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Reference: 24/01117/EAS
Date: 27 January 2025



Hinckley & Bosworth Borough Council

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Central House
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Staffordshire
WS13 6QD

Dear Emma

Environmental Impact Assessment (EIA) Scoping Opinion

Reference: 24/01117/EAS
Proposal: Employment development comprising Use Classes B2 (General Industry), B8 (Storage and Distribution), and E(g) (Offices, Research Development, and Light Industrial Processes).
Location: Chase Fields Farm, Watling Street, Nuneaton, CV11 6JJ
Ward: Ambien

Introduction

Thank you for your Environmental Impact Assessment (EIA) Scoping Opinion Request on 06 December 2024.

The response outlines the Local Planning Authority's feedback on the proposed scope and assessment methodology provided in your report, as well as recommendations to ensure that a thorough evaluation of the potential environmental effects associated with the project has been undertaken.

Summary

In summary, the Local Planning Authority are satisfied with the structure of the forthcoming Environmental Statement and consider the scoped in environmental disciplines and the proposed scope and methodology for each chapter to be acceptable.

Prior to the submission of any forthcoming Environmental Statement, please refer to the advice of statutory consultees in relation to each of the environmental disciplines.

Description of Development

The Environmental Impact Assessment (EIA) Scoping Opinion Request is for a proposal for employment development comprising Use Classes B2 (General Industry), B8 (Storage and Distribution), and E(g) (Offices, Research Development, and Light Industrial Processes) at Chase Fields Farm, Watling Street, Nuneaton. The development contains 1,605,000 sq.ft. (149,109.38 sq.m) of gross internal floor space and the proposal is likely to be submitted as a hybrid planning application.

Consultation

In accordance with Paragraph (4) of Regulation 15 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, the Local Planning Authority have consulted the consultation bodies. In this instance, these consultation bodies include:

- Cadent Gas
- Canal & River Trust
- Environment Agency
- Hinckley and Bosworth Borough Council (HBBC)'s Conservation Officer
- HBBC's Drainage Officer
- HBBC's Pollution Officer
- HBBC's Waste Officer
- Inland Waterways Association
- Leicestershire County Council (LCC)'s Archaeology Department
- LCC's Drainage Department
- LCC's Ecology Department
- The Local Highway Authority (LHA)
- The Local Mineral and Waste Authority (LMWA)
- National Grid
- National Highways
- Natural England
- Severn Trent Water Ltd

Please note that the Environment Agency, the Council's Waste Department, Leicestershire County Council as the Local Mineral and Waste Authority, National Grid, National Highways, nor Severn Trent Ltd have responded to the application.

The comments of these consultation bodies, which have been received have been included within this report.

Environmental Statement (ES) Structure

The Applicant proposes to structure the forthcoming Environmental Statement with two volumes.

Volume 1 shall include the main findings to each environmental disciplines and include accompanying figures, plans, and drawings where necessary.

Volume 2 shall include the accompanying technical appendices that support the main assessments within Volume 1. These two volumes shall be accompanied by a Non-Technical Summary (NTS), which shall be provided as a separate document.

The structure and content of Volume 1 (and Volume 2 where application) shall include the following:

- Introduction
- EIA Scope and Methodology
- Proposed Development and Alternatives
- Socioeconomics and Health
- Landscape and Visual Amenity
- Ecology and Biodiversity
- Cultural Heritage and Archaeology
- Water Resources and Flood Risk/ Drainage
- Transport and Access
- Air Quality
- Noise and Vibration
- Soils and Agricultural Land
- Summary
- Glossary
- References

Within each of the Assessment Chapters, the main structure of the information shall be presented, although not exclusively, as per the following headings:

- Introduction
- Assessment Approach (including methodology, assessment of significance, legislative and policy framework, scoping criteria, limitation)
- Baseline Conditions
- Assessment of Likely Significant Effects (Assessment of Impacts, including construction and operation)
- Mitigation, Enhancement and Residual Effects
- Cumulative and In-Combination Effects
- Summary

The Local Planning Authority are satisfied with the proposed structure, content, and approach of the Environmental Statement.

Assessment of Scoped-In Topics

The Applicant has confirmed that the following environmental topics shall be 'scoped-in' to the Environmental Statement within the following chapters:

- Socioeconomics
 - Population
 - Human Health
- Landscape and Visual Amenity
 - Human Health
- Ecology and Biodiversity
 - Climate
 - Flora
 - Fauna
 - Land / Land Take
 - Water
- Cultural Heritage and Archaeology
- Water Resources and Flood Risk/ Drainage
 - Climate
 - Human Health
- Transport and Access
- Air Quality
 - Climate
 - Human Health
- Noise and Vibration
 - Human Health
- Soils and Agricultural Land

Interrelationships between the factors shall be covered within each chapter where applicable.

Socioeconomics and Health

The Local Planning Authority are satisfied that the assessment of socioeconomic disciplines can be undertaken via a desk-based study and that the content and methodology are acceptable.

Landscape and Visual Amenity

The Local Planning Authority are satisfied with the proposed visual receptors and on-site assessment of landscape and visual amenity disciplines, which shall be supported by the published landscape character assessments. The scope and methodology of the assessment are also considered to be acceptable.

Natural England confirmed that the Environmental Statement should refer to the relevant National Character Areas. Character area profiles set out descriptions of each landscape area and statements of environmental opportunity.

The Environmental Statement should include a full assessment of the potential impacts of the development on local character [using landscape assessment methodologies](#). Natural England encourage the use of the Landscape Character Assessment (LCA).

A Landscape and Visual Impact Assessment should also be carried out for the proposed development and surrounding area. Natural England recommends the use of the methodology set out in *Guidelines for Landscape and Visual Impact Assessment 2013* (3rd edition) produced by the Landscape Institute and the Institute of Environmental Assessment and Management.

The assessment should also include the cumulative effect of the development with other relevant existing or proposed developments in the area. This should include an assessment of the impacts of other proposals currently at scoping stage.

To ensure high quality development that responds to and enhances local landscape character and distinctiveness, the siting and design of the proposal should reflect characteristics and wherever possible use local materials. Account should be taken of local design policies, design codes and guides, as well as guidance in the National Design Guide and National Model Design Code.

The Environmental Statement should set out the measures to be taken to ensure the development will deliver high standards of design and green infrastructure. It should also set out detail of layout alternatives, where appropriate, with a justification of the selected option in terms of landscape impact and benefit.

Ecology and Biodiversity

Leicestershire County Council (LCC)'s Ecology Department have reviewed the Environment Impact Assessment Scoping Report and are satisfied with the suggested approach and the topics discussed within the Report are also appropriate.

National Highways welcome the preparation and submission of a Construction Environmental Management Plan (CEMP) in support of the forthcoming planning submission.

Highways Impacts on Ecology and Biodiversity

National Highways have confirmed that the environmental impact arising from any disruption during construction, traffic volume, composition or routing change and transport infrastructure modification should be fully assessed and reported.

Natural England

Natural England is required to make available information it holds where it is requested to do so. National datasets held by Natural England are available at: <http://www.naturalengland.org.uk/publications/data/default.aspx>. Detailed information on the natural environment is available at: www.magic.gov.uk. Natural England's Sites of Special Scientific Interest (SSSI) Risk Impact Zones are a GIS dataset, which can be used to help identify the potential for the development to impact on a SSSI. The dataset and user guidance can be access from the [Natural England Open Data Geoportal](#).

Designated Nature Conservation Sites

Natural England confirmed that the proposal is unlikely to adversely impact any European or internationally designated nature conservation sites (including 'habitat sites' under the National Planning Policy Framework (NPPF)), or national designated sites such as SSSIs, National Nature Reserves or Marine Conservation Zones.

Regionally and Locally Important Sites

The Environmental Statement should consider any impacts upon local wildlife and geological sites, including local nature reserves. Local Sites are identified by the Local Wildlife Trust, geo-conservation group or other local group, and protected under the NPPF. The Environmental Statement should set out proposals for mitigation of any impacts and, if appropriate, compensation measures and opportunities for enhancement and improving connectivity with wider ecological networks.

The Trust highlighted that the Ashby Canal is designated as a Local Wildlife Site (LWS) and this should be taken into account when assessing potential ecological impacts arising from the proposed development. The Trust considered the assessment of the potential effects of the construction and operational phases (Section 7.4) to appear appropriate. However, the Trust have stated that the Environmental Statement needs to consider the potential for impacts on the Ashby Canal and its value as a wildlife habitat in relation to all the identified effects. Measures to minimise any anticipated harmful effects should also be identified as should potential opportunities for supporting or enhancing the biodiversity value of the Canal.

Protected Species

Natural England confirmed that the Environmental Statement should assess the impact of all phases of the proposal on protected species, such as great crested newts, reptiles, birds, water voles, badgers, and bats. Records of protected species should be obtained from appropriate local biological record centres, nature conservation organisations and local groups. Consideration should be given to the wider context for the site, for example, in terms of habitat linkages and protected species populations in the wider area.

The area likely to be affected by the development should be thoroughly surveyed by competent ecologists at appropriate times of year for relevant species and the survey results, impact assessments, and appropriate accompanying mitigation strategies included as part of the Environmental Statement.

Surveys should always be carried out in optimal survey time period and to current guidance by suitably qualified, and, where necessary, licenced consultants.

Natural England has adopted [standing advice for protected species](#), which includes guidance on survey and mitigation measures. A separate protected species licence from Natural England or DEFRA may also be required.

District Level Licencing (DLL) is a type of strategic mitigation licence for great crested newts (GCN) granted in certain areas at a local authority or wider scale. A DLL scheme for GCN may be in place at the location of the development site. [If a DLL scheme is in place](#), developers can make a financial contribution to strategic, off-site habitat compensation instead of applying for a separate licence or carrying out individual detailed surveys. By demonstrating that DLL will be used, impacts on GCN can be scoped out of detailed assessment in the Environment Statement.

Priority Habitats and Species

[Lists of priority habitats and species can be found here](#). Natural England does not routinely hold species data. Such data should be collected when impacts on priority habitats or species are considered likely.

An appropriate level habitat survey should be carried out on the site, to identify any important habitats present. In addition, ornithological, botanical, and invertebrate surveys should be carried out at appropriate times in the year, to establish whether any scarce or priority species are present.

The Environment Statement should include details of:

- Any historical data for the site affected by the proposal (e.g. from previous surveys)
- Additional surveys carried out as part of this proposal
- The habitats and species present
- The status of these habitats and species (e.g. whether priority species or habitats)
- The direct and indirect effects of the development upon those habitats and species

- Full details of any mitigation or compensation measures
- Opportunities for biodiversity net gain or other environmental statement

Ancient Woodland, and Ancient and Veteran Trees

The Environmental Statement should assess the impacts of the proposal on any ancient woodland, ancient and veteran trees, and the scope to avoid and mitigate for adverse impacts. It should also consider opportunities for enhancement.

Natural England maintains the [Ancient Woodland Inventory](#), which can help identify ancient woodland. The Wood Pasture and Parkland Inventory within DEFRA's Magic Map sets out information on wood pasture and parkland. [The Woodland Trust's Ancient Tree Inventory](#) provide information on the location of ancient and veteran trees.

Natural England and the Forestry Commission have [prepared standing advice on ancient woodland, and ancient and veteran trees](#).

Biodiversity Net Gain

Biodiversity Net Gain (BNG) is additional to statutory requirements relating to designated nature conservation sites and protected species. [The statutory biodiversity metric](#), together with ecological advice, should be used to calculate the change in biodiversity resulting from proposed development and demonstrate how proposals can achieve a net gain. The metric should be used to:

- Assess or audit the biodiversity unit value of land within the application area
- Calculate the losses and gains in biodiversity unit value resulting from the proposed development
- Demonstrate that the required percentage biodiversity net gain will be achieved

BNG outcomes can be achieved on-site, off-site, or through a combination of both. On-site provision should be considered first. Delivery should create or enhance habitats of equal or higher value. When delivering net gain, opportunities should be sought to link delivery to relevant plans or strategies, such as green infrastructure strategies or local nature recovery strategies.

Opportunities for wider environmental gains should also be considered.

Contribution to Local Environmental Initiatives and Priorities

The Environmental Statement should consider the contribution the development could make to relevant local environmental initiatives and priorities to enhance the environmental quality of the development and deliver wider environmental gains. This should include considering proposals set out in relevant local strategies or supplementary planning documents such as landscape strategies, green infrastructure strategies, tree and woodland strategies, biodiversity strategies or biodiversity opportunity areas.

Cultural Heritage and Archaeology

Archaeology

Leicestershire County Council's Archaeology Department confirmed that, following pre-application discussions with the Applicant's archaeological contractor, further pre-determination investigation is required, including an initial geophysical survey followed by trial trenching evaluation. Given the results of field walking investigations within the wider search area, the Archaeology Department advised that the applicability for further field walking within the site as part of the Archaeological Impact Assessment (AIA) is also considered. This information should be submitted to the Local Planning Authority prior to any decision on the planning application being taken so that an informed decision can be made on the application.

The Archaeology Department also recommended seeking the advice of the Council's Conservation Officer regarding any potential impacts of the development upon the setting and significance of the designated Ashby Canal Conservation Area (HER Ref.: DLE565).

Heritage

The Council's Conservation Area has confirmed that a chapter on Archaeology and Cultural Heritage to accompany any future planning application within the Environmental Statement, which includes potential effects upon heritage assets (designated and non-designated), as well as archaeology, built heritage and historic landscapes, and effects to their setting, would be in accordance with the requirements of the relevant Planning Acts and National and Local Planning Policy.

Ashby Canal Conservation Area

The Inland Waterways Association (IWA) noted that the second phase of this development includes Unit 4, which is close to the Ashby Canal and its Conservation Area. The Canal and River Trust ('The Trust') have highlighted that Unit 4 is approximately 100m from the Canal, which is likely to limit views of the remainder of the site from the Canal.

Whilst the IWA are pleased to note that the submitted Scoping Report includes an assessment of the scheme's impacts on the landscape setting of the Ashby Canal Conservation Area and on the users of the Canal, given the indicated size and likely height of Unit 4, the IWA disagree with the suggestion that the impact on the setting of the Ashby Canal Conservation Area is likely to be minor.

The Trust stated that the proposed viewpoints appear to be appropriate and should be able to provide representative views of the site from the Canal to inform the Landscape and Visual Impact Assessment (LVIA). The Trust considered the scope and methodology of assessment set out in Chapter 8 of the Scoping Report to be appropriate and providing that the potential for impacts on the Conservation Area is fully considered, and mitigation measures are identified where necessary, the Trust do not anticipate any significant adverse impacts on the heritage value and significance of the Canal.

Heritage Landscapes

The Environmental Statement should include an assessment of the impacts on any land in the area affected by the development which qualifies for conditional exemption from capital taxed on the grounds of outstanding scenic, scientific, or historic interest. An up-to-date list is available at www.hmrc.gov.uk/heritage/lbsearch.htm.

Water Resources and Flood Risk/ Drainage

Flood Risk

The Council's Drainage Officer confirmed that the proposed methodology within the Scoping Report satisfactorily covers the legislative, planning policy, and technical requirements in relation to the assessment of flood risk and surface water quality, and the provision of Sustainable Urban Drainage Systems (SuDS) to mitigate the impacts of the proposed development.

The Flood Risk Assessment and Drainage Strategy in support of a planning application should consider the impacts on flood risk and pollution of sensitive receptors during the construction phases of development and include a preliminary surface water management plan to identify and mitigate the potential impacts. The Environmental Statement should also include consideration of the ongoing management of the surface water scheme throughout the operational lifetime of the development, with particular regard to responsibilities for the long-term maintenance of SuDS features.

Water Quality

The Environmental Statement should take into account of the risks of water pollution and how these can be managed or reduced. A number of water dependent protected nature conservation areas have been identified as failing condition due to elevated nutrient levels and nutrient neutrality is consequently required to enable to proceed without causing further damage to these sites.

If the planning application is affected by nutrient neutrality, the Environmental Statement needs to take account of any strategy solutions for nutrient neutrality or Diffuse Water Pollution Plans, which may be being developed or implemented to mitigate and address the impacts of elevated nutrient levels. These solutions or plans should be relevant to the specific application site.

Ashby Canal

The Trust confirmed that any forthcoming Flood Risk Assessment and Drainage Strategy should consider whether there are likely to be any potential impacts on the Ashby Canal.

Given the distance from the Ashby Canal, it appears unlikely that discharging surface water from the proposed development to the Canal would be a serious option. If it is considered, the Trust recommended early contact with their Utilities Team to allow an assessment of the feasibility of accepting such a discharge.

It is important to note that the Trust is not a land drainage authority, and such discharges are not granted as of right; where they are granted, they will usually be subject to completion of a commercial agreement. Further advice can be obtained by contacting the Trust's Utilities Team at utilitiesenquiry@canalrivertrust.org.uk.

Transport and Access

Connecting People with Nature

The Environmental Statement should consider potential impacts on access land, common land, and public rights of way. It should assess the scope to mitigate for any adverse impacts. Rights of Way Improvement Plans (ROWIP) can be used to identify public rights of way within or adjacent to the proposed site that should be maintained or enhanced.

Measures to help people to better access the countryside for quiet enjoyment and opportunities to connect with nature should be considered. Measures could include reinstating existing footpaths or the creation of the new footpaths, cycleways, and bridleways. Links to other green networks, and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Access to nature within the development site should also be considered, including the role that natural links have in connecting habitats and providing potential pathways for movement of species.

Highways

The A5 forms part of the Strategic Road Network (SRN), which is a critical national asset that should be operated and managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Transport Assessment

Given the scale of the development, both National Highways and Leicestershire County Council as the Local Highway Authority (LHA) stated that a full Transport Assessment and Travel Plan would be required in support of this Application. In addition, the use of the Pan-Regional Transport Model (PRTM) will be required to fully assess the impact of the development proposals.

An assessment of transport-related impacts of the proposal should be carried out and reported as described in the Department for Transport's 'Guidance on Transport Assessment' (GTA) and DfT Circular 01/2022. Although the GTA has been archived, it still provides a good practice guide in preparing a Transport Assessment. The Department for Levelling Up, Housing, Communities and Local Government also provide guidance on preparing Transport Statements.

Site-Specific Considerations

National Highways acknowledge that baseline traffic flows for 2024 (Base Year) will be reported as an 18-hour AAWT and 24-hour AADT and will be provided as total traffic flows and HGV flows separately. It is recommended that the traffic data collected from the surveys is collected in a neutral period.

It is mentioned that collision data for the study site will be obtained and analysed within the Transport Assessment. Depending on the date of the planning submission, National Highways recommend that collision data for the most recent five-year period is assessed. As a minimum, National Highways require the study area to also include the A5 in the proximity to the site.

The Highway Assessment Methodology has been set out, which highlights the proposed Existing Base Year (2024), the proposed Opening Year (2028), and the proposed Completion Year (2036). National Highways request that the proposed Construction Year is confirmed within this methodology.

If the development is to be delivered in a phased manner, then the modelling scenarios also need to reflect the phased delivery in line with the DfT Circular 01/2022.

Land Use Split and Trip Generation

Please can you provide confirmation on the planned split between Use Classes B8, B2, and E(g)(iii) within the site. The current trip generation assumes a 70/25/5 split, respectively, however, to ensure a robust assessment of the potential trip generation from the site, National Highways require that the land use combination which generates the most trips should be used for future assessments.

National Highways request that the trip rates are re-calculated using the “*Calculate trip rates for vehicles*,” option at the beginning of the TRICS process. This approach would eliminate the need for applying the journey-to-work modal split from census data, which is not appropriate for this site as it is not a residential development.

Traffic Flow Data

It is proposed that PRTM model and WCC Paramics will be used to extract the flows for with and without development (DM and DS) scenarios. It is suggested that a study be carried out prior to this to determine if the PRTM and WCC base and forecast models are suitable for the study. Earlier as part of the review of the ‘Land of Wellington’ proposal, the base LMVR of the PRTM model was studied and calibration validation issues were identified which are likely to be relevant to the current proposal. Any discrepancies between observed and modelled should be highlighted to ensure that National Highways understand the robustness of the baseline.

Paramics Model

National Highways request that further details are provided on the Paramics model, including the year validated, so that National Highways can determine its suitability for determining the impacts that the site may have on the SRN. It is recommended that the models that are planned to be used are provided to National Highways in advance to allow them to provide comments on the model. This will prevent any abortive works as it is likely that models may require local recalibration and revalidation.

It is recommended that committed development assumptions within the PRTM and WCC Paramics model be provided in order to determine model suitability.

It is also requested that the Applicant provide confirmation as to why the A5 Atherstone Paramics model is not being considered given that it covers the A5 between the M69 and the M42 and is more up to date.

PRTM Outputs Required

In addition to the outputs listed in Section 2.2 of the Note, the following outputs should also be extracted from the model and provided for National Highways' review:

- Flow Difference Plots
 - Base vs DM Forecast models
- Paramics Outputs Required: Section 2.5
 - Latent / Unreleased demand

Trip Distribution and Assignment

The methodology states that trip distribution and assignment of development traffic will be extracted from both Leicestershire's PRTM and WCC's Paramics model. National Highways request that details of trip distribution assumptions are provided for their review and note that the distribution will have to be agreed with them.

Study Area

National Highways will be in a better position to confirm the suitability of the study area once the trip generation methodology and trip distribution are agreed upon.

Traffic Surveys and Hours of Assessment

Notwithstanding the above, it is recommended that Figure 2.1 in the Note be updated to reflect all of the junctions to be surveyed as listed in Sections 2.10 to 2.12 of the Note.

The surveys should also account for:

- Collection of current signal phasing information in the model study area, especially for the A5 Long Shoot junction
- Junction turning counts for Redgate Junction (A444 Atherstone Road / A444 Weddington Lane and A5)
- ATC count data on the A5 between Wolvey Road and M69 Junction 1

Surveys should be undertaken during typical neutral months of April, May, June, September, and October. It is recommended that MTC and queue length surveys are undertaken on neutral weekdays during school term time, with confirmation that no roadworks or diversions are in place at the time of the surveys.

The highway capacity assessments should be conducted during the weekday morning and evening peak hours in line with the peak operational hours of the proposed employment development. Nonetheless, National Highways would also require that the highway network peak be established based on the baseline traffic surveys to ensure that assessments are conducted robustly.

National Highways recommend that the survey data is validated against other data sources where possible (such as DfT or WebTRIS survey sites) and this validation is provided for National Highways' review to ensure that they are representative of typical traffic conditions. National Highways also require the data collected from these surveys and validation checks to be appended to any subsequent Transport Assessment for review.

Traffic Signals

A review of the signals within the study area should be undertaken to ensure the forecast models reflect current timings/ phasing data.

National Highways VISSIM Models

Further information is requested regarding how National Highways' VISSIM model is proposed to be used for the proposal in combination within Paramics WCC and PRTM model. Given the data being collected, National Highways have asked whether the Applicant has considered the expansion of the VISSIM model to cover the relevant junctions. Model suitability study needs to be conducted on the VISSIM model before proceeding within using the model for the current proposal.

Scope of Standalone Junction Modelling

National Highways will be in a better position to comment on the scope of standalone junction modelling following agreement of the trip generation, distribution and strategic modelling approach. AutoCAD (.WDG) files of the geometric parameters pertaining to any SRN junctions for which standalone junction modelling would be required should be provided to National Highways such that they can be reviewed.

Depending on the results of the junction capacity assessments, suitable mitigation measures where issues are identified at the SRN junctions should be provided proportionate to the level of traffic impact caused by the development proposals.

Framework Travel Plan

National Highways welcomes proposals that reduce car dependency, need to travel, and reliance on the SRN, and maximises opportunities for sustainable travel solutions, such as walking, wheeling, cycling, public transport, and shared travel.

Further concerns have been raised in terms of the following:

- The interface/ overlap between the proposed junction and those junctions already permitted along the A5 at this location
- There being no secondary point of access for resilience purposes
- Apparent lack of consideration in terms of direct access for walking and cycling (sustainable modes and permeability)
- Local demand for HGV parking on the SRN

Road Safety Audit (RSA)

The submitted Stage 1 Road Safety Audit (RSA1) is invalid as it has not followed the process requirements of GG 119. It is however, noted that the report recommends a change to the existing 50mph speed limit, the principle of which may not be acceptable to National Highways. Early consultation in terms of the principle of a permanent Traffic Regulation Order (TRO) will be required if such a change is essential to the principles of the junction layout and development.

There is an existing parking layby within approximately 200 metres (northwest) of the commencement of the proposed junction. Paragraph 3.7 of CD 169 (The design of lay-bys, maintenance, hardstanding's, rest areas, service areas, and observation platforms) states, *"The separation between a lay-by and an at-grade junction or access (excluding field accesses) on the same side of the road, both upstream and downstream, shall be at least 3.75V metres where V is the design speed in kph."*

The requirement for a 50mph (85kph) design speed is 318.75 metres and so the separation falls short of this mandatory requirement.

A shortfall would still be evident if the speed limit was changed to 40mph (70kph). A Departure from Standards will be required for this element of the design. Some of the notation on the Illustrative Masterplan – Alternative Site Access drawing does not appear to be shown or is not explain in the documents provided. The relevance of the STW pipeline route and extensive Gas Pipe Easements are unclear.

There is no information concerning the justification for the choice of junction. Were other junction forms considered before arriving at the traffic signal-controlled arrangement currently submitted?

The Illustrative Masterplan – Alternative Site Access drawing suggests that other means or forms of access may have been considered.

Scheme Layout

While the comments above concerning the principle of the development should take precedence in any response, a high-level review of the submitted junction layout has been undertaken and further comments are below.

The A5 Access Signalised T-Junction Scheme Visibility to Traffic Signals drawing is to a scale of 1:1000 only. The A5 Access Signalised T-Junction Scheme drawing is to a scale of 1:1000 with 1:500 insets. Both drawings are labelled, *“Indicative,”* and lack sufficient details and dimensions to enable full conservation against DMRB standards. The drawings also differ from each other in terms of the junction layout and geometry of the traffic islands.

Forward visibility to the signal head with the central traffic island for drivers approaching from the northwest could be impeded by vehicles waiting in the ghost island right-turn lanes.

Dimensions for lane width and junction radii are missing from the design. Paragraph CD 123 (Geometric design of at-grade priority and signal-controlled junctions) Paragraph 7.14 states, *“Where provision is to be made for large goods vehicles, the values for corner radii and associated tapers shall be the same as for a priority junction...”*

Significant allocated and permitted residential development exists on the opposite side of the A5 at this location, which appears not to have been fully considered and/or reflected in the submitted junction design. A complex road layout is potentially being created along the A5 between the A47 Long Shoot junction and new junctions to the northwest serving significant allocated or permitted residential developments.

The form of any permitted junctions and/ or pedestrian/ cycle facilities will need to be shown on the scheme drawings to enable consideration of the current or any subsequent junction layout proposed.

The proposed junction would be within an existing 50mph speed limit at present. The A5 Access Signalised T-Junction Scheme drawing notes, *“Access to approved Meadowcroft Farm development...”* However, no further information is provided and it is unclear if the permitted/ required junction form is as currently shown.

The continuation of the note, *“... with integrating informal pedestrian crossing with the traffic signals,”* is not explained but suggested that a required pedestrian route to an uncontrolled crossing is now being incorporated within the proposed signalised junction layout. CD 123 Paragraph 7.17.4 states, *“A single pedestrian crossing route through a signal-controlled junction should not include a mix of controlled and uncontrolled crossing points.”*

CD 143 (Design for walking, cycling, and horse riding) England National Application Annex Paragraph E/4.6 is also considered to be relevant and states, *“Refuge islands shall not be provided where the speed limit is greater than 40mph except where the refuge island is incorporated into a single land dualling design.”*

In terms of the current 50mph speed limit, the proposed shared footway/ cycleway geometry does not comply with the recommended separation from the carriageway as set out in CD 143 Paragraph E/3.5.1 (1).

It should be noted that where a DMRB *‘should’* recommendation is not followed, GG 101 (Introducing to the Design Manual for Roads and Bridges) states, *“Recommendations with this verb form are good practice and can be varied without recourse to the departures process but require justification and a safety risk assessment where the recommendation is not followed.”*

The lane markings and kerb-lined within the proposed horizontal alignment are irregular and appear to vary along their length. There appears to be a change in the alignment of the kerb-line within the 100m lane width reduction length noted to the southeast of the junction radius shown; the change appears to be dictated by the land ownership (red-line boundary.) The kerb alignment on the southern side of the A5 appears to change abruptly at the traffic island.

It is unclear what clearance is provided to the traffic signals as the traffic islands are not dimensioned. Traffic Signal controlled cabinets, feeder pillars, and pedestrian guard railing will all need to be incorporated within the limited areas shown, along with maintenance lay-bys. CD 1234 Paragraphs 7.19 and 7.19.1 are relevant.

Boundary details appear to be missing along the south-western side of the scheme, suggesting possible third-party land issues/ constraints. It is unclear if a pedestrian and/or cycle connection can be made along the south-western side of the A5.

The need for compliance with CD 127 (Cross-sections and headrooms) will also need to be demonstrated in principle, containing all necessary existing and proposed Highway assets.

The swept-path analysis inserts only show turning movements for the site access, however the right-turn into the site for a 16.5 metre articulated vehicle has been omitted. Through traffic movements for a combination of vehicles will be required to demonstrate that the alignment shown can accommodate simultaneous through and turning vehicle movements without encroachment into adjacent lanes. The speed of any swept-path manoeuvres and through vehicle movements will need to be provided along with confirmation that ‘turn on the spot’ is disabled in the software.

The deflection arrows shown are suggesting the need to merge to a junction exit lane, which is physically reducing over the 100-metre distance shown. This is misleading and would be likely to result in vehicle conflicts (side-swipe incidents).

The overall junction layout appears irregular and potentially misleading for drivers. The 'driveability' at the design speed is both questionable and potentially unsafe. It is noted from GG 119 (Road Safety Audit) that aspects that typically form the focus of an RSA1 include the following from the Appendix B checklist:

- Will the proposed scheme be consistent with the stand of provision on adjacent lengths of road and, if not, is this made obvious to the road user?
- Does adjacent development cause interference/ confusion?
- Is the junction type appropriate for the traffic flows and likely vehicle speeds?

The above aspects appear not to have been considered.

Other Matters

National Highways have highlighted that some requirements of the DMRB appear to have been addressed, which are detailed below:

- Equality Impact Assessment Screening (EqIA) (GG 101 Paragraphs 1.8 – 1.10.1)
- Walking, Cycling and Horse Riding Assessment and Review (WCHAR) Assessment Report in accordance with GG 142 (Paragraph 4.2) requirements
- A Maintenance and Repair Statement (MRS) is a mandatory requirement in accordance with GD 304 Paragraph E/1.1

Visibility is not shown in the vertical plane as required by Paragraphs 3.1/3.2 of CD 109 and Paragraph 7.3 of CD 123.

Local Highway Authority Final Comment

Whilst the LHA notes that it is proposed to assess several likely significant effects related to transport and access in the Environmental Statement, for the avoidance of doubt, the LHA will base its observations on the future planning application on the Transport Assessment (with associated PRTM modelling) and the Travel Plan, rather than the Environmental Statement.

Accordingly, the LHA would welcome continuing early engagement and the opportunity to work with the Applicant in respect of the preparation of transport evidence for any forthcoming planning application.

It is recommended that the Applicant should continue to engage in pre-application transport and highway discussions with the Highway Development Management (HDM) Team at Leicestershire County Council, who can be contacted at hdc@leics.gov.uk. The LHA also advises that the TA and TP should be provided in line with the Leicestershire Highway Design Guide (LHDG), which can be found at <https://www.leicestershirehighwaydesignguide.uk/>.

Air Quality

The Local Planning Authority are satisfied with the scope and methodology of the assessment of air quality disciplines. National Highways acknowledge and welcome that Air Quality Assessments shall be included as part of the Environmental Statement.

Natural England stated that the Environmental Statement should take account of the risks of air pollution and how these can be managed or reduced.

This should include taking into account of any strategic solutions or SNAPS, which may be being development or implemented to mitigate the impacts on air quality. Further information on air pollution impacts and the sensitivity of different habitats and designated sites can be found on the Air Pollution Information System (www.apis.ac.uk.)

Information on air pollution modelling, screening and assessment can be found on the following websites:

- [SCAIL Combustion and SCAIL Agriculture](#)
- [Ammonia Assessment for Agricultural Development](#)
- [Environment Agency Screening Tool for Industrial Emissions](#)
- [DEFRA Local Air Quality Management Area Tool \(Industrial Emission Screening Tool\) - England](#)

National Highways confirmed that adverse changes to air quality as a result of the highway impact of the development should be considered in relation to compliance with the Air Quality Standard Regulations, EU Exit Regulations and/ or in local authority designated Air Quality Management Areas (AQMAs).

The Canal and River Trust ('The Trust') recommended that any forthcoming Construction Environmental Management Plan included consideration for the potential impacts on water quality in the Ashby Canal arising from dust or other windblown material during the construction phase of the development and measures as appropriate to minimise any such risk.

The Council's Pollution Officer stated that the forthcoming Environmental Statement may also require consideration of the impact from odours if end users may be generating odours.

Noise and Vibration

The Local Planning Authority are satisfied with the scope and methodology of the assessment of noise and vibration disciplines. However, the Council question whether an additional noise measurement location would be appropriate closer to the access of the application site, for example at 85 Watling Street.

National Highways confirmed that adverse changes to noise as a result of the highway impact of the development should be considered. However, National Highways acknowledge and welcome that Noise Impact Assessments shall be included as part of the Environmental Statement.

Soils and Agricultural Land

The Local Planning Authority are satisfied with the scope and methodology, including the forthcoming detailed soil survey, of the assessment of soil and agricultural land disciplines

Soils are a valuable, finite natural resource and should also be considered for the ecosystem services they provide, including for food production, water storage and flood mitigation, as well as a carbon store, reservoir of biodiversity and buffer against pollution.

Agricultural Land

Impacts from the development on soils, and best and most versatile (BMV) agricultural land should be considered. Further guidance is set out in [Natural England's Guide to Assessing Development Proposals on Agricultural Land](#).

The following issues should be considered, and, where appropriate, included as part of the Environmental Statement:

- The degree to which soils would be disturbed or damaged as part of the development
- The extent to which agricultural land would be disturbed or lost as part of this development, including where any best and most versatile (BMV) agricultural land would be impacted.

This may require a detailed Agricultural Land Classification (ALC) survey if one is not already available. For information on the availability of existing ALC information, please visit www.magic.gov.uk.

Where an ALC and soil survey of land is required, this should be at a detailed level (for example, one auger boring per hectare (or more detailed for a small site)) supported by pits dug in each main soil type to confirm the physical characteristics of the full depth of the soil resource (i.e., 1.2 metres.) The survey data can inform suitable handling methods and appropriate reuse of the soil resource where required (e.g., agricultural reinstatement, habitat creation, landscaping, allotments, and public open space.)

The Environmental Statement should set out details of how any adverse impacts on BMV agricultural land can be minimised through site design/ masterplan.

The Environmental Statement should set out details of how any adverse impacts on soils can be avoided or minimised and demonstrate how soils will be sustainably used and managed, including consideration in site design and master planning for areas for green infrastructure and biodiversity net gain. The aim will be to minimise soil handling and

maximise the sustainable use and management of the available soil to achieve successful after uses and minimise off-site impacts.

Further information is available in the [DEFRA Construction Code of Practice for the Sustainable Use of Soil on Construction Sites](#) and [The British Society of Soil Science Guidance Note: Benefitting from Soil Management in Development and Construction](#).

Minerals

The development site is not located within a Mineral Safeguarding Areas as outlined in the adopted Leicestershire Minerals and Waste Plan 2019 – 2031 (:MWLP). In regard to safeguarding of waste, there are no safeguarded wastes located within close proximity to the proposal development site. Therefore, the County Council as the Minerals and Waste Planning Authority (MWPA) have no objections to the development.

Assessment of Scoped-Out or Reduced Topics

The Applicant seeks to 'scope out' the following environmental disciplines from the Environmental Statement:

- Ground Conditions and Land Contamination
- Lighting
- Material Assets
- Wind Microclimate
- Daylight, Sunlight and Overshadowing
- Electronic Interference
- Waste
- Vulnerability to Major Accidents and Disasters

The Applicant has stated that the relevant information to support other chapters will be provided where necessary:

Ground Conditions and Contaminated Land

The Council's Pollution Officer confirmed that land contamination matters can be addressed outside of the Environmental Statement at the application stage.

The Trust highlighted that whilst ground conditions and land contamination are proposed to be scoped out of the Environmental Statement (Paragraph 14.2.2), it is recommended that a separate assessment of these matters is undertaken outside of the EIA process, including consideration of potential risks to water quality in the Ashby Canal and whether measures may be required to minimise any risks that are identified either at the construction or operational phases. Given the distance between the site and the Canal, the Trust acknowledged that this may not be a significant likely risk.

Lighting

The Council's Pollution Officer confirmed that lighting matters can be addressed outside of the Environmental Statement at the application stage.

Although the Ashby Canal is over 70m from the application site, and thus unlikely to be significantly affected by on-site external lighting, the Trust recommended that the Lighting Strategy considered the Canal and assesses whether or not any adverse effects on wildlife supported by the Canal corridor might occur. Should any such impacts be identified, appropriate mitigation measures should be identified.

Material Assets

The Local Planning Authority are satisfied that the information relevant to material assets can be used to support other chapters where necessary and no further consideration of material assets within an independent chapter of the Environmental Statement needs to be proposed.

Wind Microclimate

The Local Planning Authority are satisfied that any information relevant to wind microclimates in the area can be used to support other chapters where necessary and no further consideration of material assets within an independent chapter of the Environmental Statement needs to be proposed.

Daylight, Sunlight, and Overshadowing

The Local Planning Authority are satisfied that daylight, sunlight, and overshadowing impacts can be addressed outside of the Environmental Statement at the planning application stage.

Electronic Interference

The Local Planning Authority are satisfied that any information relevant to electronic interference can be used to support other chapters where necessary and no further consideration of material assets within an independent chapter of the Environmental Statement needs to be proposed.

Waste

The Local Planning Authority are satisfied that waste matters can be managed in accordance with all applicable legislation and best practice during both the construction and operational phases of the development. Whilst details of waste management may be required via planning condition during the planning application stage, no further details are required within the Environmental Statement in relation to waste unless they are necessary to support other chapters where necessary.

Vulnerability to Major Accidents and Disasters

The Local Planning Authority are satisfied that any information relevant to the scheme's vulnerability to major accidents and disasters, such as flooding, can be used to support other chapters where necessary and no further consideration of material assets within an independent chapter of the Environmental Statement needs to be proposed.

Gas

Cadent confirmed that they own and operate a High-Pressure gas pipeline that runs through the application site. Cadent provided a plan that details their gas pipelines and assets in the vicinity of the application site to demonstrate this.

As a result, Cadent have objected to the proposal until they are satisfied with the design of the development in relation to their gas assets.

It is a statutory requirement that you input the details of the proposal and its impact upon High-Pressure pipelines into the Health and Safety Executive (HSE)'s Planning Advice Web Application. For further details, please visit: www.hse.gov.uk/landuseplanning/planning-advice-web-app.htm.

Climate Change and Greenhouse Gases

The Environment Statement should identify how the development affects the ability of the natural environment (including habitats, species, and natural processes) to adapt to climate change, including its ability to provide adaptation for people. This should include impacts on the vulnerability or resilience of a natural feature (i.e., what's already there and affected) as well as impacts on how the environment can accommodate change for both nature and people, for example whether the development affects species ability to move and adapt.

Nature-based solutions, such as providing green infrastructure on-site and in the surrounding area (e.g., to adapt to flooding, drought, and heatwave events), habitat creation and peatland restoration should be considered. The Environmental Statement should set out the measures that will be adopted to address impacts.

The [Natural England and RSPB Climate Change Adaptation Model \(2020\)](#) provides extensive information on climate change impacts and adaptation for the natural environment and adaptation focussed nature-based solutions for people. It includes the Landscape Scale Climate Change Assessment Method that can help assess impacts and vulnerabilities on natural environment features and identify adaptation actions. [Natural England's Nature Networks Evidence Handbook \(2020\)](#) also provides extensive information on planning and delivering nature networks for people and biodiversity.

The Environmental Statement should also identify how the development impacts the natural environment's ability to store and sequester greenhouse gases in relation to climate change mitigation and the natural environments contribution to achieving net zero by 2050. [Natural England's Carbon Storage and Sequestration by Habitat Report \(2021\)](#)

and the [British Ecological Society's Nature-Based Solutions Report \(2021\)](#) provide further information.

Conclusion

In summary, the Local Planning Authority are satisfied with the structure of the forthcoming Environmental Statement and consider the scoped-in environmental disciplines and the proposed scope and methodology for each chapter to be acceptable.

Prior to the submission of any forthcoming Environmental Statement, please refer to the advice of statutory consultees in relation to the following environmental disciplines:

- Landscape and Visual Amenity
- Ecology and Biodiversity
- Cultural Heritage and Archaeology
- Water Resources and Flood Risk/ Drainage
- Transport and Access
- Air Quality
- Noise and Vibration
- Soil and Agricultural Land
- Ground Conditions and Contaminated Land
- Lighting

I trust that this information is of use to you. If you have any queries on the above points, please do not hesitate to contact me.

Yours sincerely



Christopher Brown MRTPI
Head of Planning