

PLANNING COMMITTEE: 23rd November 2017
SUPPLEMENTARY INFORMATION

The "Supplementary Information" report supplements the main Planning Agenda. It is produced on the day of the Committee and is circulated at the Committee meeting. It is used as a means of reporting matters that have arisen after the Agenda has been completed/circulated, which the Committee should be aware of before considering any application reported for determination.

Correspondence received is available for inspection.

15/00865/OUT	Outline application for the erection of up to 278,709sqm of Storage, Distribution buildings (B8) with ancillary B1(a) offices, creation of access onto A4303 and emergency services only access onto A5, formation of a Lorry Park, creation of SuDS facilities and other associated infrastructure and the demolition of Glebe Farmhouse (Means of access only to be considered) at Land Adj Glebe Farm, Coventry Road, Lutterworth
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Additional Consultee Comments:

LCC Highways:

Planning Committee members are asked to consider the following updates/clarifications from Leicestershire County Council Highway Authority:

1. Site access (ref Planning Committee Report Para 6.2.7)

Para 6.27 of the Planning Committee Report states that the speed limit would be reduced from 70mph to 50mph at the proposed site access; however Para 6.2.17 states that 'it is unlikely that the character of the road would change substantially such that LCC Highways would fully support any reduction to the current National Speed Limit'. LCC can clarify that 6.2.17 is reflective of the Highway Observations and no speed limit reductions are required.

2. Mitigation scheme at A4303/A426 Whittle Roundabout (ref Planning Committee Report Para 6.2.13)

The section of the report from Para 6.2.13 which relates to the Impact on the Local Highway Network has not included the proposed improvements at the A4303/A426 Whittle Roundabout. A mitigation scheme has been proposed by the Applicant and review by LCC. The requirement for a mitigation scheme has been included within the Suggested Planning Conditions (Section 8 of the Planning Committee Report) which is consistent with the advice provided by LCC in the Highways Observations.

3. Justification for £200,000 contribution (ref Planning Committee Report para 6.19 and Appendix C: Suggested Planning Obligations)

Whist queries have been raised in connection with 15/01531/OUT regarding the CIL compliance and justification of the £200,000 contribution sought by LCC, Appendix C of the Planning Committee Report suggests these have been considered to be appropriate for this Application.

The funding sought by LCC is specifically in order to ensure that it has monies available to make amendments to TROs and signing in Leicestershire consequential to any changes to lorry routing proposed by Warwickshire County Council. For the avoidance of doubt, the contribution would be towards the review, and where necessary, subsequent implementation/amendments to mitigate the impact of development.

The £200,000 value has been determined on the basis of the following breakdown:

Analysis of Warwickshire proposals / amendment to zones that are impacted.	£30k
Existing HGV routing surveys and analysis including modelling works	£30-40k
New traffic surveys post development including additional surveys following complaints including modelling works	£30-40k
Changes to weight restrictions following development	£30k – orders at £7.5k each, may need multiple
Additional measures to deter HGV traffic through villages ranging from bell bollards to priority narrowing	£10-100k – varies through multiple villages
Total	£130-£240k

The contribution is therefore considered necessary, relevant and proportionate.

Alternatively, in lieu of identifying a specific monetary contribution value, LCC would be prepared to work with WCC and the Applicant to identify a package of works to address WCC's concerns. This then would in turn inform any LCC requirements. If this work were to be done immediately, this would allow the matter to be finalised through negotiations to conclude the S106.

4. LCC position on the proposed Transport Reference Group (TRG) (ref Planning Committee Report para 6.19)

The principle of a TRG being established emerged, to LCC's understanding, with discussions with IDI Gazeley, who are the Applicant for 15/01531/OUT. LCC have not been approached by db Symmetry to consider the TRG as part of their proposals for 15/00865/OUT.

LCC do not object to the principle of such a group being formed. However, it should be noted that LCC have outlined concerns on the lack of details on the TRG's operation, how it would any authority to implement measures, and how it would be funded. It is understood that the TRG is intended to consider the issues similar to those which would be addressed through the aforementioned £200,000 contribution. Until such time as the following clarity is provided, LCC would not be in a position to fully support the TRG (and particularly in lieu of the £200,000 contribution):

- How frequently the TRG would meet
- How LCC's participation would be funded (without the Highway Authorities' participation, the TRG would not have the appropriate authority to take implement any measures)
- What matters would fall within the TRG's remit
- How decisions would be made. Would this be by majority vote or unanimous agreement? What would happen if a member was not able to attend? What if a majority vote was contrary to the vote cast by the Highway Authority whose area would be affected?

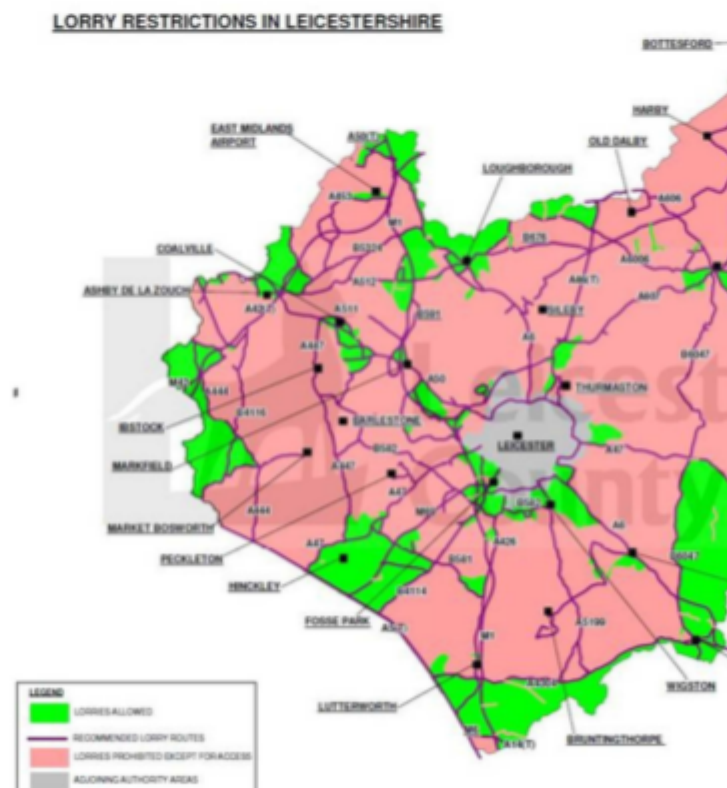
- What evidence would be taken in to account to make decision? Would this be through data collection or community reports?
- How the TRG would be Chaired and what any conflict resolution arrangements would be
- Who would the TRG report to
- What value would be secured through bond

We welcome further clarification from the Applicant regarding the requested contribution or TRG and would be prepared to proceed on the basis of either a) a contribution/package of measures to mitigate the consequential impacts within Leicestershire or b) the establishment of a TRG to mutually agreeable terms. In both cases, LCC considers that these matters can be concluded through S106 agreement.

Frolesworth Parish:

Frolesworth Parish objects to this application. Should it be approved a Section 105 planning obligation is requested as described in paragraph two, below. The Parish is a prohibited zone for HGV s above 7.5 tonnes, unless they have business in Frolesworth itself, yet HGV s travelling to and from Magna Park cut through the village regularly every day. Approval of this application would increase these illegal journeys. In order to enter a prohibited zone legislation requires HGV drivers to make the shortest journey to their destination starting from a recommended lorry route, which for Magna Park and especially for this application's location is from the A5/A4303. Please see the map overleaf (*below*).

Should the Council permit this application and consider a full application, in the interest of public safety and to support compliance with highway legislation the Parish requests that a condition of approval is a Section 105 planning obligation. This would be to provide and erect Highways approved signage at all approaches to the Parish which make the restrictions clear. At present there is a small number of barely noticeable ineffectual signs. The Parish would be glad to work with LCC Highways closely on this issue to try and make sure that HGVs take the permitted route to the A5 rather than through the residential village of Frolesworth.



Cotesbach Parish:

Apologies for the late submission, but in advance of the planning meeting this week, I wish to raise a further objection on behalf of Cotesbach Parish Council regarding some alarming discrepancies in the traffic assessments of the Gibbet roundabout.

As you are no doubt aware, the Gibbet Roundabout (intersecting the A5 and A426 between Leicestershire and Warwickshire) is due to be signalised as a condition to the DIRFT III development. The applicants of 15/00865/OUT and 15/01531/OUT do not suggest making any further improvements to this roundabout than those already committed by DIRFT III, with the exception of 15/00865/OUT that outlines some narrow widening of two arms.

Both applications have included the DIRFT III improvements to Gibbet roundabout as their base-case "do minimum" scenarios in their Traffic Assessments. I wish to make you aware that from a technical perspective, the DIRFT III assessments of Gibbet roundabout that have led to the proposed signalisation appear radically incorrect (see attached) with a maximum queuing forecast in 2033 without development at DIRFT III of 6 vehicles travelling from the M6 to Gibbet at peak PM times. With the development and the signalisation they forecast 31 vehicles.

If you are not familiar with the area, you are lucky today to have a queue of 6 vehicles at any time, let alone in 2033. I attach some Google traffic congestion screenshots of this route at peak times (See **Appendix B**) without any surrounding roadworks or highways issues to demonstrate the tailback is frequently, if not always, 2 miles long to the M6! It may no longer be possible to challenge the DIRFT III traffic assessments. The principle of 15/00865/OUT and 15/01531/OUT using the highly questionable DIRFT III mitigations as the key base-line input to their traffic assessments surely can be challenged.

I request that LCC and WCC Highways scrutinise this issue as I have yet to see in the extensive Traffic Assessment methodologies any reassurance that the applicants' "piggy-backing" on seemingly false DIRFT III mitigations will help an already poor situation. Regardless whether this is a sophisticated Traffic Assessment issue, we as a Parish Council continue to remain amazed at the suggested mitigations, when the congestion going towards the Gibbet roundabout in particular, as demonstrated by the enclosed images, is far worse than stated in the applications for 15/00865/OUT and 15/01531/OUT. Approval of these applications cannot justifiably adhere to NPPF, HDC Core Strategy policies or any weighting that may be given to the draft HDC Local Plan.

HDC, LCC, WCC and the applicants have a duty to mitigate any approved developments, ensure a good quality of life and secure at the very least positive economic outcomes. The current mitigations at Gibbet Roundabout do not achieve any of this and we urge you to closely investigate the mitigations that have been proposed.

Additional Representations:

Framptons Planning (on behalf of Applicants)

Framptons Planning have submitted a supplemental statement to the Officer Report for 15/00865/OUT (See **Appendix D**)

Magna Park Is Big Enough

Objection leaflet appended as **Appendix A**

Graham Logan (Cotesbach Resident)

Leaflet circulated to Cllrs (See **Appendix C**)

Local Representations:

An additional 33 letters of objection have been received raising similar issues to those previously reported, plus the following:

- The Chancellor has just made the following commitment in his budget statement "We owe it to our children that the air they breathe is clean." How would approving these two immense plans that would double the size of Magna Park help to achieve this commitment??
- Leicestershire's Director of Health's recent report on Leicestershire's health stated that air quality poses "the largest environmental risk to public health in the UK."
- Those people who already have to breathe some of the poorest air in the County PLEAD Harborough District Council to REJECT these plans and save the lives of our children (and the rest of us).
- This is another speculative application, outside the Plan and cynically now incorporated in the DRAFT Local Plan.
- Proposal is contrary to SDSS and Wider Market Developments: Implications for Leicester and Leicestershire and Draft Local Plan

Amendments to the Report:

Para 6.8 of the report states that three properties would be demolished as a result of the application. This should read that one property is to be demolished.

Amended Conditions:

Whilst the precise wording of the conditions can be resolved following the Committee resolution, the following 3 conditions are recommended by Officers to be amended.

10 Refuse and Recycling

Prior to the commencement of above grounds works in any of the Zone's set on the approved Parameters Plan, details of the provision for the storage of refuse and materials for recycling for that Zone shall be submitted and approved in writing by the Local Planning Authority. The details shall be implemented as approved.

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

11 Cycle Storage

Prior to the commencement of above grounds works in any of the Zone's set on the approved Parameters Plan, details of secure cycle parking facilities for the occupants of, and visitors to, that Zone shall be 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

15 Foul Water Drainage

Prior to the commencement of above grounds works in any of the Zone's set on the approved Parameters Plan, details of a foul drainage solution shall be submitted and approved by the local planning authority. No building should be occupied until the works have been carried out in accordance with the solution unless otherwise approved in writing by the Local Planning Authority

REASON: To prevent pollution of the water environment.

Additional Note to Applicant:

For the purposes of this consent "above ground works" can be defined as any works protruding above the agreed finished floor level of that element of the development.

15/01531/OUT	<p>Hybrid Planning Application comprising:</p> <p>1) Outline application for the demolition of Lodge, Emmanuel and Bittesby Cottages and erection of up to 419,800 sq m Storage and Distribution (B8) with ancillary offices (B1a), up to 3,700 sq m for a Logistics Institute of Technology (D1) with associated playing field, up to 9,000 sq m small business space (B1a, B1b), change of use of Bittesby House barns to exhibition centre (D1), the creation of a Country Park, other open space and landscaping works on land to the north of Mere Lane, formation of access road from Magna Park, creation of roundabouts, partial realignment of Mere Lane, upgrading of A5 to dual carriageway, creation of roundabout access on A5, creation of SuDS facilities and associated infrastructure and landscaping works (siting, extent and use of the defined parcels, the maximum quanta and height of buildings, the restriction on the siting of yards, demolitions and means of access to be considered only); and</p> <p>2) Detailed application for the creation of a 137 space HGV parking facility, associated gatehouse and HGV Driver Training Centre, vehicle wash and fuelling facilities, and a rail freight shuttle terminal, with associated hardstanding, landscaping works and SUDS facilities on land adjacent to Asda George Headquarters, A4303</p>
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Additional Consultee Comments:

LCC Highways:

Planning Committee members are asked to consider the following updates/clarifications from Leicestershire County Council Highway Authority:

1. Justification for £200,000 contribution (ref Planning Committee Report para 6.24)

It is understood there have been queries around the CIL compliance and justification of the £200,000 contribution sought by LCC.

The funding sought by LCC is specifically in order to ensure that it has monies available to make amendments to TROs and signing in Leicestershire consequential to any changes to lorry routeing proposed by Warwickshire County Council. The contribution would be towards the review, and where necessary, subsequent implementation/amendments to mitigate the impact of development. .

The £200,000 value has been determined on the basis of the following breakdown:

Analysis of Warwickshire proposals / amendment to zones that are impacted.	£30k
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Total	£130-£240k

The contribution is therefore considered necessary, relevant and proportionate.

Alternatively, in lieu of identifying a specific monetary contribution value, LCC would be prepared to work with WCC and the Applicant to identify a package of works to address WCC's concerns. This then would in turn inform any LCC requirements. If this work were to be done immediately, this would allow the matter to be finalised through negotiations to conclude the S106.

2. LCC position on the proposed Transport Reference Group (TRG) (ref Planning Committee Report para 6.24)

LCC do not object to the principle of such a group being formed. However LCC have outlined concerns on the lack of details on the TRG's operation, how it would any authority to implement measures, and how it would be funded. It is understood that the TRG is intended to consider the issues similar to those which would be addressed through the aforementioned £200,000 contribution. Until such time as the following clarity is provided, LCC would not be in a position to fully support the TRG (and particularly in lieu of the £200,000 contribution):

- How frequently the TRG would meet
- How LCC's participation would be funded (without the Highway Authorities' participation, the TRG would not have the appropriate authority to take implement any measures)
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- What evidence would be taken in to account to make decision? Would this be through data collection or community reports?
- How the TRG would be Chaired and what any conflict resolution arrangements would be
- Who would the TRG report to
- What value would be secured through the bond

We welcome further discussions with the Applicant and WCC to seek clarity on these items.

LCC would be prepared to proceed on the basis of either a) a contribution/package of measures to mitigate the consequential impacts within Leicestershire or b) the establishment of a TRG to mutually agreeable terms. In both cases, LCC considers that these matters can be concluded through S106 agreement.

3. HGV Routeing Plan (Ref Item 17 of Appendix D – Draft S106 Heads of Terms)

The proposed HGV Routeing Plan to prevent HGVs of 7.5 tonnes or greater travelling to or from the Development from driving through Lutterworth Town Centre should be an obligation to the District, not to the County Council. This is because the obligation is intended for Air Quality purposes, as outlined in Para 6.5.11 of the Planning Committee Report, which is a matter falling within the District's remit.

Please also note, with reference to Para 6.3.29 of the Planning Committee Report, that HGV Routeing matters for the purposes of Air Quality should fall solely with the District Council although LCC would not oppose the principle.

Gazeley in response to LCC Highways:

We have received your note dated 21st November 2017 as attached.

I would like to take this opportunity to try to clarify before the committee meeting one particular point relating to the justification of a financial contribution.

The Hybrid application is EIA development that has been informed and is supported by a full ES. The issue of HGV traffic, generated by the application, through villages was considered; and there is no evidence to suggest that there is persistent rat running such that villages would be impacted adversely by the Hybrid HGV traffic (this point is addressed within the Committee Report for the Hybrid - Main Report – at 6.3.26).

LCC has reviewed the October 2015 ES and the updates and supplements to it. LCC do not consider the evidence of the potential impact of the HGV traffic on villages in Leicestershire to be inadequate, either in scope or sufficiency. LCC similarly have not identified impacts of that nature that would require mitigation.

There is no evidence to show that a review of TROs would be necessary in planning terms to mitigate the impacts of the Hybrid proposals. Indeed, the evidence shows there are very few Magna Park HGV trips through villages which have in place TROs that prevent such movements.

It is also noted that WCC also have no evidence that TROs would be needed in their area, and HDC reject the need (for all the reasons you have long stated) for an HGV routing strategy.

Nonetheless, it is accepted that it is possible that there could be impacts caused by HGV's that could not now reasonably be foreseen and are thus out with the scope of the ES. On this basis, in principle we support the provision of a financial contribution in the form of a bond, to provide the resources needed for LCC as the highways authority, to deal with any future mitigation proposals (not exclusive to TROs and signage) and their delivery that have been identified and evidenced in relation to Magna Park. The bond would be drawn down only where justified and effective.

The attached note states at section 1:

"The funding sought by LCC is specifically in order to ensure that it has monies available to make amendments to TROs and signing in Leicestershire consequential to any changes to lorry routeing proposed by Warwickshire County Council. The contribution would be towards the review, and where necessary, subsequent implementation/amendments to mitigate the impact of development".

To ensure a consistent approach is established, I would be grateful if you could confirm, that the financial contribution held would effectively be a contingency fund that has been put in place should it prove necessary and justified for LCC to take any action, not already proposed, to mitigate HGV traffic impacts in villages arising from the extension to Magna Park. It may be that such action would oblige LCC to review, and where necessary, subsequently implement appropriate measures (including amendments to TROs and signing) if required to mitigate any identified and evidenced highways impacts.

If we are in agreement, could I politely suggest that the note be amended to clarify the position and perhaps state:

"The funding sought by LCC is specifically in order to ensure that it has monies available to ~~make~~ ~~amendments to TROs and signing in Leicestershire consequential to any changes to lorry routeing proposed by Warwickshire County Council.~~ implement appropriate mitigation measures (including possible amendments to TROs and signage) if required to mitigate any identified and evidenced future highways impacts from the Development".

LCC Highways in response to Gazeley:

The points you raise are reasonable. As with any S106, we would be anticipating a holding period and clawback clause.

With regard to your proposed rewording, we would be agreeable to it with the word 'if' being changed to 'as', and the link to WCC proposals being retained. It would then read:

"The funding sought by LCC is specifically in order to ensure that it has monies available to implement appropriate mitigation measures (including possible amendments to TROs and signage) consequential to any changes to lorry routeing proposed by Warwickshire County Council as required to mitigate any identified and evidenced future highways impacts from the Development".

Bitteswell Parish:

We understand from other sources that this application is to be considered on 23 November 2017. The Parish Council has not received notification of this event nor any supporting papers. We have not seen the officer's report but understand that it supports the application. The inability of the elected members to participate in the biggest decision to affect the parish in a generation is unacceptable and totally at odds with the principles of democracy and localism.

It is considered that the hearing is premature coming, as it does, before the local plan consultation has been analysed and examined in public. The lack of involvement of the Parish Council makes a mockery of the planning process and will perhaps make any decision subject to challenge. The hearing should be deferred.

The Parish Council objects to the proposals on the grounds that: -

1. It would destroy the setting of an ancient monument. Harborough District Council analysis states that mitigation would not be possible.
2. Huge amounts of traffic would be generated much of which will impact on local towns and villages generating pollution outside schools, nurseries and old people's homes.
3. The proposed development is not sustainable. There is virtually no unemployment in the district and as indicated in the Core Strategy there are better sites available e.g. Junction 20 A.
4. The argument for the need for warehousing on this scale has not been made. Developer demand for planning permission should not be confused for need.

5. The outline planning application contains some potentially desirable elements. There is absolutely no guarantee that any of these would reach fruition. History shows that they will be replaced at a later date with more warehousing.

Cotesbach Parish:

Apologies for the late submission, but in advance of the planning meeting this week, I wish to raise a further objection on behalf of Cotesbach Parish Council regarding some alarming discrepancies in the traffic assessments of the Gibbet roundabout.

As you are no doubt aware, the Gibbet Roundabout (intersecting the A5 and A426 between Leicestershire and Warwickshire) is due to be signalised as a condition to the DIRFT III development. The applicants of 15/00865/OUT and 15/01531/OUT do not suggest making any further improvements to this roundabout than those already committed by DIRFT III, with the exception of 15/00865/OUT that outlines some narrow widening of two arms.

Both applications have included the DIRFT III improvements to Gibbet roundabout as their base-case "do minimum" scenarios in their Traffic Assessments. I wish to make you aware that from a technical perspective, the DIRFT III assessments of Gibbet roundabout that have led to the proposed signalisation appear radically incorrect (see attached) with a maximum queuing forecast in 2033 without development at DIRFT III of 6 vehicles travelling from the M6 to Gibbet at peak PM times. With the development and the signalisation they forecast 31 vehicles.

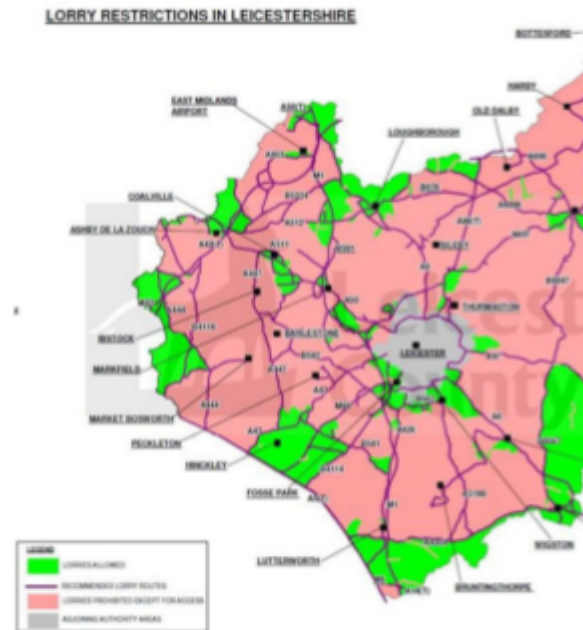
If you are not familiar with the area, you are lucky today to have a queue of 6 vehicles at any time, let alone in 2033. I attach some Google traffic congestion screenshots of this route at peak times (See **Appendix B**) without any surrounding roadworks or highways issues to demonstrate the tailback is frequently, if not always, 2 miles long to the M6! It may no longer be possible to challenge the DIRFT III traffic assessments. The principle of 15/00865/OUT and 15/01531/OUT using the highly questionable DIRFT III mitigations as the key base-line input to their traffic assessments surely can be challenged.

I request that LCC and WCC Highways scrutinise this issue as I have yet to see in the extensive Traffic Assessment methodologies any reassurance that the applicants' "piggy-backing" on seemingly false DIRFT III mitigations will help an already poor situation. Regardless whether this is a sophisticated Traffic Assessment issue, we as a Parish Council continue to remain amazed at the suggested mitigations, when the congestion going towards the Gibbet roundabout in particular, as demonstrated by the enclosed images, is far worse than stated in the applications for 15/00865/OUT and 15/01531/OUT. Approval of these applications cannot justifiably adhere to NPPF, HDC Core Strategy policies or any weighting that may be given to the draft HDC Local Plan.

HDC, LCC, WCC and the applicants have a duty to mitigate any approved developments, ensure a good quality of life and secure at the very least positive economic outcomes. The current mitigations at Gibbet Roundabout do not achieve any of this and we urge you to closely investigate the mitigations that have been proposed.

Frolesworth Parish:

Frolesworth Parish objects to this application. Should it be approved a Section 105 planning obligation is requested as described in paragraph two, below. The Parish is a prohibited zone for HGVs above 7.5 tonnes, unless they have business in Frolesworth itself, yet HGVs travelling to and from Magna Park cut through the village regularly every day. Approval of this application would increase these illegal journeys. In order to enter a prohibited zone legislation requires HGV drivers to make the shortest journey to their destination starting from a recommended lorry route, which for Magna Park and especially for this application's location is from the A5/A4303. Please see the map overleaf (*below*).



Should the Council permit this application and consider a full application, in the interest of public safety and to support compliance with highway legislation the Parish requests that a condition of approval is a Section 105 planning obligation. This would be to provide and erect Highways approved signage at all approaches to the Parish which make the restrictions clear. At present there is a small number of barely noticeable ineffectual signs. The Parish would be glad to work with LCC Highways closely on this issue to try and make sure that HGVs take the permitted route to the A5 rather than through the residential village of Frolesworth.

Additional Representations:

Now Planning (on behalf of Applicants)

Now Planning have submitted a supplemental statement to correct and clarify as appropriate inconsistencies and errors of fact in the Officer Report for 15/01531/OUT (See **Appendix E**)

Magna Park Is Big Enough

Objection leaflet appended as **Appendix A**

Graham Logan (Cotesbach Resident)

Leaflet circulated to Cllrs (See **Appendix C**)

Malcolm and Lynne Stringer (Bittesby Stables) (See **Appendix F**)

Two separate detailed letters have been received from the above residents, a copy of Mr Stringer's letter is available at Appendix F. Mr Stringer's letter covers all of the points raised in Mrs Stringer's letter, plus some additional points.

Local Representations:

An additional 50 letters of objection have been received raising similar issues to those previously reported, plus the following:

- IDI Gazeley, A huge multinational Logistics company, on its own Business Portfolio heading states "Impeccable Integrity" when the opposite is the case! They have used unfair propaganda to try and change the public's views on their Planning applications. A large brochure was delivered to the local residents which contained a whole page, including an interview with a respected parish councillor. It implied that that he was in favour of the Magna Park and DB Symmetry applications when the exact opposite was the case. He has consequently received some unpleasant e-

mails and is very upset. This illustrates Gazeley's understanding of the word integrity. They should change their heading to Unprincipled and Dishonourable. They think they can bully their way through the planning system.

- Proposal is contrary to SDSS and Wider Market Developments: Implications for Leicester and Leicestershire and Draft Local Plan
- This application being joined to the current Magna Park, and combined with shape of the layout, will in effect join Lutterworth to Claybrooke Parva and Ullesthorpe. These two villages will be part of a new town of greater Lutterworth.
- The Leicestershire County Council have today claimed [via East Midlands Today] that air pollution was one of the "biggest public health challenges the authority is facing" and that " the County Council, Local councils, business and other agencies need to work together to address the air quality issues with the urgency and scale that is required"
- How are the public supposed to believe that Harborough District Council's planning process is genuinely impartial and unbiased when it has such a substantial beneficial interest in approving this highly lucrative plan that would massively increase the size of Magna Park?
- Harborough District Council stands to gain from many millions of pounds each and every year from the additional business rates' income these immense 23 metre tall new warehouses would generate.
- Thousands of objections to the expansion of Magna Park have already been submitted by those who live in and around the Lutterworth area.
- I notice that, since last month, there appears to be no District Councillor who actually represents the Lutterworth area currently serving upon the Council's Planning Committee that meets on Thursday. Our own District Councillor, Jonathan Bateman, was a member of the Planning Committee up until October 2017.
- Over-provision for warehousing and logistics space in the area is inevitable. There is no need for the proposed development as demand can easily be met elsewhere where permission has already been given.

Officer Comments:

Officers consider the agreement that has been reached between the applicants and LCC Highways regarding S106 obligations related to TRO's to be an acceptable form of wording.

Representations have been made by local residents which include cross sections from their property to the closest element of the proposal (these can be seen at **Appendix F**). As part of the application submission, the applicant also provided cross sections from this property which can be seen below.



Amended Conditions:

Whilst the precise wording of the conditions can be resolved following the Committee resolution, the following 3 conditions are recommended by Officers to be amended.

12 Refuse and Recycling

Prior to the commencement of above grounds works in any of the Zone's set on the approved Parameters Plan, details of the provision for the storage of refuse and materials for recycling for that Zone shall be 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

13 Cycle Storage

Prior to the commencement of above grounds works in any of the Zone's set on the approved Parameters Plan, details of secure cycle parking facilities for the occupants of, and visitors to, that Zone shall be 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

17 Foul Water Drainage

Prior to the commencement of above grounds works in any of the Zone's set on the approved Parameters Plan, details of a foul drainage solution shall be submitted and approved by the local planning authority. No building should be occupied until the works

have been carried out in accordance with the solution unless otherwise approved in writing by the Local Planning Authority
REASON: To prevent pollution of the water environment.

Additional Note to Applicant:

For the purposes of this consent "above ground works" can be defined as any works protruding above the agreed finished floor level of that element of the development.

**HDC Planning Committee - Thursday 23rd November 2017.
Planning applications Magna Park North 15/01531/OUT
and Symmetry Park 15/00865/OUT**

**What they
say**

**What we
say**



**For the attention of Councillors
from Magna Park is Big Enough Group**

Additional development up to 700,000 sq m in non-rail-served strategic storage and distribution will be permitted where it would:

- form an extension to Migma Park or be on a site well related to Migma Park;
- support or at least have no adverse impact on the viability and deliverability of existing or further Strategic Rail Freight Interchanges within or serving neighbouring authorities and Leicestershire.

Policy IN2, Sustainable transport
The New Local Plan's explanatory note 11.3.4 states that the Local Plan's aim is that "More people walk, cycle and use public transport as part of their daily journeys" and that "The negative impact of the transport system on the environment, air quality and individuals is reduced."

Policy BE3 Strategic Distribution
"This policy contributes towards meeting the requirement for land to support the strategic distribution sector within the Leicester and Leicestershire Housing Market Area (HMA) to 2031, specifically non-rail-served provision. It does so without compromising the overall objective of sustainable development and the protection of the quality and diversity of the District's natural and historic environment" (para. 6.3.1)
The emerging Local Plan and supporting studies and assessments indicate large numbers of additional jobs in strategic B8 activity.

Policy GD3 Development in the countryside
This policy contains a long list of the types of development which will be permitted in the countryside, but warehousing is notably absent from this list.

Policy GD5 Landscape and townscape character
"Development will be ...sensitive to its landscape."

Policy HC1 1.b
States that development affecting heritage assets will be permitted where it "protects, conserves or enhances the significance, character appearance and setting of the asset."

Policy CS1(in) states "no further development or expansion of the (Migma Park) site beyond the existing development footprint.....will be supported".

CS Paragraph 5.73 states CS7 was created because:

- Migma Park fulfils the local market needs;
- future employment needs will be met by the existing Migma Park;
- more diverse employment is required with higher quality jobs;
- more suitable locations and sites than Migma Park exist.

What has changed? The Housing Market Area Employment Land Study (2013) suggested further strategic distribution land may be required, but it also stated that any demand is for the whole of Leicester and Leicestershire, not specific to the Harborough District.

Planning Officers may suggest the NPPF (para 26) enables development within rural areas, but large BE3 developments are not part of the rural economy. They are urban in scale and industrial in nature.

Policy IN2, Sustainable transport
Currently public transport to and from Migma Park is extremely limited. Even the newly introduced bus routes serve only an extremely small minority of employees and are on a temporary basis. The applicants state that over 90% of employees travel to and from work by private vehicle.

There is no long-term commitment from either applicant to ensure on-going public transport provision and, in the absence of any foreseeable public funding of essential improvements to the A5 and the A426 between the M5 and A5, neither developer has committed to financing such work, apart from limited improvements linked to the DHL warehouse project (15/00919/FUL)

Policy BE3 Strategic Distribution
Supporting 700,000 sq.m. of warehousing/distribution floorpace does more than 'contribute' towards meeting the required land; it exceeds the forecast need for the whole HMA to 2031 by about 100,000 sq.m.

It takes no account of the AECOM Sustainability Appraisal (August 2017) which states that "Completion of commitments in [Harborough] district and across the HMA are sufficient to meet minimum need without selecting a site for allocation."

Why should one district take on more than the whole county's requirement and thereby contribute to over-provision?

Harborough is a low unemployment area. The labour force needed for these two developments would largely commute into the District from areas in greater need of jobs, with strongly adverse effects on road congestion and pollution.

Policy GD3 Development in the countryside

The two applications under consideration, together with 15/00919/FUL, with which 15/01531/OUT is integrated, would take out over 300 hectares of productive farm land.

Policy GD5 Landscape and townscape character

Both fail to conform Core Strategy CS11 (b), with development not respecting the context in which it is taking place.

Policy HC1 1.b

Because of the presence on site of the Scheduled Ancient Monument, 15/01531/OUT fails to satisfy HC1 1.b, is contrary to CS11 (d), and to NPPF para 134, as the damage to it is assessed, according to your Planning Officers, as being at the "higher end of the less than substantial scale of harm". Its loss or the damage to its setting is not outweighed by the public benefit of the proposal.

"The purpose of planning is to help achieve sustainable development. Sustainable means ensuring that better lives for ourselves don't mean worse lives for future generations. ... in recent years, planning has tended to exclude, rather than to include, people and communities. In part, this has been a result of targets being imposed, and decisions taken, by bodies remote from them."

Foreword by Rt. Hon. Greg Clark, MP, then Minister of Planning.

Paragraph 71:

"There are three dimensions to sustainable development: economic, social and environmental." These require the planning system to ensure that sufficient land of the right type is available in the right place and at the right time (the economic role), to create a high quality built environment (the social role) and to contribute to protecting and enhancing the natural, built and historic environment and to mitigate and adapt to climate change by moving to a low carbon economy (the environmental role)

Paragraph 14:

"At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking."

Paragraph 216:

"... decision-makers may also give weight to relevant policies in emerging plans according to ... the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given).

What we say

These applications would bring enormous and irreversible changes to communities in the western part of the District. In no respect would they be better for these communities whose interests you are elected to protect and advance.

People in the area affected by the present M49a Park and by proposals for its expansion feel excluded from the planning process. We observe opposition, even on a huge scale, being ignored by top-down decision making. The three dimensions to sustainable development are not hierarchical. Each must be given equal weight and they are mutually interdependent.

These applications would take out over 300 hectares of mixed agricultural land. These are not brown field sites. Valuable productive land would be lost when we have a fast-growing population to feed. Replacing farm land with non-productive warehousing does not represent sustainable development.

Furthermore, the sites are not served by rail. Every movement in and out of goods, including by the rail-freight shuttle, will be by road and traffic congestion will increase carbon significantly as well as petrol NO2 emissions, when new, stricter, air pollution rules have just come into force. Lutonworth Town Centre has failed to meet its air quality targets for 5 years running recently, and the applicants cannot convince you that their developments will not cause increased HGV traffic flow through Lutonworth.

These applications fail to meet all three sustainability criteria.

Public objections to BE2 in the emerging local plan are on a large scale, are significant and, as the plan has yet to be approved, remain unresolved, so less weight should be given to the plan at this stage.

4

National Networks (NPS) says:

Paragraph 2.44

"The aim of a strategic rail freight interchange (SRFI) is to optimise the use of rail in the freight journey by maximising rail trunk haul and minimising some elements of the secondary distribution leg by road, through co-location of other distribution and freight activities."

Paragraph 2.53

"The Government's vision for transport is for a low carbon sustainable transport system that is an engine for economic growth, but is also safer and improves the quality of life in our communities. The Government therefore believes it is important to facilitate the development of the intermodal rail freight industry. The transfer of freight from road to rail has an important part to play in a low carbon economy and in helping to address climate change."

What we say

These applications conflict with the government's preferred position and approving them would be a retrograde step, contrary to good environmental and sustainability practice.

Other approved distribution centres in the county, e.g. East Midlands Gateway, IDI Gazeley's development at Ashley de la Zouch, and that proposed at Scone Stanton are rail-linked.

The Daventry International Rail Freight Terminal (DIRFT), which has direct access to the West Coast main line, lies only 8 miles from the existing M49a Park and is creating more capacity.

5

"There are some significant flaws in the planning system that the Government inherited.

Planning did not give members of the public enough influence over decisions that make a big difference to their lives. Too often, power was exercised by people who were not directly affected by the decisions they were taking. This meant understandably that people often resisted what they saw as decisions and plans being foisted on them. The result was a confrontational and adversarial system where many applications end up being fought over."

Source: A plain English guide to the Localism Act, Department of Communities and Local Government, 2011.

What we say

We couldn't put it better!

6

This study, published in November 2014, assumed that Leicestershire will need to provide 87,000 sq.m. of additional warehousing by 2021, 136,000 sq.m. by 2026, 185,000 sq.m. by 2031 and 244,000 sq.m. by 2036.

These forecasts were reviewed towards the end of 2016 and confirmed as remaining a reasonable minimum.

What we say

Within two years of the 2014 study being published additional large scale non rail-linked warehousing (9,000+ sq.m. units) totalling at least 580,000 sq.m. has been approved, fully or in outline, in Leicestershire, almost seven times the forecast need in four years time and more than double the need forecast by 2036.

Only part of this has been built to order, the rest is speculative and there is therefore no demonstrable need for these applications, which total a further 708,500 sq.m., that cannot be met within the county, in or near the so-called 'Golden Triangle'.

7

At the time of writing, there are 778 objections to IS-0086/OUT and 571 to IS-0153/OUT.

This is on top of the 928 objections to the application now approved to build the million square feet warehouse for DHL, which forms part of the latter plan. Many of these letters also objected to both IDI Gateway applications. There are few letters of support.

What we say

The scale of opposition to these applications is such that it must carry weight. The guide to the Localism Act quoted above puts it very well. There is a nationwide groundswell of resentment at remote authorities deciding matters that have a serious and negative effect on people's lives.

Remoteness is not just geographical distance but is an indication of attitude. MPh&E cannot be dismissed as just a vocal pressure group unrepresentative of opinion in the District as a whole.

Residents in other parts of Harborough District may not share our objections.

The nature of planning concerns is that they are essentially local but when have there been so many objections to just two applications?

8

GUIDE TO EVERE!



9



10



11

**Thank you for taking
the time to read
this booklet**



APPENDIX B: Cotesbach Parish Images

DIRFT III Traffic Assessment of Gibbet Roundabout.

DIRFT III Environmental Statement, Appendix D1 Transport Assessment

Available at infrastructure.planninginspectorate.gov.uk



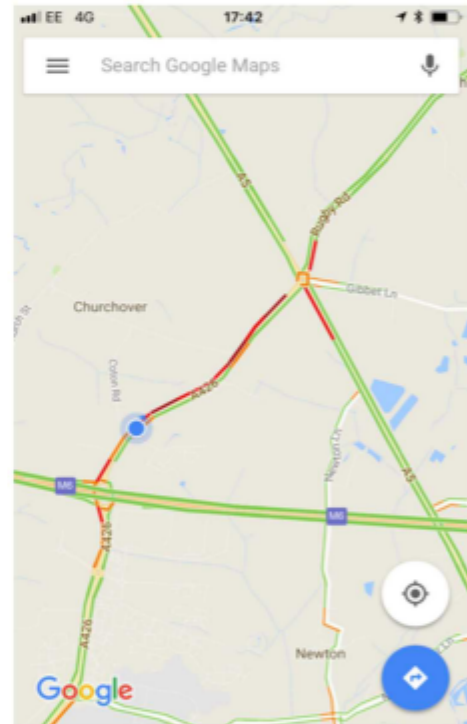
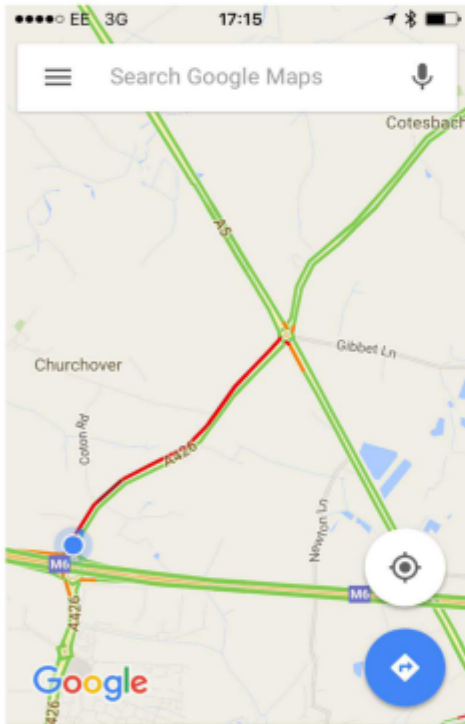
Table 12.2 2033 All Development and Mitigation - Maximum Hourly Queue Analysis PM Peak Hour (17:00 to 18:00)

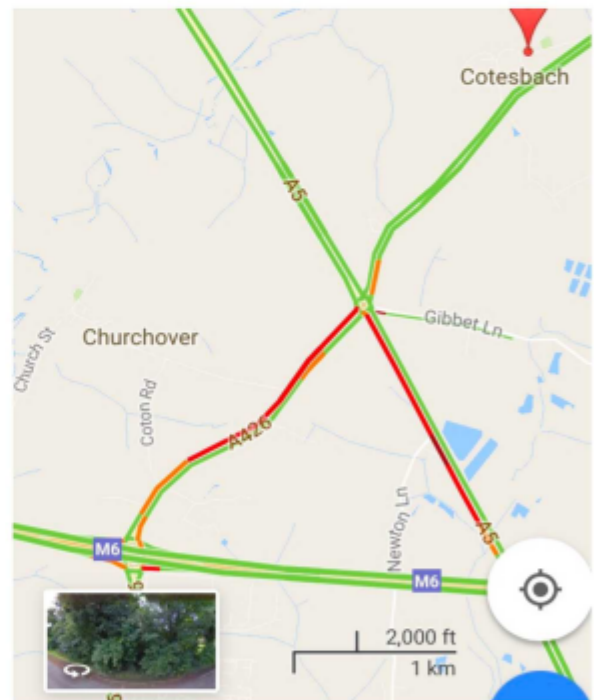
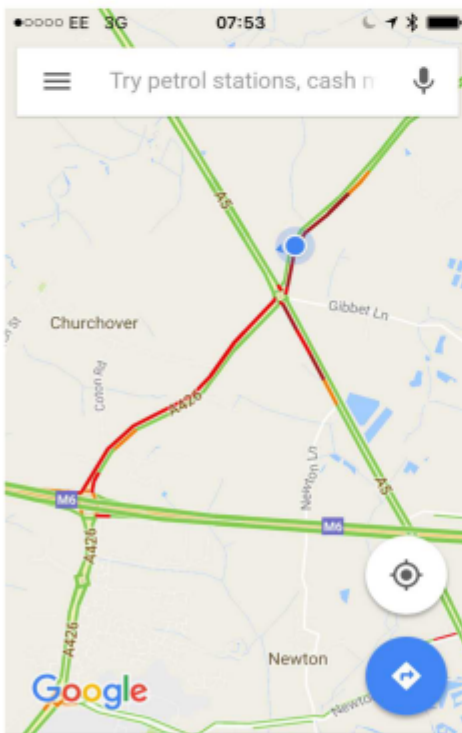
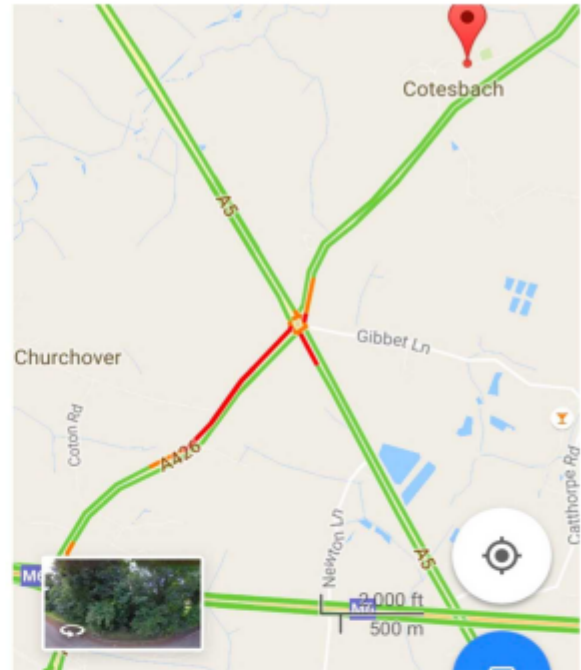
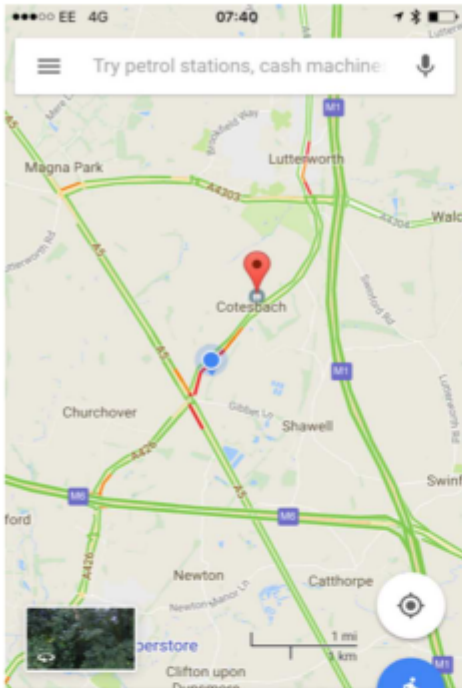
Junction Ref	Junction	Arm	Max Hourly Queue		Meet Both Queue Criteria
			2033 Ref	2033 All Dev & Mit	
1	A5/A426 (Gibbet Hill roundabout)	Rugby Road SB	3	6	N
		Gibbet Lane	2	4	N
		A5 NB	3	7	N
		A426 NB	6	31	Y
		A5 SB	4	9	N

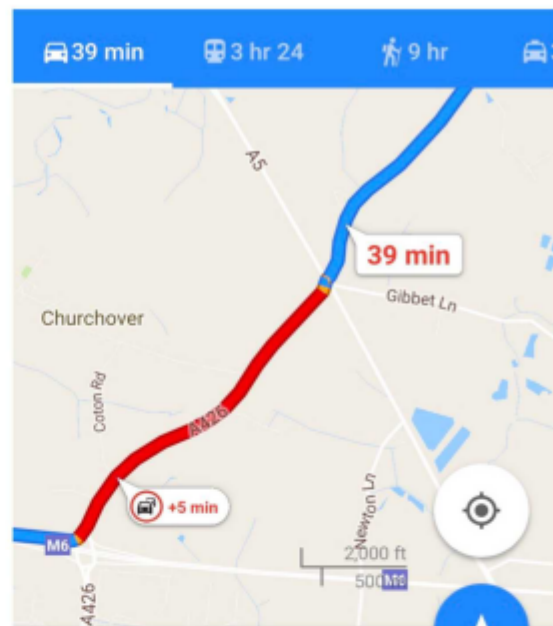
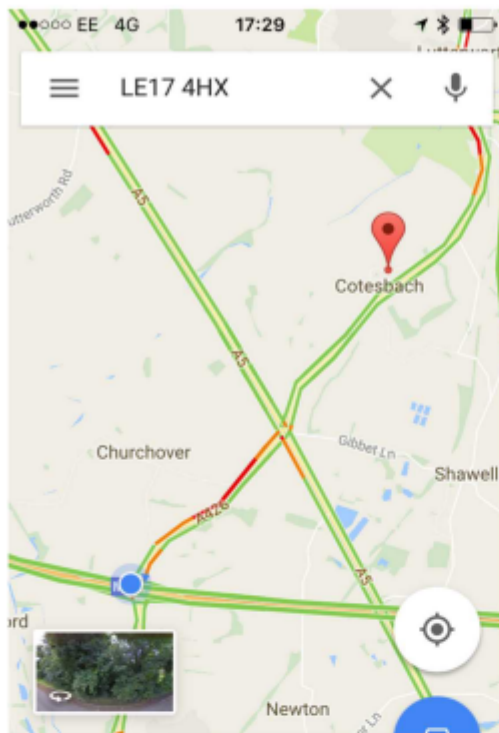
Table 12.1 2033 All Development and Mitigation - Maximum Hourly Queue Analysis AM Peak Hour (08:00 to 09:00)

Junction Ref	Junction	Arm	Max Hourly Queue		Meet Both Queue Criteria
			2033 Ref	2033 All Dev & Mit	
1	A5/A426 (Gibbet Hill roundabout)	Rugby Road SB	4	11	Y
		Gibbet Lane	2	3	N
		A5 NB	3	9	N
		A426 NB	4	15	Y
		A5 SB	7	9	N

Selection of Google traffic congestion screenshots between January 2016 and November 2017







APPENDIX C: Leaflet circulated to Members by Graham Logan

REASONS TO REJECT THE MAGNA PARK PLANS

1. These plans are truly immense in their sheer scale. If these two plans were to be approved by Harborough District Council, they would be the equivalent of building 7 new O2 Arenas or Millennium Domes upon farmland in rural South Leicestershire. One single warehouse alone could house 16 full-sized football pitches!
2. It's more intelligent to build logistics centres at locations with railheads (like DIRFT only 10 miles away) or at motorway junctions (like Rugby Gateway only 3 miles away). Magna Park has neither of these two important strategic advantages.
3. The road infrastructure around Magna Park already struggles very badly to cope with existing traffic volumes. Traffic congestion and road traffic accidents would inevitably and significantly increase if these massive plans were to be approved by HDC.
4. Leicestershire is already one of the worst counties in the country for road fatalities. It's 6th= out of 43 counties. We do not want South Leicestershire to become the most dangerous road death area in the country.
5. The A5 and A426 would clog up more often with the extra traffic created by these plans that would substantially increase the size of the existing Magna Park. Blocked roads with lengthy queues at junctions and small roundabouts (especially the Gibbet roundabout on the A5/A426 intersect) would result in even longer journey times and commutes, and consequently greater lost productivity.
6. Some HGVs do not follow approved routes, travelling dangerously through tiny villages on small rural roads. HGVs should be prohibited from using unsuitable rural roads and this should be rigorously enforced by ANPR with discouraging fines being routinely imposed upon transgressors.
7. It's much smarter to build warehouses nearer to people who would take up the new jobs being created. The area around Magna Park has almost zero unemployment. The thousands of new jobs would therefore have to be filled by those having lengthy commutes into and out of the area, generating even more traffic congestion around Magna Park and Lutterworth.
8. Lutterworth already has some of the worst air quality in Leicestershire, alongside that of Leicester City Centre and East Midlands Airport. It doesn't presently meet EU standards. Our children should never be condemned to breathe poisonous air that medical research has recently shown can stunt their growth and cause respiratory and other worrying health risks. Such reputable scientific research should be taken very seriously when considering this plan, as it constitutes both a grave public health issue and potential grounds for future litigation.

9. Logistics sites that serve the nation should properly be planned strategically in the Midlands rather than be approved in a fragmented, piecemeal and uncoordinated way by a large number of different district or borough councils all vying for additional business rates' income to bolster their budgets.

10. There were over 2,000 written objections to all of the Magna Park plans, including those submitted by our local MP, Alberto Costa. We would contend these plans could well be the most unpopular ones in Harborough District Council's history.

11. Approving the three Magna Park plans could generate over £16M a year for the local authorities. Are the Magna Park plans really about greed (more money for Harborough District Council & the two developers) rather than about need?

12. Opposing the expansion of Magna Park is most certainly not "NIMBYism." We already have Europe's largest dedicated distribution centre in our backyard!

APPENDIX D: Framptons Planning Supplemental Statement

Chartered Town Planning Consultants



Our Ref: PJF/gp/PF/9061
(Please reply to Banbury office)

peter.frampton@framptons-planning.com

22nd November 2017

Mr M Patterson
Principal Planning Officer
Harborough District Council
The Symington Building 1A
Adam and Eve Street
Market Harborough
Leicestershire
LE16 7AG

Dear Mark

**TOWN AND COUNTRY PLANNING ACT 1990
PLANNING APPLICATION 15/00865/OUT
SYMMETRY PARK, LUTTERWORTH**

I write on behalf of dbs symmetry in the context of your Report to the Planning Committee, and ask that you present this correspondence as an additional paper to the Committee. I have set out my submissions under the following headings:

The Planning Balance

I concur with the your policy analysis that there is a substantial evidence base to reach the conclusion that Core Strategy Policy CS7h – a '*relevant policy*' (Framework 14) is '*out of date*', and hence decision-taking on this application should follow the provisions of the second bullet point of Paragraph 14. This is so termed a '*tilted balance*' in favour of sustainable development, which requires an assessment to be made of the benefits from allowing the development against any adverse impacts. The adverse impacts must '*significantly and demonstrably*' outweigh the benefits to justify a refusal of planning permission. Policy CS7h is considered to be the principal policy consideration, as it directly relates to Magna Park.

The Planning Balance is to be undertaken against the three dimensions of sustainable development, namely:

- The economic role
- The Social role
- The Environmental role

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Leamington Spa, Warwickshire, CV32 4PE
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Weston on the Green, Bicester, Oxfordshire, OX25 3QU
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Frampton Town Planning Ltd Registered Office is Oriel House, Banbury Registered in England No 5579268

I have drawn from your Report the following analysis which I trust is helpful. There is clearly 'overlap' between the three roles, and I have sought to identify benefits/impacts under the primary role to which they relate.

The Economic Role

Benefits:

- 1) Significant contribution to the development need to provide land for the logistics sector in the interest of local, regional and national economic growth (6.4, page 55). The provision of high quality buildings in a location that is accessible to the strategic highway network is essential to serve the needs of manufacturers and customers in the interest of economic growth (6.3.3). *Maximum weight should be given to the socio economic benefits of the scheme (6.3.22).*
- 2) The evidence base demonstrates that the development will provide the opportunity for direct economic benefits to existing businesses in the local area, particularly in Lutterworth (6.3.8). *Maximum weight should be given to this benefit.*

The Social Role

Benefits:

- 1) The proposal will provide significant new job opportunities for the local and the wider community during construction and during the operational phase (7.11). *Significant weight should be given to this benefit.*
- 2) The initiative between db symmetry and the Sir Frank Whittle School and Lutterworth College will promote apprenticeships and learning opportunities for young people opening up career paths in the modern logistics sector (6.3.14). *Moderate weight should be given to this benefit.*

Adverse Impacts:

- 1) The loss of 3 residential properties to accommodate the development. *Very limited weight should be given to this loss (6.8, page 56).*

The Environmental Role

Benefits:

- 1) The development will give rise to additional traffic movement on the surrounding highway network. Both Leicestershire County Council Highways and Warwickshire County Council Highways have considered the Transport Assessment and are satisfied that with mitigation the development will not have a severe impact upon the highway network. Highways England is satisfied that the development can be satisfactorily accommodated on the strategic highway network. Improvements to the existing junctions in the area, coupled with improvements to foot and cycleways in the locality will result in highway gain, and there would be a net benefit to the network (7.5). The development will also provide for improved Public Transport services with new routes to Rugby, Hinckley and Leicester to be provided for (7.4). *Moderate weight should be given to the highway benefits (6.2.39).*

- 2) No harm is caused to the significance of designated assets or non-designated heritage assets. The recording of archaeological finds will benefit the understanding of the area. *Limited positive benefit should be given to heritage related issues (6.9.16).*
- 3) The remediation of the land and removal of contaminants weighs in favour of development (7.13).

Adverse Impacts:

- 1) The development will involve the loss of greenfield land. It is accepted that the need for road based logistics floorspace cannot be met from Previously Developed Land (6.7, page 55). Only a small element of the site has been identified as being of Best and Most Versatile Agricultural land (1.9%) (6.12.4). *Limited weight should be given to the loss of greenfield land.*
- 2) The form of built development – involving the construction of large scale buildings – will necessarily have a significant adverse effects in landscape/visual terms. The impact is mitigated by the relationship of symmetry park to Magna Park and the extensive landscaping. The height of the buildings in zones A/B has been reduced from 23 m to 18m in response to landscape concerns (7.3). Receptors at Cotesbach are almost 2km from the site and would not be adversely affected by the development with the proposed landscaping (6.1.36). *Limited weight should be given to the impact of the proposal on the landscape and visual amenity (7.3).*
- 3) The development would give rise to some night time visual effects, but would not be visually intrusive and would not cause an obvious deterioration of existing views afforded to visual receptors. *Limited weight should be given to this impact as the proposals contain long term mitigation (6.1.22).*
- 4) Some potential in the short term for exceedances in air quality along the A5 and the A4303, in the longer term compliance (6.4.14). The air quality assessments were prepared on a conservative basis and identified a low potential for an adverse impact on two locations in Lutterworth town centre (6.4.12). *Limited weight should be given to issues related to air quality.*
- 5) The overall impact upon ecology is considered to be minor (6.5.42). *Minimal weight should be given to this issue.*
- 6) The overall impact upon residential amenity of the neighbouring properties will be negligible. *Only minimal weight should be given to this issue (6.6.28).*
- 7) The impact of noise and vibration can be more appropriately addressed in a submission of reserved matters. The proposals will not be significantly and demonstrably harmful. *Limited weight should be given to this issue (6.7.20).*
- 8) The Impact upon drainage and hydrology has been adequately addressed. The development will not give rise to increased flood risk on site or land downstream. *Limited weight should be given to drainage and hydrology issues (6.8.16).*

The proposals have understandably given rise to an extensive assessment of a wide range of planning considerations. I have distilled the planning balance into the table overleaf. I believe the proposal brings other benefits which I have identified with a pre-fix 'dbs' for clarity. I believe a table is a useful way to identify the issues for the planning balance.

- 2) No harm is caused to the significance of designated assets or non-designated heritage assets. The recording of archaeological finds will benefit the understanding of the area. *Limited positive benefit should be given to heritage related issues (6.9.16).*
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Officers have also undertaken the planning balance cumulatively with an assessment of the benefits and impacts of the IDI Gazeley scheme and conclude that there are no adverse impacts that outweigh the benefits.

Accordingly, we therefore support the Officer recommendation that planning approval should be granted (7.15).

Conditions

The Government encourages discussion between Applicants and the LPA on the precise wording of planning conditions. Presently, we have not had the opportunity to consider the precise wording. Would it be the normal practice of the Committee (in a resolution to grant planning permission) to delegate the precise wording of the conditions to the Head of Planning and Regeneration? For instance, I note that Condition 2 (Reserved Matters) does not have a time period when all matters of detail have to be submitted. I believe other conditions require some revision to the wording. For example, Condition 11 requires the details of secure cycle parking facilities for *'the development'* to be approved *'before development shall commence on site'*. Cycle parking details would ordinarily form part of the details for each phase of the development. In a similar concern, I question whether the details of foul water drainage necessarily should be a *'pre-commencement'* condition. Site preparation work could be usefully undertaken including the formation of the access from the A4303 in advance of these details being approved.

These comments highlight that it would be expedient to discuss in detail the wording of the conditions, so as to accord with national planning guidance (PPG).

I hope these comments are considered helpful.

Yours sincerely



Peter J Frampton

APPENDIX E: Now Planning Supplemental Statement

Now Planning

Supplemental to Officer Reports on Behalf of Gazeley
Hybrid Application 15/01531/OUT
21.11.17

This Supplementary Statement

The following statements correct or clarify as appropriate inconsistencies and errors of fact in the Officer Reports: Main Report - Hybrid Application (H-MR); Overview Report (OR); and Summary Report (SR).

1. The Hybrid Application Main Report (HMR): General Matters for Clarification

- i. The Landscape Phasing Plan MPL410-AL-SK038-04 is submitted for approval, and we request that it is included in the plans listed at HMR 3.20 (Note that the Landscape Phasing Plan is referred to by Condition 10 in any case.)
- ii. The Hybrid application is an extension to Magna Park (HMR 1.2, 3.7, 3.13, 3.18, 6.1, 6.3, 6.5): As these H-MR paragraphs explain, the Hybrid Application complies with the first sequential preference in the SDS evidence base for meeting the needs for additional strategic distribution space, and create on a single site a 'logistics cluster' (HMR 6.4.83, and OR 4.116).

HMR para 6.2 therefore is not correct.

- iii. The layout of the Hybrid site is not a reserved matter. HMR 6.2.2 is not correct, and HMR 6.11.1 fails to point out that planning permission is sought for the details of the submitted Parameter Plans. The details for which planning permission in Zone 1 are sought are as follows:
 - the siting, maximum extent and use of each parcel;
(so that the impact of the development proposals can be assessed with certainty from the outset, so the quantum (49% of the site) and siting of green infrastructure can be established with certainty and its mitigation value fully assessed, and so the extent of the Country Park and Meadow can be defined and so, as set out in HMR 6.14.6, its benefits can be established with certainty)
 - the maximum built quantum and height in parcels which have buildings; and
(so that the maximum visual impact of the buildings can be assessed with certainty so as to ensure the proposed mitigation is adequate)
 - the restrictions on the siting of yards, HGV circulation, offices and car parking areas.
(so that the associated impacts will be limited to the spaces between buildings and to the A5 frontage, and so it is certain that the planting and other mitigation proposals will be effective).

Therefore, while HMR 6.2.20 is not correct to say that layout of the site is a reserved matter, it is correct in saying that the Parameters Plans set out a strong framework for the development of the site.

- iv. Change of use for Bittesby House is sought for conference facilities and estate office; the Local Heritage Centre and Country Park toilets are to be in a converted outbuilding (barn).

Now Planning

Thus HMR 6.1.34 and 6.2.48 are correct, but HMR 3.12 and 6.1.36 are not (a new estate office is no longer proposed, but will be accommodated in the restored Bittesby House, and the Local Heritage Centre will be in a restored barn not in Bittesby House).

- v. Planning permission for the demolition of Lodge and Emmanuel Cottages has already been granted (15/00919/FUL as part of the DHL Supply Chain scheme). Therefore the justification in the public interest for the demolition of these non-designated heritage assets has already been established. While HMR 6.1.34 is correct, HMR 6.1.32, 6.9.2 and 7.3 fail to note that planning permission is in place for the demolition of these buildings.
- vi. All of the tree lined avenue to Bittesby House would *not* be lost. HMR 6.1.38 is not correct. Part of the tree lined avenue would remain as illustrated in Figure 8 (HMR page 57).
- vii. Gazeley's air quality specialists (Air Quality Consultants – AQC) updated the air quality assessments for three future years (2019, 2022 and 2025) to take account of the phasing of the scheme and applied a worst-case sensitivity test based on AQC's CURED model as requested by HDC (HMR 6.5.5-6.5.8)
- viii. There is no revised assessment that indicates all air quality impacts in 2025 would be negligible. HMR 6.59 final sentence should be disregarded.

2. Overview Report (OR): Matters for Correction and Clarification

- i. OR Figure 1 illustrates (site edged red) the building plot only, and not the whole of the red line boundary of the permitted development for DHL 15/00919/FUL.
- ii. OR 4.91 is incorrect. The Magna Park Employment Sensitivity Study is not 'emerging', but was published in October 2017 as OR 4.123 explains.
- iii. OR 4.99 should refer to OR Figure 5 (not Figure 9).
- iv. OR Figure 3, in comparing 15/00865/OUT to 15/01531/OUT, omits key parts of the Hybrid application – including:
 - The fact that the Parameter Plans for Zone 1 include details for which planning permission is sought (siting, extent and use of each parcel, maximum building quanta and heights in *each* parcel, restrictions on the siting of yards, HGV circulation, offices and car parking areas).
 - The 139m AOD maximum height applies to one parcel only (G) – and is already permitted by 15/00919/FUL.
 - The highest building still to be permitted is 18.5m to ridge, 139m AOD which is in Parcel H only, which lies along the A5 and is the closest parcel both to the permitted building on Parcel G and to Magna Park now;
 - Omitted from Figure 3 are:
 - the HQ for Holovis (up to 7,000 sq m) in Zone 1
 - the Local Heritage Centre in Zone 1
 - the relative scale of the Country Park and Meadow – 70 ha – and the fact that it is supported by 2 small public car parks and, in a conversion of Bittesby House Barn, toilets and would share the Innovation Centre café

- the improvement scheme for Whittle junction
 - the improvement scheme for Gibbet Hill.
- v. OR 4.109 and Figure 6 omit key information:
- Figure 6 refers solely to the quantum of land needed – and not the floorspace in sq metres. The 152 ha need in 2031 (in Figure 6) equates to 608,000 sq m.
 - OR 4.109 omits to state that the forecast need is the *minimum* quantum required.
 - OR 4.109 omits to point out that the 'supply' figures in Figure 6 have not been assessed against the criteria in OR 4.111.

3. Summary Report (SR)

- i. SR 2.3.4 refers solely to symmetry park and its applicant.
- ii. The SR very significantly underplays the socio-economic impacts of the Hybrid application – although these are rehearsed in the HMR, most particularly:
 - the creation of the logistics cluster which is the application's purpose (as summarised by HMR 6.4.83);
 - the purposes, in creating the cluster, including the Logistics Institute of Technology (LIT), the Magna Park Innovation Centre and Holovis HQ (neither of which is mentioned in the SR) and, in Zone 2, the Railfreight Shuttle and Terminal, low-and-no-carbon fuelling facility (not mentioned in the SR) and HGV park;
 - no mention is made of LIT's applied research facility – a key element in achieving LIT's objectives of driving up innovation in the sector and reducing its environmental footprint;
 - the small business creation value of the Innovation Centre and its contribution, alongside LIT and the Holovis HQ, in driving up the knowledge-intensity of the Harborough economy (as explained in HMR 6.4.48 – 6.4.53); and
 - the Holovis HQ (as explained in HMR 6.4.54 – 6.4.59).
- iii. SR 3.7 does not refer to the share of jobs that are created by LIT (83 jobs), Innovation Centre (145 jobs), Holovis (219 further jobs), Railfreight Shuttle and Terminal (12 jobs).
- iv. The SR omits any reference to the Implementation Plan for the delivery of the non-warehouse uses and Gazeley's undertakings for their delivery and phasing (as described in HMR 6.14.1 – 6.14.12, a summary of which is provided in HMR Appendix E)
- v. The SR omits any reference to Gazeley's Carbon Neutrality Innovation Plan or the assessment of the performance of the proposals in respect to reductions in carbon emissions (as explained in HMR 6.14.14 – 6.14.25, also in the Implementation Plan Summary at Appendix E to the HMR). Nor is there any reference to the associated S106 undertaking (Appendix, 10.1-10.2, to the HMR).

APPENDIX F: Correspondence from Mr Stringer (Bittesby Stables)

Objection to IDIGazeley Amended Application 15/01531/OUT and Supplemental Information
by
M G Stringer, Bittesby Stables, Watling Street, Bittesby, LE17 5BQ

I **OBJECT** to the above application on the following grounds:

1. Sustainable development is required to perform a number of roles and including:

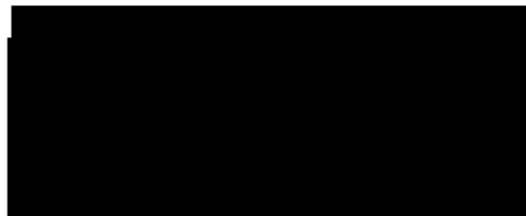
a social role – supporting strong, vibrant and healthy communities..... and reflect the community's needs and support its health, social and cultural well-being;
2. "Sustainable" also means ensuring that better lives for ourselves don't mean worse lives for future generations and which by implication prevents worsening of the current situation. Whether this be by control or mitigation and attenuation.
3. This application is a **SPECULATIVE APPLICATION** which by definition means based on conjecture rather than knowledge (good evidence) and involving a high risk of loss.
4. Inter alia the application is to determine the siting, extent & use of the defined parcels, the maximum quanta & height of buildings, the restriction on the siting of yards, demolitions & means of access to be considered only.
5. The application as a whole has to be considered, since application 15/00919/FUL although an extant consent is now subsumed into this application. The supplemental information therefore **refers to the total impact**. This can only be so as the individual aspects of increments could well be diluted when compared with the application as one entity. The attached updated landscape and cumulative assessment conclusions are highly significant in this respect. The **overall conclusion** seems to indicate that whatever works of mitigation are undertaken there will be a **profound adverse effect on the locality in general and certain locations in particular**. The degree of injurious affection being dependent on who is presenting the case.
6. **Air quality** is an important factor as recently illustrated in the NICE study relating to diesel particulates, nitrous dioxide and degraded debris such as tyre rubber and similar emissions. The proposal is to have a new northern roundabout serving this development where the HGV traffic fully laden will be decelerating under load into the road junction and conversely accelerating under load uphill from the new junction. Both these situations will produce the maximum emissions. Compare the NICE study regarding the removal of speed bumps and stopping and starting. It is my understanding there will times during the 24 hour period where emissions will exceed the acceptable norms although the average throughout will be below. Although the mean is below acceptable norms **I question whether any excess is acceptable** in this regime.
7. **The noise** studies are difficult to comprehend. This house is in a particularly sensitive location regarding noise. The prevailing wind is south westerly, funnels up though a valley (the reason for the line of the Roman road) and develops in strength as a result. When this house was built a wind post had to be integrated into the structure to take account of this factor. In given conditions the road noise can well exceed 80db. An average over an 18/24 hour period cannot be representative of the real impact on residents. It has to follow the actual circumstances such as the pattern of the traffic which is geared to shift changes. In addition the above factors will play a significant part in the noise generated during construction and the subsequent 24 hour working with audible warnings on moving vehicles.

M G Stringer objection

Application 15/001531/OUT

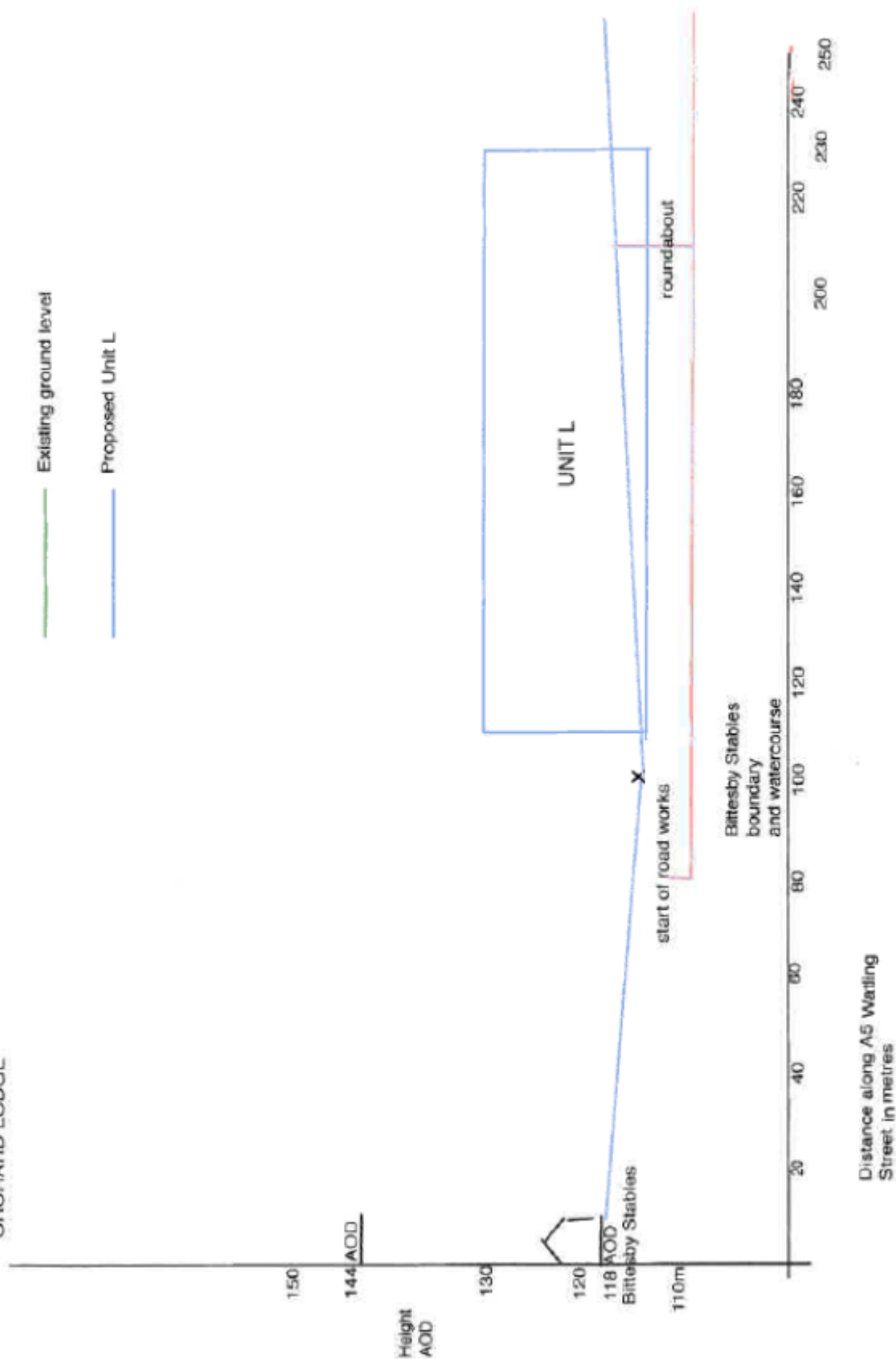
8. The criteria adopted for the **assessment of visual impact** beggar belief. The view points and analysis chosen give far greater importance to people walking footpaths, driving along the A5 and a depopulated Scheduled Ancient Monument, than to the welfare and well being of residential properties juxta position to the application site. The impact caused by the proximity of the units K to L proposed by the application together with the new road junction are entirely disproportionate as contemplated within the NPPF and Human Rights legislation.
9. I draw the committee's attention to the proposed parapet heights AOD of the units K to L and to the fact that the ridge height of our house is 125m AOD. The building L at its nearest point will be approximately 110 m from our house with a parapet height of 132.5m AOD and a length of circa 275 meters. The roundabout 175m distant.
10. The attached drawing sections and adapted photographs show the overwhelming impact the development in this form would have on our lives.
11. I would ask therefore that any development in its built form takes place no closer than 400 metres from our house, in fact the removal of buildings K and L or if they were to be permitted in this location that the parapet height of the building is no higher than 120 metres AOD.
The alternative would be to construct a bund with planting similar to the MP phase 1 eastern boundaries to at least height of the buildings that may be permitted. Although creating a closer and higher horizon it would lessen the visual and audible impacts. To have the maximum effect this should be undertaken in year 1 of any development within the red line of this application.
12. I invite the members of the Planning Committee to visit our house and stand on the terrace at the rear, where they will very quickly be able to make their own assessment of the profound effect this development will have on our lives.
13. The mitigation works proposed are nowhere near adequate to preserve the status quo and is admitted as such in the applicant's submissions. **How can a development for profit contemplate the worsening of individual situations and welfare to this extent?** Please refer to Gazeley's own supplemental information which admit to a worsened situation. These assessments of course are made by their own consultants and I suspect may be somewhat anodyne. I however do not have the resource nor experience to challenge them, only the apprehension of the devastating impact it will have on our lives here at Bittesby.

Malcolm Stringer
Bittesby Stables
Watling Street
Bittesby
LE17 5BQ



5 November 2017

CROSS SECTION SHOWING GROUND LEVELS AND BUILDING PROFILE ADJOINING BITTESBY STABLES AND ORCHARD LODGE



ZONE 1

MAIN SITE





Planning Committee Speakers List – 23rd November 2017

Speakers please note that the Council's constitution requires evening meetings to end at 9.30pm, unless the Committee votes to continue the meeting. If a meeting does adjourn at 9.30pm, remaining business will be considered at a time and date fixed by the Chairman or at the next ordinary meeting of the Committee and the existing speakers list will be carried forward.

Application	Parish	Speaker / Organisation	Type	Subject Area	Allotted time for speaking
15/00865/OUT	Lutterworth	Cllr Jonathan Bateman	O	Effect on Local Residents	3min
15/00865/OUT	Lutterworth	Edmund Hunt – Cotesbach Parish	PC		3min
15/00865/OUT and 15/01531/OUT	Lutterworth and Bitteswell	Maggie Pankhurst – Magna Park is Big Enough (MPISBE)	O	Localisation	3min
15/00865/OUT and 15/01531/OUT	Lutterworth and Bitteswell	Edmund Hunt - MPISBE	O	Highways	3min
15/00865/OUT and 15/01531/OUT	Lutterworth and Bitteswell	Tim Ottevanger - MPISBE	O	Need	3min
15/00865/OUT and 15/01531/OUT	Lutterworth and Bitteswell	Sheila Carlton - MPISBE	O	Employment and skills	3min
15/00865/OUT and 15/01531/OUT	Lutterworth and Bitteswell	Nick Reseigh - MPISBE	O	Air Quality	3min
15/00865/OUT and 15/01531/OUT	Lutterworth and Bitteswell	Chris Faircliffe – MPISBE (obo Bitteswell PC)	O	Heritage	3min
15/00865/OUT and 15/01531/OUT	Lutterworth and Bitteswell	Nicholas Jenkins - MPISBE	O	Countryside	3min
15/00865/OUT and 15/01531/OUT	Lutterworth and Bitteswell	Claire Gill - MPISBE	O	Sustainable Development	3min
15/00865/OUT and 15/01531/OUT	Lutterworth and Bitteswell	Nick Reseigh – MPISBE (obo Claybrooke Magna PC)	O	Impact on Villages	3min
15/00865/OUT and 15/01531/OUT	Lutterworth and Bitteswell	Tim Ottevager – (MPISBE) (obo Ashby Parva PC)	O	Strategic Framework	3min
15/00865/OUT and 15/01531/OUT	Lutterworth and Bitteswell	Chris Faircliffe – (MPISBE)	O	Overview	3min
15/00865/OUT and 15/01531/OUT	Lutterworth and Bitteswell	Tim Washington	O	Traffic and Infrastructure	3mins + 3mins
15/00865/OUT	Lutterworth and	Bill Piper	O		3mins + 3mins

and 15/01531/OUT	Bitteswell				
15/00865/OUT and 15/01531/OUT	Lutterworth and Bitteswell	Simon Smith	O		3mins + 3mins
15/00865/OUT and 15/01531/OUT	Lutterworth and Bitteswell	Roger Brooks	O		3mins + 3mins
15/01531/OUT	Bitteswell	Ian Robertson	O		3mins
15/01531/OUT	Bitteswell	Malcolm Stringer	O	Neighbour impacts	3mins
15/00865/OUT	Lutterworth	Henry Chapman (DB Symmetry)	A		3mins
15/00865/OUT	Lutterworth	Peter Frampton (Framptons Planning)	A	Planning issues	3mins
15/00865/OUT	Lutterworth	Michael Parkinson	EC	Transport	3mins
15/00865/OUT	Lutterworth	Charles Mylchreest	EC	Environmental Issues	3mins
15/01531/OUT	Bitteswell	Nora Galley (Now Planning)	A	Planning	3mins
15/01531/OUT	Bitteswell	Simon Mortimer (CGMS)	EC	Heritage	3mins
15/01531/OUT	Bitteswell	Andy Cooper (NPA)	EC	Landscape	3mins
15/01531/OUT	Bitteswell	John Ashcroft (AECOM)	EC	Highways	3mins
15/01531/OUT	Bitteswell	John Baird (Osbourne Clark)	EC	Legal	3mins
15/01531/OUT	Bitteswell	Gwyn Stubbings (Gazeley)	A	Overview	3mins
15/00865/OUT	Lutterworth	Cllr Geraldine Robinson	WM		5mins
15/01531/OUT	Bitteswell	Cllr Rosita Page	WM		5mins

People Registered to speak on both applications can speak for 3 minutes on 15/00865/OUT followed by 3 minutes on 15/01531/OUT. There can be no overlap of discussion from one application to the next.

Representatives of Magna Park is Big Enough are registered to speak on both applications, and are therefore entitled to speak for three minutes on 15/00865/OUT followed by 3 minutes on 15/01531/OUT, however, in the interests of expediency, the group have opted for each representative to only speak to 3minutes covering both applications

Key to Speaker Types:

**A = Applicant/on behalf of applicant; AG = Agent; EC = Expert Consultant;
O = Objector; PC = Parish Council; S = Supporter; WM = Ward Member,**