daily along a network of what are little more than country lanes once in the vicinity of the application site. Whilst the supporting socio-economic information suggests that most of these jobs will be drawn from a 40-mile radius this is still equivalent to driving to the prison site from Nottingham or Birmingham. Alternatively, it seems common sense that such a trip-intensive use be located adjacent to one of these cities rather than in a far-flung location such as Gartree. Indeed, the NPPF is strong on directing major traffic generating uses towards locations well served by public transport and other sustainable means. This would suggest more urban locations as a priority.

In any event we would anticipate far more focus is placed on securing investment and the delivery of infrastructure in the north of the country specifically due to the heavy focus the Government is placing on its 'levelling up' agenda. The very fact that it is anticipated that new jobs will be created across an area with an 80-mile spread north to south and east to west suggests that the pool of people out of work in this region of the country is small. Indeed, unemployment figures in the East Midland in December 2021 were at a record low of 3.4%. Conversely unemployment in the Northeast was 5.7% - the highest in the country. In any event 1,000 (net) new Category C prison spaces have recently been created at HMP Five Wells next to Wellingborough only 20 miles from the



application site with a similar number proposed at Glen Parva which itself is only 15 miles from Gartree. This means two things: firstly, there is significant additional prison capacity being created in the local catchment already calling into question the sense of also extending Gartree; and secondly the fact that these are two expanded prisons that Gartree must compete with to secure employees from the same already thin pool of talent and experience.

The very methodology used to identify Gartree as a preferred location for a new prison is therefore flawed on several fronts. Accordingly, this deficient site selection process adds further weight towards our conclusion that there is clear and harmful conflict with Policy GD3 of the Local Plan.

#### **Perceptions of safety and weight of public opinion**

A more intangible issue but a relevant one nonetheless in respect of national planning policy – the NPPF confirms at two places that planning decisions should not lead to development *"where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience"*. It is difficult to argue against the likelihood of a prison the size of the new Gartree facility, and the transit of prisoners that goes with it through local villages and along country lanes, from providing a sense of deep unease amongst the residents of Foxton in particular. There is also the strong possibility that it will impact more generally on the attractiveness of the local area to tourists who regularly visit the nationally renowned Grade II Listed Foxton Locks which lie less than a mile from the site to the west.

It is then evident from the weight of response to the application that the proposal to deliver a new four-storey edifice at the heart of Harborough's countryside which is dedicated to housing Category C prisoners, a population which would still include the most violent offenders, is causing deep unease locally. To reiterate this site will represent a significant extension to an existing prison which is already considered by our clients to be detrimental to the day-to-day function of the local communities as well as people's perceptions of the area. Whilst various mitigation measures are offered within the community, including the upgrade of local footpaths, this modest level of infrastructure improvement is deeply insufficient to allay the concerns of the community.

Simply put our clients, comprising a list of seven public representative bodies local to the site, and the residents of the Parishes do not want this development on their doorstep. This sentiment is added to by the earlier individual objections of both Great Bowden and East Farndon Parish Councils who echo many of the points raised in this letter. As Parish Councils they are further represented by this submission. Irrespective, there are clear planning grounds to refuse this application including conflict with the development plan and detriment to highways safety.

Based on all of the above we urge officers to refuse this application under delegated powers. If the proposal is recommended for approval, we would wish to address members of the planning committee on behalf of our clients to restate their strong objections. In the meantime, if you would like to discuss any element of this objection in greater detail, please do not hesitate in contacting me via any of the means below.

Yours sincerely



Geoff Armstrong ([geoff.armstrong@arplanning.co.uk](mailto:geoff.armstrong@arplanning.co.uk))

**Director**

**Armstrong Rigg Planning**

Direct Line: 01234 867130

Mobile No: 07710 883907



## APPENDIX H: Joint Lubenham and Foxton PC Highways response

HIGHWAY  
PLANNING  
AND  
DESIGN



4 Ascot Drive  
Coalville  
Leicestershire  
LE67 4DF  
Tel : (01530) 459240

Lubenham Parish Council  
C/o Clerk

Date : 23 March 2022  
Our Ref. : DJF/DEC/3061  
Your Ref. :  
e-mail : Duncan.clarke@eaeconsultancy.com

Dear Councillors,

### Proposed New Category B Prison, Land adj Gartree Prison - Planning Application 21/01600/OUT

On behalf of the Lubenham Parish Council, Foxton Parish Council and Loughton and Mowsley Parish Meetings we have carried out a high level review of the planning application, the Transport Assessment prepared by Atkins and their further Technical Note, the various Local Highway Authority responses and the Systra Highway Review.

It should be noted that this is a light touch review in the limited time available and does not delve into detailed interpretation of the evidence or considerations regarding the pros and cons of the Atkins or Systra modelling.

We start with the Systra Review:

The Systra Highway Review has agreed with the trip generation methodology, trip generation figures and the Tempro Growth Factors used, and therefore we have not carried out any further assessment of these figures as there does not appear to be any issue with them.

In general Systra are happy with the way that the Local Highway Authority have considered the application, however they have raised 2 issues, one regarding the capacity of the junction of Gallow Field Road with B6047 and the other regarding pedestrian crossing facilities on A4304 in Lubenham.

With regards to the highway capacity issue at the Gallow Field Road/B6047 junction, this has been addressed both in the Technical Note submitted by Atkins in response to the Systra report and in the further highway response from the Local Highway Authority. Whilst we are of the opinion that it is unlikely that the proposal would result in a highway capacity issue based on theoretical predictions, perhaps it should be suggested that if planning permission were to be granted for the new prison, that for a period of at least the first year after opening, regular monitoring of this junction is carried out at the applicants expense. If the monitoring demonstrates that there is a capacity issue (related to delays or queues at the junction), the applicants should then be required to carry out improvements to the junction to mitigate the impacts resulting from the development. Such a condition would need to be tested to ensure

---

Neal Edwards  
IEng FIHE  
Managing Director

Malcolm J Edwards  
Financial  
Director

Duncan Forbes  
BEng(Hons) CEng MIET  
Technical Director

Christine Edwards  
Company  
Secretary

Registered Office: Edwards & Edwards Consultancy Ltd, 4 Ascot Drive, Coalville, Leicestershire. LE67 4DF.  
Registered in England and Wales No. 4389517 VAT No 794 5553 82



that it meets the tests of the NPPF, but it would seem reasonable given that two reputable consultancies have provided different assessments of this junction. Presumably the MOJ would be keen that access to the prison is as good as possible given that a large proportion of staff and visitors to the prison would use this junction.

With regards to the pedestrian crossings on A4304 in Lubenham, the Systra report does not really explain in what way the crossings are unsuitable or provide any justification for them being improved as a result of the development. Although the Highway Authority have said that as the proposal would not lead to any increased pedestrian crossing movements, the requirements for improved crossing facilities could in fact be generated by an increased volume of traffic on the road and not just as a result of increased pedestrian crossing movements. Nevertheless, the Local Highway Authority have separately carried out an assessment based on pedestrian and vehicle flows, (PV<sup>2</sup>) which shows that the increased traffic likely to be generated by the development would not justify improvements to the pedestrian crossings. The assessment carried out by the Local Highway Authority produced a PV<sup>2</sup> value of 0.074, which is below the value of 0.2 for a crossing to be justified, and well below the value of between 0.2 and 0.7 for alternatives such as pedestrian refuges or zebra crossings to be installed. Therefore we are of the opinion that it would be unreasonable to insist that the development pay for the improved crossing facilities on A4304.

#### Moving onto the main transport assessment

Notwithstanding all of the above, we have noted that whilst capacity calculations have been considered for the local road junctions, no consideration appears to have been given to the suitability of each junction to cater for the additional traffic likely to be generated. For example no assessment has been made of the available visibility splays for turning traffic at any of the junctions. Our experience of dealing with planning applications in Leicestershire, is that we are required to provide speed survey information and demonstrate on a scaled drawing, the available visibility splays at any access or road junction that are being proposed to serve even very minor developments. However whilst this proposed application will generate a significant increase in traffic at a number of road junctions, it does not appear that any evidence has been provided or asked for to demonstrate that these accesses/junctions have suitable visibility splays based on measured vehicle speeds.

Whilst we have not had the opportunity to visit the site within the agreed timeframe, and ideally further work would be needed, we do have reservations with regards to the junctions of Welland Avenue and Foxton Road and also Foxton Road with Gallow Field Road, as to whether these junctions have appropriate visibility splays. Given that the proposal is likely to lead to a significant increase in traffic movements at these junctions, then we are surprised that this has not been considered, especially with the close proximity of Foxton Primary School and its associated on street car parking, to the junction at Foxton Road and Gallow Field Road.

The Local Highway Authority often seek to resist developments that would result in increased use of accesses/junctions that lack appropriate visibility splays, on the grounds that the increased traffic could lead to highway safety issues. The fact that no assessment of these has been carried out by the Applicants nor asked for by the Local Highway Authority seems unusual.

---

Neal Edwards  
IEng FIHIE  
Managing Director

Malcolm J Edwards  
Financial  
Director

Duncan Forbes  
BEng(Hons) CEng MIET  
Technical Director

Christine Edwards  
Company  
Secretary

Registered Office: Edwards & Edwards Consultancy Ltd, 4 Ascot Drive, Coalville, Leicestershire. LE67 4DF.  
Registered in England and Wales No. 4389517 VAT No 794 5553 82

We also note that the Transport Assessment has stated that no traffic will travel along the northern section of the private road (Welland Avenue) through the Gartree Estate, but will all enter and leave along the southern section of Welland Avenue from Foxton Road. However we are of the opinion that the proposed measures to deter vehicles entering and leaving along the northern section to and from Gallow Field Road, would not prevent these movements, given that the northern section would provide a far shorter distance of travel. As Welland Avenue is a private road, this is not an issue for consideration by the Local Highway Authority. However we are surprised that this has not been raised by them for consideration by HDC who clearly have raised concerns regarding increased traffic travelling through the private estate. The Transport Assessment does say that the situation would be monitored, we are not sure that there are any proposals in place to carry out any further alterations to Welland Avenue, should the traffic calming not work. In some ways it is likely to be preferable from a highway viewpoint if vehicles were able to enter via Gallow Field Road directly into Welland Avenue, but given that HDC have expressed a view that they do not want any additional traffic passing through the private Gartree estate, the measures proposed appear to be inadequate.

The Transport Assessment has assumed that all traffic will use the Foxton Road from A4304 and Gallow Field Road from B6047 to get to and from the site and assumed no traffic travel north on Main Street through Foxton or west on Gumley Road. This assumption will have been made to ensure that the capacity calculations at the junctions with A4304 and the B6047 are robust, which is reasonable. However it is likely that some traffic will use these other routes.

I hope that the above comments are helpful, if you require any further information then please do not hesitate to contact either myself, Duncan Forbes or Neal Edwards.

Yours faithfully

*Duncan Clarke*

Duncan Clarke  
Development Control Engineer

---

Neal Edwards  
IEng FIHIE  
Managing Director

Malcolm J Edwards  
Financial  
Director

Duncan Forbes  
BEng(Hons) CEng MIET  
Technical Director

Christine Edwards  
Company  
Secretary

Registered Office: Edwards & Edwards Consultancy Ltd, 4 Ascot Drive, Coalville, Leicestershire. LE67 4DF.  
Registered in England and Wales No. 4389517 VAT No 794 5553 82