

Date: 23 November 2011
My Ref: KLI/EIA/11/0100/1/OX
Your Ref:
Contact: Miss K Ingles
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Mr Andrew Hiorns
David Lock Associates
50 North Thirteenth Street
Central Milton Keynes
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Dear Mr Hiorns

Outline application under the Town and Country Planning Act 1990 for 4,250 dwellings, a mixed use district centre and two mixed use local centres featuring a supermarket, retail, commercial, employment, leisure, health, community and residential uses, non-residential institutions including a secondary school, primary schools and nurseries, an employment site of 21 hectares, open spaces, woodlands, new access points and associated facilities and infrastructure, and detailed proposals for two new road bridges over the M1 motorway and M69 motorway, and two road access points from Beggars Lane and new accesses from Meridian Way, Chapel Green/Baines Lane and Leicester Lane – Land to the North & South Of The M69 Motorway, West Of The M1 Motorway And East Of Beggars Lane, Lubbesthorpe

Requirements under Regulation 22 (1) and (10) of The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 to provide further information and verification in respect of the Environmental Statement.

1. I refer to the planning application detailed above which was submitted to Blaby District Council on 11 February 2011. This application was accompanied by an Environmental Statement pursuant to the requirements of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (as amended) (now superseded by The Town and Country Planning (Environmental Impact Assessment) Regulations 2011).
2. Blaby District Council and consultees have considered the Environmental Statement. Blaby District Council is of the opinion, pursuant to Regulation 22 (1) and (10) of The Town and Country Planning (Environmental Impact Assessment) Regulations 2011, that the Environmental Statement should contain further information in order for it to be an environmental statement as

J Wells, Regulatory Services Group Manager



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set out in Part A of this letter and evidence is required for verify the information in the Environmental Statement as set out in Part B of this letter. It is the view of the Local Planning Authority that the information is required in order to enable a proper assessment of the likely environmental effects of this proposal and the appropriate mitigation identified.

4. Twenty hard copies and 20 digital (CD) copies of the information should be submitted.
5. Once the further information has been provided, Blaby District Council will advertise the availability of the information. The advertisement will explain where the information can be viewed for six weeks from the date of the advertisement. Blaby District Council will also write to statutory consultees notifying them that this information has been received and allowing them at least six weeks to comment.
6. Where the applicant considers such further information, or additional information and clarification, is unnecessary or has already been satisfactorily provided, the applicant should provide full details in its response to this request.
6. Blaby District Council reserves the right to make additional requests for information where necessary.

If you require any clarification in relation to this letter please do not hesitate to contact me.

Yours sincerely

Kristy Ingles
Development Control Officer

Part A: Further information required under Regulation 22 (1) of The Town and Country Planning (Environmental Impact Assessment) Regulations 2011:

A1 Updated Environmental Statement (ES) to reflect any amendments proposed to the land use parameters master plan and any other changes to the development proposals.

A2 Chapter 2: Development Proposals (The Project)

A2.1 Paragraph 2.7.9 of the ES states that *“It is intended that the whole development would be served by a central or networked combined heat and power network fuelled by biomass, such as wood chip...”* However, the planning application proposals do not include a combined heat and power network. Please clarify. If a combined heat and power network is included as part of the development the environmental statement should include an assessment of the likely significant effects of this proposal on the environment and a description of the measures envisaged to mitigate against any significant adverse effects. If a combined heat and power network is not to be provided, clarification is required on the options for renewable energy provision for the development and the environmental implications of these options.

A2.2 Paragraph 2.3.8 of the ES states that *“All other water bodies are proposed to be retained..”* and this is reiterated in paragraph 2.3.9 that *“all existing ponds would be retained and hydrological conditions maintained”*. However, chapter 7 states that five ponds will be lost to facilitate development (paragraph 7.5.7). Please clarify.

A2.3 Paragraph 2.7.5 of the ES states that *“Foul water treatment for the development is proposed to be undertaken at Enderby Sewage Treatment Works...”*. There is no known Sewage Treatment Works at Enderby. Please clarify.

A3 Planning Policy

A3.1 Section 3.8 of the Environmental Statement refers to the ‘saved’ policies of the Blaby District Local Plan. Saved policies which are not mentioned but are of relevance to the determination of this planning application and should be considered as part of the ES include:

Policy T2: Off Road / Lay-by Provision to serve Major New Development

Policy T15: High Load / Abnormal Load Route

Policy C5: The Change of Use and Adaptation of Existing Buildings in the Countryside, Green Wedges and Areas of Separation

Policy L1: Location of Sport and Recreation Development

Policy CE6: Listed Buildings: Setting

Policy CE9: Conservation Areas; Vistas/Street Scenes/Open Spaces

Policy CE12: Conservation Areas: Traffic Levels

A3.2 Section 3.7 of the ES refers to the policies of the Core Strategy Submission Version (July 2009). The following policy is not referred to but is of relevance to this planning application and should be considered as part of the ES:

Policy 11 – Developer Contributions

A3.3 Section 3.9 should be updated to refer to the decision of the Council on 6 September 2011 on the Housing Requirements for the District of Blaby.

A4 Socio-Economics

A4.1 Further information is required on the housing mix and evidence base to justify the housing mix proposed. The application also includes insufficient information on the provision of elderly persons and special needs accommodation, such as Extra Care accommodation and this should be addressed.

A4.2 Further information and assessment of the potential future demographics of the development is required including information on the projected population profile at key stages in the development from commencement to completion and 10 years following completion which should be related to the anticipated housing mix, in-migration mix and the potential impact of employment development on the demographics the site. The assessment should include consideration of the demographics of the surrounding area and how the phasing could influence the demographics at particular points in time.

A5 Chapter 6: Landscape and Visual Resources

A5.1 Whilst there is a reference to the majority of the site being designated as Countryside or as Green Wedge on the proposals map of the Blaby District Local Plan, Chapter 6 does not make any reference to the saved policies of the Blaby District Local Plan (1999). Reference should be made to Local Plan Policy C2: Other Development in the Countryside and Policy C3: Green Wedges and the implications of these policies for the development proposal should be considered.

B5.1 Paragraph 6.4.3 of the Environmental Statement states that *“Individual mature trees, including veterans, would also be retained and protected...”*. However, in Chapter 7 it is indicated that some mature trees, including veterans, will need to be felled. Please clarify.

A.6 Chapter 7: Ecological Resources (including arboriculture)

A6.1 A CHP energy plant does not form part of the planning application. However, paragraph 7.3.40 (page 7-47) states that *“A CHP energy plant is proposed within the District centre”*. Please clarify (see paragraph A2.1 above).

- A6.2 The presence or absence of water vole in pond 11 has not been established. Further survey work should be undertaken to establish whether or not pond 11 is a habitat for water vole.
- A6.3 Initial emergence surveys for bats on Warren Farm and Warren Cottages need to be carried out.
- A6.4 More detailed information is required on the condition of grassland TN2.
- A6.5 Paragraph 7.5.7 of the ES states that pond P4 will be lost to facilitate the construction of the secondary school. However, it appears to be shown as retained on the Parameters Land Use Plan and in the Design and Access Statement. Please clarify.
- A6.6 Paragraph 7.3.24 of the ES has Pond 16 as supporting Water Vole. Please clarify. Should this be referring instead to Pond 15?
- A6.7 Appendix 7F: Bat Survey - Figures 6, 7, 11, 12, and 13 appear to be incorrectly labelled. The figures labelled Hopyard Farm appear to be Abbey Farm and vice versa. As a result it also appears that the references to Hopyard Farm and Abbey Farm could be incorrectly stated in the bat survey report. Please clarify.
- A6.8 Section 3.55 and 4.10 of the bat report states that no bats were found to be roosting in Hopyard Farm. However, figure 7 shows building 2e at the farm as a roost (labelled as Abbey Farm but should be Hopyard Farm?). Please clarify.
- A6.9 The submitted proposals include the clearance of 20-30m rides through the existing woodlands. Consideration should be given to how this would change the long distance views of the woodlands and whether it could also affect the stability of the woodland stands making them susceptible to wind blow.
- A6.10 Around 4km of hedgerow is proposed for removal. Please clarify what length of hedgerow would be planted in compensation for the loss of hedgerow. Also clarification of what size of area the new woodland would occupy.
- A.7 Chapter 8: Cultural Heritage and Archaeology
- A7.1 The desk-based assessment of the late prehistoric period onwards should be reviewed to ensure incorporation of the results of more recent fieldwork and research (eg the East Midlands Research Strategy, the Leicestershire and Rutland Historic landscape Characterisation project, work undertaken associated with the proposed M1 widening and Junction 21 improvements, and the results of recent excavations and fieldwork).
- A7.2 The desk based assessment of the earlier prehistoric archaeological remains, Palaeolithic, Mesolithic and Neolithic/Early Bronze Age periods,

should include a much broader appraisal of the archaeological resource, as well as consideration of the potential for Pleistocene deposits and their likelihood to contain Palaeolithic remains.

- A7.3 Informed by the results of the revised desk based assessment further non-intrusive and intrusive fieldwork should be carried out comprising targeted fieldwalking of those areas identified as having a potential for the presence of archaeological remains. Also a programme of trial trenching should be carried out of known archaeological sites and areas impacted upon by the infrastructure access roads and entry points. This work should identify, assess and characterise any archaeological remains of significance, and propose suitable treatment to avoid or minimise damage by the development.
- A7.4 Further details are required of the potential physical and visual impact of the proposed drainage attenuation ponds and the earth bunding in relation to potential archaeological remains and the scheduled ancient monument.
- A7.5 Further details are required of the nature and extent of the works associated with the proposed use of the track linking Lubbesthorpe Bridle Road and Leicester Lane, Enderby, via Warren Farm.
- A7.6 More detailed analysis and assessment of the significance and impacts upon the historic landscape including:
- a coherent tenorial and functional account of the development of the historic landscape in which the extant features, place name evidence and historic records are properly integrated and understood;
 - exploration of the relationships between historic land tenure in Lubbesthorpe and rights and privileges in the surrounding medieval and later landscape;
 - consideration of the historic locations of forest/park related features such as park pales, gates, lodges, roads etc; and,
 - the interaction of the agrarian landscape of ridge and furrow cultivation and stock grazing with the management of deer, rabbits and timber as this is central to understand the Leicester Forest and its significance as a historic landscape as is the process of desertion of settlement and the post-medieval enclosure of the open fields.
- A7.7 An assessment of the significance of the landscape and its constituent elements, the capacity of the landscape and its significant components to accommodate change. This assessment should include consideration of the results of the completed Leicestershire and Rutland Historic Landscape Character project.
- A7.8 Further information on the visual impact of the proposed employment development to the south side of the M69 on the setting of the Lubbesthorpe Scheduled Ancient Monument.

- A7.9 Further information on the visual impact of the nearest residential block proposed due north of the Lubbesthorpe Scheduled Ancient Monument
- A7.10 Information on the significance of the blocks of ridge and furrow which should be integrated into the understanding and assessment of the historic landscape. Details of the areas of ridge and furrow which would be lost as a result of the development.
- A7.11 Further information on the visual impact of the proposed employment development to the south of the M69 on the setting of Enderby Hall and Enderby Conservation Area, including accurate 'photo montages' to show the impact of the development on the wider setting of these historic assets.
- A7.12 If the proposal to change the use of "Enderby Park" from agriculture to public open space is retained in the application proposals, further information will be required on the merits of any vestiges of historic planting or other surviving features of interest within this historic parkland, including the pond, ha-ha and areas of ridge and furrow. Further details will also be required of the facilities proposed within this historic parkland and details of any changes proposed to provide a more secure boundary between the garden of Enderby Hall and the proposed public open space.

A8 Chapter 9: Agricultural Land Quality

- A8.1 If the proposal to change the use of "Enderby Park" from agriculture to public open space is retained in the application proposals, the ES should also assess the implications of the loss of this agricultural land.

A9 Chapter 10: Water, Hydrology and Drainage

- A9.1 Paragraph 13.3.6 of the ES makes reference to foul drainage generated by the proposed development being dealt with by a Sewage Treatment Works at Enderby. There is no known Sewage Treatment Work at Enderby and further clarification is therefore required on how foul flows will be dealt with.
- A9.2 Reference should be made to the Environmental Permitting Regulations (England and Wales) 2010 as well as to the Water Resources Act 1991.

A10 Chapter 12: Noise and Vibration/Acoustics

- A10.1 Noise and vibration/acoustics should be reassessed utilising the information on traffic distribution and modal shift from the results of the transportation model (LLITM). Layout plans showing the NECS of the development should be provided, focusing on housing zones.
- A10.2 The vibration/acoustics assessment should include consideration of the potential impact on properties on Hinckley Road and adjacent to Baines

Lane due to vibration from the vehicular movements both during construction and after the completion of the development.

A10.3 An assessment of the potential noise impacts from the use of the proposed public open space (using appropriate national standards eg NPFA separation distances) particularly in respect of the open space proposed to the northern side of the site and its relationship with the existing houses in the Forest House Lane area of Leicester Forest East.

A10.4 An assessment of the noise impacts of locating different land uses in close proximity to each other. For example, where housing and commercial zones are located adjacent to each other the potential noise impacts of the commercial uses on the residential uses should be assessed. Reference should be made to BS4142 as necessary.

A11 Chapter 13: Air Quality

A11.1 It is recognised that the applicant has completed an initial screening assessment using DMRB. However, more detailed work on air quality is necessary utilising a more detailed dispersion model (such as ADMAS Urban, Air Viro). This more detailed work should be carried out utilising the information on traffic distribution and modal shift from the results of the transportation model (LLITM) and include a detailed assessment of the potential impact on air quality of the future estimated road traffic movements. The more detailed work will also need to consider the cumulative impacts of the development and other development proposals on the air quality of the area. The assessment should also consider any impacts of atmospheric inversion layers.

A11.2 Paragraph 13.5.5 of the ES refers to the residential properties which exist, and would be retained, within the site. However, Old Warren Farm, New House Farm, Warren Farm and Warren Cottages have not been included in the assessment of the effects of construction even though they are referred to as being retained in other submitted application documents. The impact on these buildings should also be assessed.

A12 Chapter 14: Waste

A12.1 Further consideration is required of the impacts on the environment of the Community Composting Facility proposed at Abbey Farm, to include consideration of the generation of bioaerosols and propagation of fungal spores, as well as noise from the process and odours.

A13 Chapter 15: Traffic and Transport

A13.1 The development should be assessed using a strategic transport and land use planning model, such as the Leicester & Leicestershire Integrated Transport Model (LLITM). The initial assessment should consider the development solely as submitted and at the future years of 2026 and 2031.

Following the results of the initial modelling it will then be possible to understand the impact of the proposals, before moving on to test any revisions to the proposals or consider potential alternative infrastructure and phasing patterns.

A13.2 See the formal observations of Leicestershire County Council as County Highway Authority dated 22 June 2011.

A14 Chapter 16: Infrastructure and Services

A14.1 The description of the possible effect of the scheme on service infrastructure and service provision (ie electricity, water supply, foul drainage, gas and telecommunications) is very generalised and is not supported by relevant data or analysis. The ES needs to fully assess the impact of the development on service infrastructure and service provision in a manner which is supported by appropriate data and analysis. The ES should weigh up alternatives and assess which steps need to be taken to mitigate and avoid any adverse effects.

A15 Chapter 17: Cumulative Effects

A15.1 At its Council Meeting on 14 December 2010, Blaby District Council expressed considerable concern about potential adverse effects of the proposals on the existing residents in Braunstone Town (including Thorpe Astley) and Leicester Forest East. The Council requested *“that, as part of the planning application process, in accordance with normal practice when determining major applications, the following information is provided to elected Members prior to any decisions being made:*

a) Environment Impact Assessment so that the potential impact upon the environment including the loss of countryside can be fully assessed.

b) Establish current levels of traffic pollution and congestion in the Air Quality Management Areas affecting Braunstone Town (including Thorpe Astley) and Leicester Forest East, particularly in residential areas in close proximity to the M1 motorway.

c) Environmental Impact Assessment showing the cumulative impact of the proposals together with other determined but not as yet completed developments in the Junction 21 area (Grove Park, Meridian Business Park, Thorpe Astley and Audi Garage, Narborough Road South).

d) Environmental Impact Assessments should include traffic congestion, noise, light and air pollution.”

A15.2 Therefore, in addition to the information requested in sections A10, A11 and A13 above, further detail is required in respect of the cumulative impact of the proposals together with other determined but not as yet completed developments in the Junction 21 area.

A16 Other Matters

- A16.1 The Minerals Assessment accompanying the planning application indicates that there is some scope for sand and gravel extraction at the site of the proposed Strategic Employment Site. Further investigation should be undertaken to identify the extent of any mineral resource. Depending on the findings of this assessment, proposals should be drawn up to demonstrate how the mineral would be extracted, how restoration of the site would be achieved to allow the proposed built development to proceed and how the mineral would be used within the proposed development.
- A16.2 The ES should include an assessment of the Geodiversity interest of the Lubbethorpe area. There is a geological Site of Special Scientific Interest to the west of the proposed Strategic Employment Site which needs to be considered. Furthermore, the relationship of the proposed development site to the prehistoric River Bytham needs more consideration.

Part B: Additional evidence to verify any information in the environmental statement (Regulation 22 (10) of The Town and Country Planning (Environmental Impact Assessment) Regulations 2011):

B1 Ecological Resources (including Arboriculture)

- B1.1** Submission of detailed target notes for Ranunculus omiophyllus (Round-leaved water crowfoot) (Pond 4), Potamogeton natans (Broad-leaved pondweed) (Pond 4) and polygonum bistorta (Common Bistort).
- B1.2** Submission of target notes and species list for the semi-improved grasslands within the site.
- B1.3** Submission of the complete Phase 1 survey notes and accompanied target notes and species lists. Target notes relating to TN5 and TN6 on the Phase 1 habitat plan should be provided.