

*'Residents Against Project Mercia'
(Land Adjacent to Junction 11, M42)*



Objection to:

***Land At M42, Junction 11, Stretton-en-le-Field,
Leicestershire***

Planning Application Reference 18/01443/FULM

SEPTEMBER 2018

*'Residents Against Project Mercia'
(Land Adjacent to Junction 11, M42)*



TABLE OF CONTENTS

1.Introduction	1
1.1 Residents Against Project Mercia	1
1.2 The Planning Application	1
1.3 Objection Statement	1
1.4 Critique of IM Properties Planning Application	1
1.5 IM Properties Involvement in the NWLDC Local Plan	2
2.National and Local Planning Policies	3
2.1 General Comment	3
2.2 National Planning Policy Framework 2018	3
2.3 DfT Circular 03/2013	6
2.4 North West Leicestershire District Council Local Plan	6
2.5 Leicester and Leicestershire HEDNA of January 2017	10
2.6 General	10
3.Employment Land Statement	11
3.1 Studies and Local Plans	11
3.2 Need for Large Strategic Development Sites	12
3.3 Workforce (Who and Where from)	15
3.4 Are these Jobs Needed?	15
4.Environmental Statement	17
4.1 National and Local Designations	17
Figure 1: National Character Area 72 - Mease/Sence Lowlands	17
Figure 2: NWLDC Special Area of Conservation	18
4.2 The Ecological Appraisal (Preliminary Statement)	18
4.3 Agricultural Appraisal (General)	19
4.4 Habitat	20
4.5 Wildlife	21
4.6 Non Statutory Nature Conservation Sites	26

***'Residents Against Project Mercia'
(Land Adjacent to Junction 11, M42)***



4.7	Landscape Character	26
4.8	Landscape and Visual Issues	27
4.9	Air Quality	27
4.10	Emissions Affecting Air Quality	28
4.11	Climate Change	28
4.12	Lighting	29
4.13	Noise	29
4.14	River Mease (SAC, SSSI)	30
4.15	Water Abstraction	30
5.	Transportation Assessment	32
5.1	Existing Conditions	32
5.2	Site Accessibility	32
5.3	Trip Generation	32
5.4	Trip Distribution and Assignment	33
5.5	Junction Assessment	36
5.6	Travel Plan	36
5.7	Road Safety Audit	37
6.	Contact Details	39

'Residents Against Project Mercia' *(Land Adjacent to Junction 11, M42)*



1. Introduction

1.1 Residents Against Project Mercia

'Residents Against Project Mercia', represents the people of No Man's Heath, Newton Regis and Seckington, who gave their full support to this group representing them in this objection. We also have the full support of our Parish Council. All of whom object to the 240 acre, 3.75 Million sqft development in this application proposed by IMP Hill Top Estates Ltd (IMP). We have named the group, 'Residents Against Project Mercia', as this is the name IMP have given to the development.

We Also have the full support of Craig Tracey, MP for North Warwickshire, David Parsons, County Councillor for Polesworth, David Humphreys, Borough Councillor for Newton Regis and Warton, as well as the Parish Councils of; Austrey, Shuttington, Clifton Campville, Haunton, Harleston, Overseal, Oakthorpe Donnithorpe & Acresford, Twycross, Witherley, Stetton-en-le-Field, Netherseal, Chilcote, Wigginton & Hopwas, Packington and Sheepy Magna.

1.2 The Planning Application

Application Reference 18/01443/FULM. Part full/part outline planning application for the development of land, including the demolition of all existing on-site buildings and structures and levelling and re-grading of the site. Full consent sought for the construction of a Distribution Campus (Use Class B8), with ancillary offices (Use Class B1a), associated gatehouse and other ancillary uses, new electricity sub-station and new pumping station, creation of new accesses from the B5493, internal roadways, cycleways and footpaths, yard space, car parking and circulation, associated lighting and security measures, surface water attenuation and landscaping. Outline consent (with all matters reserved except vehicular access from the B5493 and re-grading of site) sought for additional Use Class B1c, B2 and B8 employment, with ancillary offices (Use Class B1a) and associated commercial and amenity uses.

1.3 Objection Statement

'Residents Against Project Mercia' (RAPM), on behalf of the residents of No Man's Heath, Newton Regis and Seckington, object to the planning application made by IM Properties and ask the Planning Authority to refuse this application outright, with no reservations or conditions.

1.4 Critique of IM Properties Planning Application

We submit to North West Leicestershire District Council (The Planning Authority) that IM Properties have provided inaccurate and misleading information throughout this application. They have aggressively tried to influence the Local plan to suite their own ends. They have manipulated the meaning of National and Local Policies to suite their application. They have deliberately ignored the findings of their own consultants when stating their Environmental case. They have manipulated Traffic information previously agreed with Leicestershire County Council and Highways England to show a false picture of the impact of traffic on local communities. They have 'cherry picked' information regarding provision of B8 developments in the M42 Corridor to enhance their case for the Need for this development.

The way IM Properties have formulated their application shows a complete lack of respect for the Planning Process and most importantly the Planning Authority. Their submission is designed to present a Business Case for this development that is based on misleading

*'Residents Against Project Mercia'
(Land Adjacent to Junction 11, M42)*



information that, if approved, will permanently scar this part of the agricultural landscape, and severely affect the lives of people who live here, with very little, if any, gain to the Local Economy.

1.5 IM Properties Involvement in the NWLDC Local Plan

We are aware that from 2016 onwards as part of the responses to the Draft Local Plan, IM Properties were in discussion with North West Leicestershire District Council, and exerted significant pressure to have the draft of Policy Ec2 amended to suite their case for this development. The original draft made no reference to consideration of the demand for additional employment land that could not be met by land allocated within the plan and most definitely not in the M42/A42 corridor.

IM Properties must not be allowed to impose its own commercial interests on North West Leicestershire District Council. Nor on the people of No Man's Heath and other adjoining communities in North Warwickshire, North West Leicestershire, South Derbyshire and East Staffordshire.

IM Properties have clearly attempted to influence the Planning Authority since acquiring Hill Top Farm in September 2016. It is clear that they have tried to manipulate the Local Plan to Suite their own commercial gains at the expense of the NCA, SAC and SSSI and continue to do so.

'Residents Against Project Mercia' (Land Adjacent to Junction 11, M42)



2. National and Local Planning Policies

2.1 General Comment

IM Properties have made numerous references to National and Local Policies and guidelines to support their application. These supporting references are based on their interpretation of these policies which we question in this part of our submission.

2.2 National Planning Policy Framework 2018

Paragraph 7

States “The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs”

IM Properties only refer to the first sentence and ignore the more important requirement to not compromise the future, that this development most certainly will.

Paragraph 8

Has three overarching objectives in achieving Sustainable Development.

a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

This development fails with all three. This land is not the right type or in the right place nor the right time. The site most certainly does not have accessible services and is certainly not supporting the health, social and cultural well-being of the people who live here. This development contradicts every point here regarding the environment.

This development does not achieve the overarching objectives and therefore cannot be regarded as conforming to any of the requirements of a Sustainable Development and should not be recognised as such in relation to NPPF

Paragraph 11

Refers to “decisions should apply a presumption in favour of sustainable development.... For decision-taking this means;

'Residents Against Project Mercia' ***(Land Adjacent to Junction 11, M42)***



c) approving development proposals that accord with an up-to-date development plan without delay”.

The application is not in accordance with any of the up to date Development Plans; NWLDC Local Plan, Leicester and Leicestershire Local Enterprise Strategic Plan.

Paragraph 12

States “The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.”

This clearly shows that this development should NOT be allowed given it does not conform to local Development Plans.

Paragraph 38

States “Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible”.

This development will not only NOT improve social and Environmental conditions. It will have severe negative impact on both.

Paragraph 54

States “Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition”

This development does not comply with local policy and will be detrimental to the environment and is therefore unacceptable.

Paragraph 82

States “Planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries; and for storage and distribution operations at a variety of scales and in suitably accessible locations.

This development is not a suitable location and has not been identified in any local planning policies.

Paragraph 98

States “Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.

'Residents Against Project Mercia' (Land Adjacent to Junction 11, M42)



This development does not enhance any public rights of way. It diverts an ancient footpath from crossing open farmland through its site. There are no links provided to existing rights of way, apart from footpaths crossing farmland.

Paragraph 108

States “a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location; b) safe and suitable access to the site can be achieved for all users;

The promotion of sustainable transport modes, in particular walking and cycling, is only made ON site. There are no proposals, apart from pointless improvements to existing footways, outside the site.

Paragraph 110

States “give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use”;

The isolated nature of the development, and the lack of street lighting, and both walk and cycle facilities, along with the fact that IM Properties have made no provision at all for cyclists, and only pointless limited improvement of provision for pedestrians, outside the development, means that there is no likelihood of ANY workers using sustainable forms of transport. Any who did would be risking serious accidents, especially when navigating Junction 11 of the M42.

Paragraph 124

States “Good design is a key aspect of sustainable development creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

This is a development of very large scale warehousing in open countryside and will change the living standard of everyone in the area. No amount of ‘good design’ will change that.

Paragraph 128

States “Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.

IM Properties undertook a consultation process purely to be able to fulfil this. The response to the concerns made by the public were platitudes that meant nothing and tackled nothing. They most certainly did not take into account the views of the community

Paragraph 131

States “In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of

'Residents Against Project Mercia' (Land Adjacent to Junction 11, M42)



design more generally in an area, so long as they fit in with the overall form and layout of their surroundings”.

IM Properties state that Great Weight is applied here. Our statement is that there is nothing innovative about large scale warehousing grey sheds. This is not a sustainable development in accordance with NPPF. How can Grey Sheds fit in with the layout of their surroundings that is open countryside?.

Paragraph 170

States: Planning policies and decisions should contribute to and enhance the natural and local environment by: a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan); b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland”

The proposed development will result in significant harm to the natural environment that will not be mitigated against, or compensated for, to a scale that will retain this environment. The development will result in the loss and deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees). There are no wholly exceptional reasons for this development, and a suitable compensation strategy has not been provided.

2.3 DfT Circular 03/2013

States; “The Highways Agency expects the promoters of development to put forward initiatives that manage down the traffic impact of proposals to support the promotion of sustainable transport and the development of accessible sites”.

IM Properties has made no practical provision at all for initiatives that manage down the traffic impact to support sustainable transport (cyclists or pedestrians) outside the development, apart from pointless limited improvement of provision for pedestrians.

2.4 North West Leicestershire District Council Local Plan

Policy Ec2

IM Properties makes reference to Policy Ec2 of the Local Plan, adopted by North West Leicestershire in 2017. The appropriate section of this policy is Ec2. 2a, b and c. where it is stated that “if evidence indicates an immediate need or demand for additional employment land (B1,B2 or B8) that cannot be met by land allocated within the plan then the council will consider favorably proposals which meet the identified need in appropriate locations subject to the proposal.”

The case for additional employment land, outside the Local Plan, has not been proven by IM Properties.

However the policy also stipulates that there are certain conditions to which such an application would be subject.

The first of these is that the site should be accessible by sustainable transport.

This site is not served by bus routes and there is no railway transport within the local area. Therefore all access to the site would be vehicular.

'Residents Against Project Mercia' (Land Adjacent to Junction 11, M42)



The second condition refers to good access to the strategic highway network, part of which is the M42.

This condition is met although there are significant problems with this access. IM Properties have submitted suggested solutions to these that have not been agreed by Highways England

The third condition is that the development will not be detrimental to the amenities of any nearby residential properties or the wider environment.

There will be a significant increase in noise, light and air pollution to the surrounding areas, in particular to the residents of No Man's Heath and Chilcote

IM Properties, in their Planning Support Statement make numerous further references to Policy Ec2 of the Adopted Local Plan which we discuss below.

The Local Plan was adopted with a requirement for review within three months and the modifications are currently subject to consultation. The modification in section 5.5 refers to a study as part of **HEDNA** in respect of the need for additional provision for distribution uses of more than 9,000 sqm. It has identified a need for both road and rail connected sites across the HMA but it does not identify specific requirements for individual Districts/Boroughs. Within North West Leicestershire such provision has already been made through a Strategic Rail Freight interchange (East Midlands Gateway).

This obviates any necessity for development at Junction 11.

A Sustainability appraisal of the Local Plan was conducted in August 2018. Amongst its findings the following points are pertinent:-

The baseline data refers to expected growth with specific reference to the East Midlands Gateway and its provision of 7000 jobs many of whom will come from the same areas IM Properties have defined as providing labour for the proposed site. It goes on to say that the economic activity rate in NWL is 86.7% which far exceeds both the Regional and National Average. The employment rate is 94.7% again far exceeding the National and Regional averages and the unemployment rate of 2.9% is well below the national average, adding that of those that are unemployed 87.9% do not wish to be employed

This shows that there is no need within North West Leicestershire for additional jobs.

Looking at Development and referring to the Leicester and Leicestershire Strategic Plan 2014-2020 the report clearly defines the areas for development none of which related to the proposed development. The five major growth projects identified are:

- ◆ Leicester Launchpad
- ◆ East Midlands Gateway
- ◆ Loughborough University Science and Enterprise Parks
- ◆ MIRA Technology Park Enterprise Zone
- ◆ Coalville Growth Corridor

All of these have attracted EU funding.

The report sets out the key sustainability issues one of which specifically states that due to the rural character of the District new developments would need to be located where it would

'Residents Against Project Mercia' (Land Adjacent to Junction 11, M42)



help reduce car use and where people are not disadvantaged by having no access to transport.

The proposed development clearly does not meet this criteria given it is a very rural location, having no access to Public Transport

The Prospectus For Growth Annex 12 dated September 2017 makes reference to the A42 and states that the existing traffic levels on the A42 are heavy, causing delays and unreliable journeys.

Would a prospective occupant of the development site be content with this situation. This would of course impact any of the labour force using the A42 as a route to work as well.

Policy S3

States "Land outside the Limits to Development is identified as countryside where those uses listed (a) to (s) below will be supported, subject to those considerations set out in criteria (i) to (vi) below.

The proposed development does not comply with any of the uses or conditions listed

Policy IF1

States; "the following should support new development:

Transport, including highways, footpaths, cycleways, public transport and associated facilities

The development supports no off site footpaths/footways or cycleways and does not have a secure policy on public transport, none of which exists in this area at the moment.

Policy IF4

States; New development will be expected to maximise accessibility by sustainable modes of transport, having regard to the nature and location of the development site, and contribute towards improvement of the following where there is a demonstrable impact as a result of the proposed development:

- (a) The provision of cycle links within and beyond sites;
- (b) The provision of public footpath links within and beyond sites;
- (c) The provision of new public transport services, or the enhancement of existing services

This development provides no cycle links outside the site. It provides only limited and pointless improvements to existing footpath/footway links outside the site. It has no clear strategy for the provision of Public Transport in an area where none exists at the moment.

Policy HE1

IM Properties have made no attempt to ensure the conservation and enhancement of North West Leicestershire's historic environment. The proposal does not only, not conserve or enhance the heritage assets, or the setting, of this part of rural North West Leicestershire, it destroys it.

'Residents Against Project Mercia' (Land Adjacent to Junction 11, M42)



The development will remove buildings, seriously affect the settlement patterns, features and spaces, that currently form part of the significance of the heritage asset and setting of this part of rural North West Leicestershire.

Policy D1

States; "Non-residential development must positively address the Councils Place making principles....(2) i) architectural quality"

It is impossible to describe Big Grey Sheds and having Architectural Quality.

Policy D2

States; "Proposals for development should be designed to minimise their impact on the amenity and quiet enjoyment of both existing and future residents within the development and close to it. As such, development proposals will be supported where:"

- 1) They do not have a significant adverse effect on the living conditions of existing and new residents through loss of privacy, excessive overshadowing and overbearing impact.
- 2) They do not generate a level of activity, noise, vibration, pollution or unpleasant odour emission, which cannot be mitigated to an appropriate standard and so, would have an adverse impact on amenity and living conditions.

Development which is sensitive to noise or unpleasant odour emissions will not be permitted where it would adversely affect future occupants.

Proposals for external lighting schemes should be designed to minimise potential pollution from glare or spillage of light. The intensity of lighting should be necessary to achieve its purpose, and the benefits of the lighting scheme must be shown to outweigh any adverse effects.

This development will most certainly have a significant overbearing impact on the living conditions of residents in this area. It will most certainly generate a level of noise that will have an adverse impact on amenity and living conditions. It will also cause significant light pollution given this is open countryside with no other major source of lighting other than street lighting, that is turned off overnight, and this development being a 24/7 operation.

Policy En1

States; "(2) Where a proposal for development would result in significant harm to one of the following and which cannot be avoided, or mitigated or compensated for, then planning permission will be refused:

- (a) Special Areas of Conservation (SAC);
- (b) Sites of Special Scientific Interest (SSSI);
- (g) Irreplaceable habitats (defined as Ancient woodlands; Mature plantation or secondary woodland, Species-rich ancient hedgerows; Aged or veteran trees)

This development is within Natural England's 'Mease/Sence Lowlands, National Character Area', which is one of only 159 such areas identified throughout England. It is also a Special Area of Conservation (SAC). As designated by both Natural England and North West

'Residents Against Project Mercia' (Land Adjacent to Junction 11, M42)



Leicestershire District Council. It is very close to the River Mease SSSI. It will result in the removal of numerous aged and veteran trees and species rich ancient hedgerows.

Policy En2

States; “(1) The Council will work with Natural England, the Environment Agency, Severn Trent Water, other local authorities and the development industry to improve the water quality of the river Mease Special Area of Conservation.

(2) In order to achieve this, new development within the River Mease catchment will be allowed where:

(a) There is sufficient headroom capacity available at the Wastewater Treatment Works to which it is proposed that flows from the development will go.

IM Properties have stated that waste water will be piped to Tamworth. However there are no current facilities to do this and, to our knowledge, they have not secured, as yet, permission to implement this across private land in the close vicinity of the site.

Policy En6

States; “Development should avoid any unacceptably adverse impacts upon soils of high environmental value and ensure that soil resources are conserved and managed in a sustainable way”.

The development will destroy 240 acres of grade 2, 3a and 3b farmland.

2.5 Leicester and Leicestershire HEDNA of January 2017

IM Properties make reference to HEDNA and its specification of employment land. HEDNA is related mainly to housing needs and within the appendices within this report the point is made that the areas within North West Leicestershire, deemed to provide labour for the proposed development, in fact have an ageing population. Furthermore it states that with the exception of the Principal Urban area of Leicester City the rest of the area is poorly served by buses and other forms of public transport. Going on to say that, this lack of public transport, in combination with travel costs, is a factor that could exclude a number of potential employees from applying for jobs. The report adds that the lack of suitable public transport across the HMA, particularly in rural areas, means that most commuting is in cars, adding that although this extends the definitions of functional areas it has the knock on effect of congestion.

The development’s location means that the only practical form of transport for workers at the site will be by private car.

2.6 General

The National Planning Policy Framework says that the planning system should be genuinely ‘plan-led’ and that, where a planning application conflicts with an up to date development plan, permission should not (usually) be granted. The Local Plan is up to date and adopted, and as the application does not meet several of the required aspects of the Local Plan, should be turned down. This proposal is over 4 times the identified requirement (23ha) in the Local Plan. It is highly speculative and not in line with the Local Plan.

'Residents Against Project Mercia' (Land Adjacent to Junction 11, M42)



3. Employment Land Statement

3.1 Studies and Local Plans

IM Properties have made reference to a number of studies and local plans, not referred to in section 1 of this submission, which have addressed the need for strategic employment land within the M42 corridor and the wider sub region.

Leicester and Leicestershire Strategic Distribution Study November 2014

This is of course four years out of date but will have influenced the Local Plan adopted in 2017. This study includes a map of growth areas, none of which identify the location of the proposed development. Within section 2.13 of this report it is stated that, the East Midlands Region records around 8% of the population of England and Wales whilst accommodating 20% of total English and Welsh warehouse capacity. There has been considerable further development within the region of warehouse capacity in the four years since the study.

Even allowing for growth in the population commensurate with the national average, it can be seen that the number of jobs will exceed the number of people requiring employment and so the new development is unnecessary.

Within Section 3 of the study the statement is made that new sites should be accessible to labour, including the ability to be served by sustainable transport, and located close to areas of employment need. The proposed development does not meet either of these criteria..

Section 3 defines the M42 corridor as a good key area of development but only after the best key areas are exhausted, which has not yet occurred.

West Midlands Strategic Employment Sites Study September 2015

This was prepared by JLL who have also prepared the employment section of the current planning application for IM Properties. This is of course for development within the West Midlands region and identifies the need for development. Such development will of course provide jobs within the area for people from many of the areas that IM Properties identify as the source of employees for a development at Junction 11 of the M42.

It can safely be assumed that people in the West Midlands will prefer jobs within that area and will be less interested in travelling to the proposed development.

Coventry and Warwickshire Employment Land Use Study September 2015

This study notes in the Logistics Employment forecast that a total additional 840,000 sqm of warehousing would be needed by the end of 2031. Currently going through the planning process is the Coventry and Warwickshire Gateway which will more than meet this requirement by providing 3.6 million sqft.

This development will again compete for labour with that proposed by IM Properties

West Midlands Land Commission Report February 2017

This study places emphasis as do the others on transforming brown field sites in preference to any others.

The study excludes Leicestershire from its definition of the Midlands Engine.

'Residents Against Project Mercia' (Land Adjacent to Junction 11, M42)



North Warwickshire Draft Local Plan November 2017

The North Warwickshire Draft Local Plan of November 2017 was submitted in March 2018. In section 9.3 the plan notes that the area has seen one of the largest growths in terms of logistics within the West Midlands and the economy still remains fragile with a high dependency on a narrow range of sectors and larger employers. It adds that the growth of small and medium businesses will be supported. In section 9.6 the plan states that the Council is willing to work with other local Councils to develop and assist companies but that it would prefer research and development and other knowledge based companies. In Section 9.9 the plan identifies the Employment Areas within the authority and states that there should be no disproportionate B8 use within these areas.

The plan also references rural employment in section 9.10 and specifically states that business should not adversely impact on the countryside character in environmental or sustainable terms, something which the proposed development palpably does.

The section goes on to add farm buildings are capable of re-use without recourse to major or complete re-building, alteration or extension, again the proposed development does not meet this criterion.

As with the other studies referenced the plan stresses the need to use brownfield sites for development.

3.2 Need for Large Strategic Development Sites

National and Regional Picture

IM Properties refer to the substantial need for large strategic development sites to serve the market for large scale industrial and logistics units. A statement is made that evidence for this comes in part from National and Regional market trends.

Savills World Research, in the January edition of Big Shed Briefing, brings to light the following:

- ◆ There has been a sharp decline in the amount of build to suit deals from 18.5m sqft to 11.49m sqft. They attribute this to the fact that businesses are taking longer to commit to capital intensive projects, this delay they feel is attributable to the uncertainty of the situation regarding withdrawal from the EU.
- ◆ They detail that the current supply warehousing nationally stands at 28.63m sqft giving a vacancy rate of 6%
- ◆ With specific reference to the East Midlands they state that the supply of existing units currently stands at 4.83m sqft across 23 units with more 1.13m sqft due for delivery in 2018 across 5 units.
- ◆ With reference to the West Midlands they comment that the proportion of Grade A units increased in line with demand. The average size deal in 2017 was for 277,000 sqft.

They conclude their report by saying that the scale of speculative development may rise in the coming years. However they feel that the current market equilibrium will be maintained.

IM Properties state that they have logged 70 active enquiries for units ranging from 100,000 sqft to 1m sqft. They further add that, despite not having marketed the site within this application, they have received very strong enquiries from potential occupiers 2 of which require over 1.5m sqft between them.

'Residents Against Project Mercia' (Land Adjacent to Junction 11, M42)



Currently, within a thirty mile radius of the site, and available for completion in advance of this site, there are three units at East Midlands Gateway which have this amount of capacity as well as access to a rail head. Tamworth Logistics Park has a unit of 650,000 sqft, and Core 42 a unit of 505,000 sqft. Bardon 11 has planning consent for up to 1.3m sqft for design and build solutions.

It should be noted that both East Midlands Gateway and Bardon 11 are within Leicestershire, with easy access to Coalville which is deemed to be the main area around which development should be concentrated.

Further afield there is to be an extension to the DIRFT site at Daventry which will have 6 units in excess of 500,000 sqft including one at over 1m sqft and two at 800,000+ sqft. This site again has excellent road and rail connections.

Is This Development Needed

IM Properties position is that there is a need to continue the development of the M42/A42 corridor. They themselves are heavily involved in developments along this route as follows:

- ◆ **Blythe Valley Park** a part finished site which they acquired and which according to their website still has 1.2m sqft still to be developed.
- ◆ **Birch Coppice** this site currently has no vacancies
- ◆ **Peddimore** this site is currently undergoing preparation of submission for planning although IM have been selected as Birmingham City Councils preferred partner. This will have 2.7m sqft.

Outside of the M42 but still very close to the proposed development IM Properties is involved with other sites;

- ◆ **Plantation Park** a site near junction 26 of the M1 which will have 714,000 sqft divided into three units all of which are speculative
- ◆ **The Hub Birmingham** this is an existing site over 1.3m sqft which currently has 152,000 sqft available over three units.
- ◆ **Land near Junction 1 M69.** A parcel hub for DPD is being developed. There are also a further 43 acres for development on the site. IM Properties state that 2000 new jobs will be created across the site.

Logistics Development within an Estimated 35 Mile Radius of Junction 11

There is a considerable amount of available units being developed within a 35 mile radius of Junction 11 all of which will be available before this development is complete.

- ◆ **Core 42** The entire site is 43.29 acres and has availability at the moment of 505,584 sqft in two buildings with a seven month completion from agreement.
- ◆ **Tamworth Logistics Park** This site is 32 acres and has full availability with Phase 1 providing 77,000 sqft and Phase 2 providing 615,000 sqft.
- ◆ **Centurian Park** An established development, there is currently one unit of 153,418 sqft available.
- ◆ **Hams Hall** This is a development of 430 acres the last part of the development is due to be completed by the first quarter of 2019 and will provide 986,070 sqft available over 4 units.

'Residents Against Project Mercia' (Land Adjacent to Junction 11, M42)



- ◆ **Bardon1** This site is currently the home of Amazon UK and Eddie Stobart, a third unit of 65,015 sqft is also available.
- ◆ **Bardon 11** This is the second phase of the development and is a 72.5 acre site with planning consent for up to 1.3 million sqft of B2 and B8 development available as Design and Build units.
- ◆ **Conneqt** Availability is 2 new units totaling 283,185 sqft
- ◆ **Magna Park** A very established logistics park which currently has one unit of 186,695 sqft available.
- ◆ **Fradley Park** This is an existing site and currently has one unit of 345,103 sqft available.
- ◆ **Burton Gateway** A fairly new development with one tenant there is currently just under one million sqft available over two phases envisaged to have 7 units.
- ◆ **East Midlands Gateway** This is a 700 acre development site with planning consent for up to 6,000,000 sqft of logistics accommodation. The site incorporates a 50 acre Strategic Rail Freight Interchange which will include a rail freight terminal capable of handling up to sixteen 775 m freight trains per day, container storage and HGV parking.
- ◆ **Pro Logis Park Birmingham Interchange** A new development near Bickenhill Parkway due for completion in Autumn 2018 and consisting of 310,000 sqft on 16 acres currently designed to be two units.
- ◆ **G-Park Ashby** A 24 hectare site with the opportunity to develop 79,000 square metres of logistics space.
- ◆ **Mira Technology Park** This is a site of 840 acres with 2m sqft for development.
- ◆ **Prospero Ansty** This site is for B1 and B2 development and covers 185 acres with up to 2.3m sqft of development.
- ◆ **Leicester Commercial Park** This site has two units available totalling 430,000 sqft.

The above shows that there are currently 23 million sqft of big box units currently available or in the planning process all of which will be available by Q4 2019 which is well in advance of the proposed development.

It is clear that the 'need' for this development is purely speculative and therefore there is no case for additional development of this nature.

M42/A42 Corridor

IM Properties have made the case for this development as being needed in this region and especially in the M42/A42 corridor. Need within this corridor is especially hard to believe, given the totals from the above, that lie within the M42/A42 corridor, is 12.8 million sqft.

IM Properties do not include East Midlands Gateway at Junction 24A, M1, in its own measure if what is or will be available in the M42/A42 corridor therefore providing misleading information to the Planning Authority.

Does this Region Need any More Development of this Type ?

A look at Infinity Park in Derby may help to supply the answer. This is a 100 acre site and was announced in 2013.

It promised 4500 jobs with a take up of 228 by 2017. Only 80 jobs had been created by that date and the slowdown was blamed on the forthcoming withdrawal from the EU.

'Residents Against Project Mercia' (Land Adjacent to Junction 11, M42)



The site has now been placed on D2N2 which is Derby's list of high risk projects

3.3 Workforce (Who and Where from)

IM Properties state numerous times within this application that the location is within a good catchment area for labour with significant housing growth planned throughout a 30 minute drive isochrone from the site.

However when looking at simple facts this statement has no statistical basis to it at all.

The average wage for a warehouse worker as defined by Payscale and including bonuses is between £13,744 and £22,135 per annum.

Assuming that a mortgage is available at three times salary then the mortgages achievable on these salaries would be £41,532 for the lower end of the scale and £66,405 at the higher end.

IM Properties have identified where a potential workforce for the site would come from.

Average property prices in these areas range from £158,436 to £320,950. The price figures have been obtained from the Government site for Counties and from Home.co.uk for individual towns. Therefore any worker at the site is unlikely to be able to afford to buy so the housing growth has little significance.

Average Rents per calendar month for the same areas give a range of £492 to £1,112. The lowest figure is for Walsall, an area which would incur significant travel costs. These figures were obtained from the same sources as the property figures. Rental on the wages defined above would be a significant proportion of monthly wages.

Given the widespread of areas from which employees are deemed to arrive and the lack of public transport, travel by car would be a necessity. In 2016 the RAC prepared a table of the running costs of vehicles which states that the average cost per mile of a car up to an 1800cc engine was 43.9p per mile excluding petrol. Utilising data from IM Properties regarding the location of workers we have calculated that the average daily cost of getting to and from this site will be £20.00; including petrol, £100 per week. This is between 25% and 40% of the wage range for the types of jobs in the site. This cost will of course rise year on year.

Given the location of the site it can be seen that the proposed workforce will not be able to afford accommodation or transport on the salaries paid without a significant public transport structure, which would involve IM Properties or the employer in providing multiple shift buses to accommodate all the areas which labour is expected to come from.

It is clear from this analysis that all statements regarding the location of workers being attracted to this site and how they are going to get there, is pure speculation and has no practical basis whatsoever and is misleading to the Planning Authority.

3.4 Are these Jobs Needed?

IM Properties state numerous times within this application that the location is within a good catchment area for labour with significant housing growth planned throughout a 30 minute drive isochrone from the site.

***'Residents Against Project Mercia'
(Land Adjacent to Junction 11, M42)***



Below is a comparison of the numbers of jobs, by area, which we have calculated, based on the IM Properties report, who will contribute to the workforce at the new development? This is compared with the number of current job vacancies in the sector per area.

Area	IM Properties figure	Advertised
Coalville and Ashby.	150	711
Tamworth.	318.	2200
Swadlincote	231	250
Burton on Trent	225	600
Lichfield	162	903
Birmingham	450	800
Derby	60	857
Hinckley & Bosworth	180	665
Nuneaton and Bedworth	150	699
Solihull	90	89
Walsall	30	397
Total.	2046.	8171

Charnwood, East Staffs, Erewash, North Warwickshire, NWLC and South Derbyshire and Nottingham have been assumed to be included in these figures; the labour to be generated from those areas according to IM Properties is 830.

The above shows that there are a considerable number of jobs available within the area and within the sector and that additional jobs are unlikely to be filled especially given the transport difficulties.

The Employment Density Matrix produced on behalf of Her Majesty's Government by the Home and Communities Agency suggests the following amount of space needed by each Full time Employee for B8 developments:

- ◆ National Distribution Centre. 95sqm
- ◆ Regional Distribution Centre. 77sqm
- ◆ Final Mile Distribution Centre. 70sqm

Assuming an average across the available space for all of the three types of centre of 80 sqm per employee and given the current available space of 23 million sqft, which converts to 2.14 million sqm then the number of available jobs provided by the available space in the area would give rise to some 26,750 jobs which would be available within the local area by 2019.

Therefore IM Properties argument that this region needs the 3000 jobs it is planning to create is clearly not correct, and there is no case for a need for jobs in this type of development, within 35 miles of the proposed development.

'Residents Against Project Mercia' (Land Adjacent to Junction 11, M42)



4. Environmental Statement

4.1 National and Local Designations

Natural England

The proposed development will be located inside an area, identified by Natural England, as the *'Mease/Sence Lowlands, National Character Area'*, which is one of only 159 such areas identified throughout England. It is also a Special Area of Conservation (SAC). See Figure 2. The Mease/Sence Lowlands is one of gently rolling agricultural landscape. This is grade 2 agricultural land; some grade 3a and 3b is also within the identified development site. Natural England lists 4 opportunities for environmental opportunity in the Mease/Sence valley. Briefly:

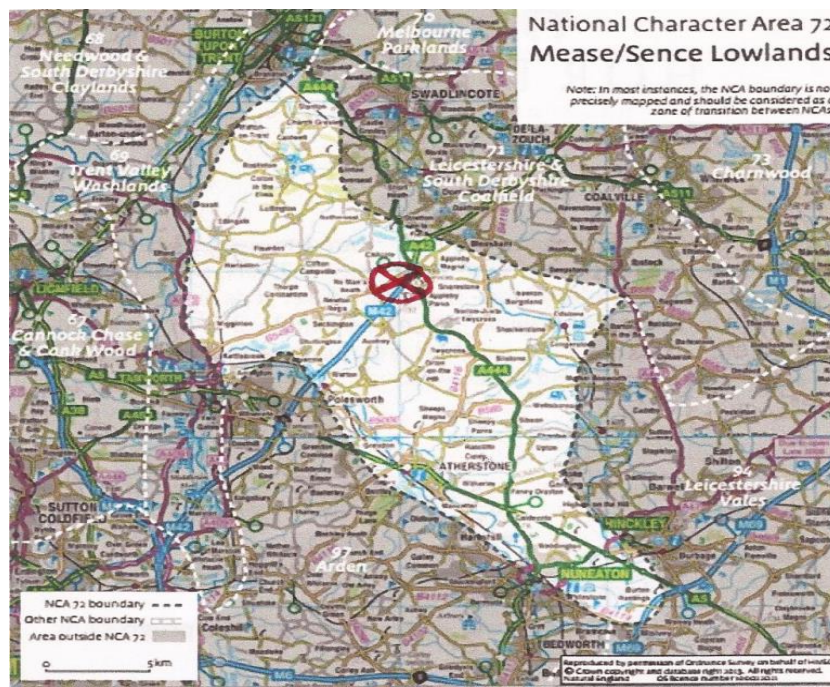
- ◆ Manage the network of rivers and streams which support rare species.
- ◆ Manage and conserve woodland and extend- the National Forest is close to the site.
- ◆ Protect and appropriately manage the historic pattern of this landscape.
- ◆ Protect the overall strong rural, open and tranquil character of this well-ordered lowland landscape; increase the opportunity to encourage sustainable food production.

The proposal is contrary to these guidelines.

Natural England also specifies that any proposals should not affect the SAC in relation to foul drainage and surface water run-off.

As this area will be subject to substantial hard surfacing, it is of great concern as to whether these requirements can be achieved.

Figure 1: National Character Area 72 - Mease/Sence Lowlands



'Residents Against Project Mercia' (Land Adjacent to Junction 11, M42)



North West Leicestershire District Council

North West Leicestershire District Council have identified the River Mease as a Special Area of Conservation, which this proposal sits inside. See Figure 1.

Figure 2: NWLDC Special Area of Conservation



4.2 The Ecological Appraisal (Preliminary Statement)

IM Properties Appraisal

The Ecological Appraisal carried out on behalf of IM Properties by Middlemarch Environmental was issued in November 2016. The walk over study was carried out in a very small window of observation; a two-week timescale of September 28th 2016- October 13th 2016. It is assumed that the duration of the survey was no more than 10 working days, as it is unlikely that surveying would have taken place over the weekends. If weekends are considered then the time frame is still very small.

It should also be noted that the timing of the report is significant due to the onset of the autumn when there is less activity in the rural landscape. Most migrating bird populations would have gone and with nesting season some months ago bird populations seek new territories.

There is no record available to make ecological judgements based on seasonal patterns or variations in the Preliminary Ecological Appraisal documentation. Additional Surveying was carried out in 2017, some of the data relates to seasons but it is not comprehensive.

There is no evidence in the document that any nocturnal assessments were undertaken; regarding nocturnal species other than bats.

The document states that “The findings of this study are valid for a period of 24 months from the date of survey. If works have not commenced by this date, an updated site visit should be carried out by a suitably qualified ecologist to assess any changes in the habitats present on site, and to inform a review of the conclusions and recommendations made”.

The Preliminary Ecological Appraisal is now two years old.

This document, whilst revised via several additional surveys in 2017, does not upgrade any of its evidence on hedgerow, ditches or trees. Large omissions are evident as it fails to review completely important species such as small mammals, butterflies and moths and insects and invertebrates or vegetation classification. No observations are made on water

'Residents Against Project Mercia' ***(Land Adjacent to Junction 11, M42)***



dependent species such as dragon flies and damsel flies, all vital to the biodiversity of the site.

The data collected within this study is now elapsed, in accordance with the terms of the study undertaken. IM Properties statements regarding the Ecological status of the site is misleading.

Local Observations

Local knowledge of the site would suggest that it is much richer in species than the document accounts for. Whilst we appreciate that there will be omissions we feel that some observations are poor and can lead to a substantial lessening of the environmental credentials of the site.

To cite just two examples:

Local witness knowledge is testament to a prolific brown hare population on the site. As many as 11 brown hares at one time have been seen on the field adjoining footpath P94. Regular walks by residents in the adjacent lanes and fields accounts for daily sightings of numbers of young and mature adults. Brown Hares were unrecorded in the Ecological Survey; although there was “anecdotal evidence provided by tenant farmer”. This is a species of Principle Importance.

Meantime hedgehogs, which were not recorded in the report; are regularly to be found on the B5493, as road kill, adjacent to the site.

4.3 Agricultural Appraisal (General)

Land Quality Status

“Natural England (2012). Agricultural Land Classification: protecting the best and most versatile agricultural land” state that the site is prime farmland in a National Character Area (NCA) and Special Area of Conservation (SAC).

The Department of Food and Rural Affairs has recognised its importance. The agricultural land is classified as Grade 2((Best and Most Versatile - BMV) comprising 31.2ha of the total site area. Subgrade 3b forms 32.3 ha, with smaller areas of Sub grade 3a (BMV) present, namely 26.7ha across the extent of the Application Site.

A letter sent in reply to the possibility of increasing the area of the National Forest from Shuttington up to its present boundary at Acresford was sent from David Rutley MP (Department of Food and Rural Affairs) to Craig Tracey MP for North Warwickshire on 22nd June 2018. The letter makes clear that the current agricultural land is of “the best and most versatile” and must therefore be maintained as originally intended for food security.

IM Properties' Appreciation of the Land

IM Properties have made the following statement regarding a 'No Development' Alternative.

“‘No Development’ Alternative refers to the option of leaving the Application Site in its current use and physical state. This alternative would miss out on the opportunity to secure a large employment opportunity for the region to meet the need for employment and industrial land”.

The perceived need for employment and industrial land are not sufficient mitigating circumstances for the whole scale destruction of this NCA, SAC and BMV farmland, with

'Residents Against Project Mercia' ***(Land Adjacent to Junction 11, M42)***



potential consequences of pollution, if not very carefully managed, of the River Mease (SSSI).

4.4 Habitat

Hedgerows

Hedgerows are a Habitat of Principal Importance for Nature Conservation in England if they measure over 20m in length and less than 5m in width, consist predominantly of at least one woody UK native species, and any gaps measure less than 20m in width. Any bank, wall, ditch or tree within 2m of the centre of the hedgerow is considered to be part of the hedgerow habitat. The Proposed Development will result in the loss of c. 1,780m of hedgerow from the Application Site, of which c. 1,230m is 'Important' hedgerow.

Most of the hedgerows on site are considered to meet these criteria and are therefore Habitats of Principal Importance and must not be removed.

Ditches

Most of the ditches present throughout the site are associated with hedgerows; however, further ditches marking former hedgerow boundaries were also noted. Water runoff goes into the ditches and therefore removal could result in water seepage to unwanted areas. With the brook running across nearby land into the River Mease further upstream this could lead to pollution on site at the construction phase especially unless there are very careful controls in place.

IM Properties Environmental Statement concludes:

“Where possible, the development proposals should be designed in such a way to allow for the retention of the existing boundaries including hedgerows and ditches as feasible”.

However, IM Properties intention is to take out a sizable proportion of the overall surface area.

This removal of ditches will not only affect the site, but the general environment of this SAC and compromise the River Mease SSSI and must not be allowed.

Woodland

Broadleaved woodland 'Lowland mixed deciduous woodland' is a Habitat of Principal Importance for Nature Conservation in England.

The development will result in the demise of:

A total of 25 individual trees (predominantly ash or oak) and seven tree groups (comprising ash, crack willow, pine, oak, beech, sycamore and/or field maple) were identified as having moderate, moderate-high or high potential to support roosting bats, supporting a range of potential roost features including cracks, splits, hollows or woodpecker holes. The majority of these trees and tree groups are located towards the peripheries of the Application Site.

These trees are essential to bat populations as well as bird population, many of which are on the amber or red lists. To remove them and replace some with saplings is not sufficient to mitigate the environmental impact of protected species.

'Residents Against Project Mercia' (Land Adjacent to Junction 11, M42)



Scattered Trees

The mature and semi-mature trees on site are of intrinsic value as they cannot be easily replaced.

LCC: Two of the mature ash trees within the Application Site are designated as Candidate Local Wildlife Sites (CLWS)

NWLDC: Several other mature trees may also meet the criteria for LWS selection in accordance with the guidelines (Leicestershire County Council, 2011)14.

Mature trees are LBAP priority habitats and cannot be replaced in the short to medium term. The mature trees within the Application Site are considered to be of Borough / District importance for nature conservation.

The removal of these trees must not be allowed due to their obvious status at both County and District level.

Ponds

Ponds are a Habitat of Principal Importance for Nature Conservation in England if they meet one or more of the relevant criteria (e.g. contain species of high conservation importance, such as great crested newt).

Field ponds are essential to all manner of wildlife on site and despite times of drought when they can be empty, they soon fill after periods of rain and form a valuable chain in the ecosystem. Their value should not be diminished in a document which has been produced with very little research and minimal surveys.

The ponds holding water may meet the criteria to be classed as LBAP habitats.

Information submitted by IM Properties is based on minimal and scant surveys and has provided the Planning Authority with misleading information.

4.5 Wildlife

Birds observed in the Primary Ecological Survey

As well as other more common species identified the following "Species of Principal Importance for Nature Conservation in England" found on site are as described as: Dunnock (Amber List; species of Principle Importance), Meadow Pipit (Amber List; species of Principle Importance), Skylark (Red List; species of Principle Importance), Song Thrush (Red List; species of Principle Importance), Stock Dove (Amber List; species of Principle Importance); Yellow Hammer (Red; species of Principle Importance). One extremely important species was identified: ***The Eurasian Hobby***. *This species has special protection: WCA 1i - Schedule 1 Part 1 of Wildlife and Countryside Act 1981 (as amended). Birds protected by special penalties at all times.*

The application dismisses the importance of protecting species by negating the ecological impact in its Environmental Statement.

Meantime the NPPF identifies a number of core planning principles that should underpin both plan-making and decision-taking, including a requirement for planning to "contribute to conserving and enhancing the natural environment".

'Residents Against Project Mercia' (Land Adjacent to Junction 11, M42)



IM Properties have completely ignored Protected Species in the Application giving the Planning Authority inaccurate and misleading information.

Winter Survey

During the Winter Bird Survey, completed over a four monthly period; but only over **four actual survey visits** between November 2016 and February 2017, a total of 36 bird species were recorded using the habitats within the Application Site. This included the following:

- ◆ House Sparrow, Linnet, Skylark, Song Thrush, Starling and Yellowhammer, all Species of Principal Importance for Nature Conservation in England and Birds of Conservation Concern 4 Red List species (Eaton et al, 201513);
- ◆ Bullfinch and Dunnock, both Species of Principal Importance for Nature Conservation in England and Birds of Conservation Concern 4 Amber List species (Eaton et al, 201513);
- ◆ Fieldfare and Redwing, both Birds of Conservation Concern 4 Red List species (Eaton et al, 201513); and,
- ◆ Black Headed Gull, Kestrel, Mallard, Meadow Pipit and Stock Dove, all Birds of Conservation Concern 4 Amber List species (Eaton et al, 201513).

Notable concentrations of skylark were recorded, with a peak count of 90 birds in January 2017.

The Skylark survey is significant as it is a red listed bird. It is also a principle food source of the Eurasian Hobby. The habitat of a protected species should and must be preserved.

IM Properties have stated that “Overall, the Application Site is considered to be of moderate value to wintering bird species. The arable fields provide valuable habitat for declining farmland bird species, whilst the perimeter hedgerows, scrub and woodland provide suitable habitat for a range of more common bird species.

This statement is not compatible with the findings and is providing the Planning Authority with incorrect information.

Breeding Bird Survey

IM Properties Breeding Bird Survey, undertaken over five survey visits between March and July 2017, recorded a total of 45 bird species, of which 35 were confirmed to have bred or probably/possibly did so.

The survey was conducted on five days only; one per month.

This surveying concluded the following:

- ◆ House Sparrow, Linnet, Skylark, Song Thrush, Yellow Wagtail and Yellowhammer, all Species of Principal Importance for Nature Conservation in England and Birds of Conservation Concern 4 Red List species (Eaton et al, 201513);
- ◆ Bullfinch, Dunnock and Reed Bunting, Species of Principal Importance for Nature Conservation in England and Birds of Conservation Concern 4 Amber List species (Eaton et al, 201513); and,
- ◆ Kestrel and Stock Dove, both Birds of Conservation Concern 4 Amber List species (Eaton et al, 201513).

'Residents Against Project Mercia' (Land Adjacent to Junction 11, M42)



Notable concentrations of declining farmland bird species were recorded, comprising two Linnet territories, one Reed Bunting territory, seven Skylark territories, seven Yellowhammer territories and one Yellow Wagtail territory.

Overall, the Application Site is considered to be of local/district value in terms of its breeding bird interest, supporting a range of species of conservation concern associated with arable farmland habitat, including linnet, reed bunting, skylark, yellowhammer and yellow wagtail. In addition, the farm complex supported at least eight breeding pairs of swallows.

The importance of bird habitat and species protection must be taken extremely seriously by NWLDC when considering this planning application or it risks contravening important Conservation directives.

Local knowledge is witness to the presence of a far larger population of bird species than listed in the document examples of which are as follows;

Sparrow Hawk, Buzzard, occasional Red Kite, Owls, Little Owl and Barn Owl, Crow, Jackdaw, Gold Finches, Long Tailed Tits, Plover, Lesser Spotted Woodpecker, Wood Pigeon, Collared Dove, Tree Creeper, Wren, Robin, Green Finch, Chaffinch..... and more.

Whilst some omissions are inevitable most of the above listed should have been observed as they are prevalent on and around the site.

Upwards of 45 species prosper in these breeding grounds recognised in the Breeding Bird Survey; concluded in a very small window of observations.

The above findings reinforce our rejection of the survey results and IM Properties interpretation of those results. This site is both habitat and species rich and is the home to countless protected species, both recognised within the surveying and with many more from local witness observations.

Reptile Survey

This survey was conducted on seven dates; one in April; three in May; three in June.

No reptiles were found on site despite the following habitat being observed as suitable:

Bisecting the centre of the site is a formal access track aligned on an east/west axis. At the western end of the track are areas consisting of wide areas of unmanaged semi-improved grassland and large zones dominated by tall ruderal vegetation and pockets of ephemeral and short perennial vegetation. A damp ditch feature is also present in this area. This habitat mosaic is considered to offer potentially suitable habitat and features for reptiles.

In the north of the site, and to the west of the small block of plantation woodland, is an area comprising a mixture of scrub/woodland with adjacent coarse neutral grassland and pockets of tall ruderals with surrounding mature hedgerows. This area occupies a footprint of approximately 0.75 ha and is considered suitable to support common reptile species.

'Residents Against Project Mercia' ***(Land Adjacent to Junction 11, M42)***



Additional habitat zones considered suitable for use by reptiles include three onsite pond features surrounded by mosaics of scrub/woodland, coarse grass and tall ruderal vegetation, the ponds provide potential habitat for amphibians, a food source favoured by grass snakes.

Grass snakes are in evidence in No Man's Heath, some 565 metres from the site. It is highly likely that a population may exist on site therefore. The land was surveyed on only eight dates. This is not enough to build up a secure picture. Mature hedgerow is ideal for snakes and this is ancient hedgerow. Snake populations do exist locally. At Grange Wood there is an extensive population of adders, although they are incredibly hard to find on any given day.

Great Crested Newt Survey/Common Amphibians

The desk study carried out by IM Properties included seven records of great crested newt and three records of smooth newt, with the most recent records dating from 2014 and 2013, respectively. The nearest record of great crested newt was located 300 m east of the Application Site, whilst the nearest record for smooth newt was located 580 m south-east.

In the 2017 survey undertaken by IM Properties, however, none were found although this species is notorious for being difficult to see. Again, only eight visits were made over four survey periods with four am and four pm visits on following days. The survey seems to have concentrated on the ponds, whereas the likelihood is that if some individuals were about then they would have been under vegetation. There is a record of sightings from 2013. Meantime there were newts in ponds 1,2,3, and 12 with frog spawn in 3.

We accept that there are probably few, if any Great Crested Newts although their presence must not be ruled out. They have been recorded before; surveying was over a very small timeframe.

Bat Survey

This was carried out on one date in the preliminary survey, followed by a further two surveys, the last one being the final survey (four dates in total).

Habitat

Overall the survey area and surroundings are considered to be of moderate to high suitability for roosting, foraging and commuting bats, supporting buildings and mature trees within large parcels of arable, semi improved grassland and tall ruderals. Tributaries associated with the River Mease located along the northern and western site boundaries, as well as hedgerows and pockets of woodland within and adjacent to the site, provide connectivity to the wider landscape, which supports further suitable roosting, foraging and commuting habitats for bats.

IM Properties will clear most of this habitat and this will inevitably result in a serious decline of important protected species.

Bat Activity

The manual transect surveys, undertaken in monthly between April and October 2017, identified a total of four species of bat (Common Pipistrelle, Soprano Pipistrelle, Noctule and Daubenton's bat) using the site. The automated surveys, also undertaken in monthly between April and October 2017, identified a total of 11 confirmed bat species (Common Pipistrelle, Soprano Pipistrelle, Nathusius' Pipistrelle, Noctule, Leisler's bat, Daubenton's

'Residents Against Project Mercia' (Land Adjacent to Junction 11, M42)



bat, Whiskered bat, Brandt's bat, Natterer's bat, Serotine and Brown Long-eared bat) all using the site.

Fragmentation of Habitat due to Lighting

Lighting is a key factor in determining the usage of a site by bat species. At present, the site is predominantly unlit and the proposed development will inevitably result in increased illumination at the site. Construction and operational phase lighting within the proposed development has the potential to generate light spill which could illuminate habitats used by bats. Insensitive lighting could disturb potential bat roosts, which could lead to delayed emergence or roost abandonment.

Illumination of bat foraging and commuting routes could result in reduced activity or habitat fragmentation and barrier effects. Furthermore, an increase in lighting which attracts insects to one area has the potential cause a reduction of insects elsewhere, for example in vegetated areas that bats may use for foraging (Gunnell et al, 2012).

Bat roosts in current farm buildings will be lost altogether. These are an important habitat for the current populations as well as surrounding hedgerow and ponds where there were multiple sighting's recorded.

The bat population will be severely affected by development; not only via roosts in farm buildings but also with regard to lighting. This habitat loss for a protected species must not be allowed.

Badger Survey

A Badger Survey was carried out although the detail is not available as the species is protected and therefore the detail has been omitted from documents. The Ecological Survey does inform of at least two sets on site; one in dense woodland and one in mature hedgerow. Both are in use.

These sites must not be disturbed.

Small Mammals; Insects; Butterflies and Moths; Bee Species and Invertebrates

Although there is some reference to small mammals in the Survey, this is very limited. No mention is made of species common to No Man's Heath and to land adjoining the site such as weasels and stoats. Weasels are an endangered species and stoats are on the red list. Nor are species mentioned that owls and raptors feed on such as field voles. We consider these omissions relevant. Owls have not been identified for surveying and yet little owl and barn owl sightings are common in adjacent fields.

No details of the variety and health of bee populations or other important species such as hoverfly and grasshopper is available, or of the range of butterfly and moth species on site. Vegetation classification is limited and needs to be fully surveyed.

We question the validity of the ecological survey. Observation dates were minimal for assessment timeframes to give valid data. Surveying does not take account of some of the most obvious and important species.

The Environmental Statement omits to acknowledge species importance either at local or national level. This is giving the planning Authority misleading information.

'Residents Against Project Mercia' (Land Adjacent to Junction 11, M42)



4.6 Non Statutory Nature Conservation Sites

Non-Statutory Nature Conservation Sites Desk study data provided by Leicestershire and Rutland Environmental Records Centre and Warwickshire Biological Records Centre included records for UK non-statutory nature conservation sites within a 2 km radius of the Application Site. Leicestershire and Rutland Environmental Records Centre provided updated desk study data in April 2018. Non-statutory nature conservation sites located in proximity to the Application Site are as follows:

- ◆ 14 Candidate Local Wildlife Sites (cLWS), which are known through survey data to meet the LWS criteria, but have not been through the formal notification process for designation as a LWS;
- ◆ Nine Potential Local Wildlife Sites (pLWS), that are likely to meet the LWS criteria, but further survey is needed to confirm this;
- ◆ 21 Potential Historical Local Wildlife Sites (hLWS), which were previously designated under the Parish, District and County system, and for which there is no recent survey data and it is not known if the site still has value; and,
- ◆ Three ungraded sites, including two Ecosites.

Five of these non-statutory sites are situated within the Application Site, as follows:

- ◆ Stretton Wet Woodland Candidate Local Wildlife Site (cLWS);
- ◆ Stretton Hedge Ash 1 cLWS;
- ◆ Stretton Hedge Ash 2 cLWS;
- ◆ Stretton en le Field, pond east of New Covert Potential Historic Local Wildlife Site (hLWS);
- ◆ Pond hLWS;

The two ponds (Stretton en le Field, pond east of New Covert hLWS and Pond hLWS) are to be lost to accommodate the Proposed Development. There is also the potential for all or part of Stretton Wet Woodland cLWS to be lost.

Stretton Hedge Ash 1 cLWS and Stretton Hedge Ash 2 cLWS will be retained. Two further non-statutory nature conservation sites, Moxon's Plantation cLWS and A444 Roadside Verge, Bank Grassland cLWS, are located outside of, but adjacent to, the Application Site boundary. The EclA recognised that these sites could be subject to damage, disturbance and / or pollution during construction works, leading to localised degradation and the possible loss of non-statutory sites of County importance.

These sites are of regional importance and must not be damaged by this Development.

4.7 Landscape Character

The Environmental Statement recognises the following impacts:

Due to the nature of the study area and the Application Site the character areas described at national, regional and local level are all very similar. The physical changes to the landscape elements and features described will give rise to changes in the landscape character.

As part of the Landscape Sensitivity and Green Infrastructure Study for Leicester and Leicestershire (ref 7.10) it identified the landscape character area of Mease/Sence Lowlands as having a Medium ability to accommodate development.

'Residents Against Project Mercia' (Land Adjacent to Junction 11, M42)



The change of land use from agriculture to built form will however have a Very High impact and as such the effect will be Permanent Major Adverse.

Despite this admission little attempt to conserve or mitigate impact has been done. A boundary of 50 metres in most places with tree planting, and three new ponds is insufficient mitigation for the devastating ecological impacts and destruction of habitat for a whole range of species.

4.8 Landscape and Visual Issues

The Environmental Statement concedes the following Likely Significant Effects;

As with all proposed developments of this scale there will inevitably be a number of effects both on the landscape and visually. This is especially so when previously undeveloped land is developed as there will be elements of the existing landscape, regardless of what mitigation is proposed, that will result in an Adverse change and effect.

In landscape terms there will be significant adverse effects on the Land Use, Character of the area and the Topography, due to the inevitable change from the Sites current use and the need to carry out levelling of the site to allow construction.

In visual terms due to the proposed scale of the development it is also inevitable that views that are currently available across presently open countryside from locations directly adjacent to the Application Site will be affected. In particular views from residential properties to south of Chilcote and those located to the east of No Man's Heath Road will have their existing views across open countryside foreshortened resulting in significant adverse effects. Motorists on the B5493 and A444 adjacent to and near the Application Site have also been assessed as having a significant adverse effect.

As residents of No Man's Heath, in particular, we feel that this level of impact on the landscape, as admitted by IM Properties, is a clear sign of IM Properties total lack of interest in the protection of neither open countryside nor the people who live there.

4.9 Air Quality

The following sets out National Planning Policy("NPPF")

The NPPF identifies a number of core planning principles that should underpin both plan-making and decision-taking, including a requirement for planning to "contribute to conserving and enhancing the natural environment" (Chapter 15).

The NPPF requires the planning system to "prevent both new and existing developments from contributing to or being put at unacceptable risk or being adversely affected by unacceptable levels of air pollution." The NPPF also states that "development should, wherever possible, help to improve local environmental conditions such as air quality".

Further guidance states that planning policies should "ensure new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development".

In dealing specifically with air quality the NPPF states that "planning policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants,

'Residents Against Project Mercia' (Land Adjacent to Junction 11, M42)



taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative effects.

The NPPF also sets out the following text;

“Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. So far as possible these opportunities should be considered at the plan-making stage, to ensure a strategic approach and limit the need for issues to be reconsidered when determining individual applications.

IM Properties will degrade the air quality in No Man's Heath with:

- ◆ Dust and PM10 emissions during the construction Phase – including demolition, earthworks, construction and track out;
- ◆ Traffic related emissions during the operational Phase – predicted NO₂, PM10 and PM2.5 concentrations at nearby receptors.

The proposed development will inevitably have a detrimental effect on the air quality in No Man's Heath and other adjoining Villages, in contravention of NPPF.

4.10 Emissions Affecting Air Quality

Data on CO₂ emissions is provided at a local level, and 2015 estimates for the East Midlands region, North West Leicestershire is currently responsible for 0.276% of total UK CO₂ emissions. During the construction phase of development, the Proposed Development is expected to be the equivalent of 14.68% of North West Leicestershire total 2015 CO₂ emissions and 0.01% of the UK carbon budget for the construction period. During the 30 year operational phase of development, the Proposed Development is expected to result in 0.0012% of the calculated UK carbon budget over the same period.

All operational emissions are therefore considered to have long-term effects.

These anticipated changes due to the construction of this development must not be allowed.

4.11 Climate Change

The following data presents the information in the Environmental Statement.

P17-3026_17_ClimateChange_REVB_270718 Land adjacent to Junction 11, M42

“The construction phase will result in an increase in winter mean temperature; increase in summer mean and daily maximum temperature; decrease in summer rainfall; increase in winter rainfall. The operational phase will also result in an increase in winter mean temperature; increase in summer mean and daily maximum temperature; decrease in summer rainfall; increase in winter rainfall”.

There can be no mitigation for such a range of effects including an increase in annual average temperature of 2.2°C in winter and 2.5°C in summer; more very hot days, particularly in long term operation, with an increase in daily maximum temperature of 3.3 °C; more intense downpours of rain; reduced winter snowfall and an increase in winter rainfall by 14%; an increase in dry spells particularly in summer months with summer rainfall dropping by 16%; an increase in lightning events.

'Residents Against Project Mercia' (Land Adjacent to Junction 11, M42)



This climate change could affect local farming practice and lead to substantial problems with crop production; especially summer rainfall. This year has already been the driest on record. Local farmers have had to resort to daily watering of potato crops and there has been a large increase on the demands for water for the substantial market gardening of strawberries and soft fruits locally and in adjacent fields. All this water is taken from boreholes on sites from the aquifer. The demands on the aquifer are limited due to licensing and could have devastating consequences for local farming. Increased temperatures in summer meanwhile could result in poorer crops and reduced yields.

IM Properties cannot justify these changes to the environment and its potential outcomes.

The anticipated climate change is totally unacceptable and we find no vindication for this to happen in a clean air zone with currently low pollutant levels across the spectrum.

4.12 Lighting

It is anticipated that effects to most receptors will be not significant, with the exception of residential receptors (both near and more distant) which may note a perceivable change in the level of sky glow. This change in the level of sky glow is largely related to the upward reflection of light off of the ground which can only be minimised by good design. There may therefore be a low magnitude change to a high sensitivity receptor, resulting in a permanent moderate adverse effect.

This is an area with very low lighting levels and this development will completely change the character of this environment forever.

4.13 Noise

Guidance/Standards

The NPPF was revised on 24th July 2018.

The general guiding principle in the NPPF is contained in Section 15 under the heading Conserving and enhancing the natural environment. Paragraph 170 states:

Planning policies and decisions should contribute to and enhance the natural and local environment by:

Preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans.

The noise planning policy is contained in paragraph 180, which also appears in Section 15 of the NPPF:

Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

'Residents Against Project Mercia' (Land Adjacent to Junction 11, M42)



a) mitigate and reduce to a minimum potential adverse impact resulting from noise from new development - and avoid noise giving rise to significant adverse impacts on health and the quality of life;

b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason;

At the construction phase the receiving environment and human receptors is considered to have a high sensitivity value. The nature of effect will be permanent and sensitivity value high to the human and receiving environment at operational level.

Although there is an attempt to mitigate the adverse effects with bunding and fencing there will still be an increase in noise from the site at both the construction and operational phase. The constant HGV movements will result in aggravating both those nearest to the site and No Man's Heath residents. There will be permanent noise intrusion. Bleeping from 2,000 HGV movements on site could lead to health issues locally. There will be no respite from this as the operations will be twenty-four hour. This is in addition to traffic noise going to and from work and entry to the site at the nearest point to the village, only 565 metres away.

4.14 River Mease (SAC, SSSI)

This is a narrow, flat river meadow landscape characterised by a narrow alluvium flood plain associated with the River Mease. The plain has not flooded in living memory. However, there is a chance of this occurrence happening once in a one hundred year time span. The increasing of winter rainfall patterns by as much as 14% could increase this likelihood and flooding might become more frequent if this development is allowed to go ahead.

4.15 Water Abstraction

There is potential for pollution no matter how rigorous the construction phase is or what alarms are put into place to ensure that run off does not escape into the River Mease (SSSI) once the new Pumping Station is established. South Staffordshire Water recently killed 1,000 fish despite every effort to prevent pollution escaping from its Pumping Station at Chilcote. The water to be abstracted from the aquifer is high in ammonia and "mucky water" needs to be discharged.

IM Properties makes no mention of the brook which runs adjacent to the site and on into the Mease. This is a very important omission.

Spillage into the brook could so easily happen.

The Environmental Agency gives rise to another serious cause for objection, as already stated to IM Properties;

"The development is adjacent to the River Mease. This is designated as A Special Area of Conservation and is currently classed as being in unfavourable status. The development should not contribute to any further deterioration in the status of this water body..... There should be no emergency water flow that should drain into the Mease..... It should be noted that the Environment Agency has not received the Geo-environmental and Geo-technical Desk Study and Ground Investigation Report, therefore, we must assume that the information submitted to it is both genuine and representative of site conditions and treat it in good faith"

*'Residents Against Project Mercia'
(Land Adjacent to Junction 11, M42)*



The assumptions made by IM Properties are unreliable and we question the validity of treating as “genuine” the information given to the EA in order for them to develop safely the most important detail for the SSSI; water removal and discharge. The Mease could so easily become irreversibly polluted. Proper assessment and guidance is of paramount importance.

'Residents Against Project Mercia' (Land Adjacent to Junction 11, M42)



5. Transportation Assessment

5.1 Existing Conditions

Site Location

IM Properties state that the B5493 has “good street lighting and 1.2m wide footways with raised kerbs along all of the eastern side of the carriageway”. The actual situation is that the B5493 has street lighting only for 600m along its length from the M42 towards No Man’s Heath. There is no street lighting from here until No Man’s Heath, which is subject to a 40mph speed limit, has 6 side road junctions, frontage development to one side, with a footway, and has street lighting throughout. The footway on the eastern side only covers the length of around 400m from the southernmost lay-by to the M42. There is no street lighting from No Man’s Heath to Tamworth. There is no other footway throughout the length of the B5493 to Tamworth.

IM Properties description of the A444 Acresford Road only covers a very short distance, where the street lighting ends at the western end of the lay-bys. It does not state that the A444 has a number of sharp bends along its length to Stretton-en-le-Field and onward to Acresford, where it is subject to a 40mph speed limit with side road junctions on both sides. Further on to Overseal which is subject to a 30 mph speed limit, and has frontage development throughout and two crossroads, one of which is signalised.

The description ignores the A444 Atherstone Road completely, that only has street lighting for around 250m from the M42, no footway provision from the service area until it reaches Appleby Parva and no street lighting or footway from here until it reaches Twycross, which is subject to a 30mph speed limit, has frontage development throughout and side road access.

It is worth noting that both the M42 and A42 in proximity to this site are both 4 lane dual carriageways. The A42 has no hard shoulder for the full 16 miles of its length from Junction 11 to the M1, and furthermore there are no plans within the South Midlands route Strategy for the next five years for any changes to this situation.

IM Properties have provided inaccurate and misleading information regarding the true picture of these roads to the Planning Authority.

5.2 Site Accessibility

Pedestrians and Cyclists

IM Properties state that “the existing footways in the site’s vicinity are lightly trafficked in terms of pedestrian movements. The vast majority of movements would travel along the B5493, the gyratory of Junction 11 and Tamworth Road (towards Measham). Rectory Lane, Atherstone Road and Bowleys Lane might also generate some minor movements” The existing footways don’t go anywhere apart from between the lay-bys on the B5493 and the service area on the A444 Atherstone Road.

None of the routes IM Properties have highlighted as being used by pedestrians or cyclists would be used as there are no provisions for either user to get to the site from any settlements in the area.

5.3 Trip Generation

We have been informed that this development will operate 24 hours a day, on a 3 shift basis, 7 days per week.

'Residents Against Project Mercia' ***(Land Adjacent to Junction 11, M42)***



IM Properties only show traffic data for peak hour and 12 hour time periods. The 12 hour period between 0700 and 1900 is shown as generating around 5700 car trips and 1100 HGV.

We have been informed by IM Properties that the 24 hour traffic generation will be around 8000 cars (an increase of 40%) and 2000 HGV's (an increase of 82%) this is not stated anywhere in their report.

The Traffic Information provided is giving the Planning Authority a misleading presentation of the actual traffic impact of the development.

5.4 Trip Distribution and Assignment

Gravity Model Distribution

IM Properties have shown the Gravity Model distribution of the key destinations of workers on the site which only accounts for around 50% of the total. When discussed with IM Properties we were informed that the ones shown in the report are the key destinations. To calculate any other destinations requires utilising Appendix F in the Vehicle Distribution Review. Having analysed this information, the calculations, aggregated on a County basis shows; 23% from Leicestershire, 23% from Derbyshire, 23% from Staffordshire, 19% from West Midlands, 1% from Nottinghamshire and 11% from Warwickshire.

When looked at in more detail the picture of where IM Properties predict traffic will originate shows only 15% being within 10 miles of the site and over 30% being further than 25 miles from the site.

Assessment of Traffic Impact

Introduction

IM Properties only show the predicted effects of traffic growth on the roads joining M42 Junction 11 and does not show what the predicted effects of increased traffic will be on the general network in the vicinity of the site. Therefore we have had to make assumptions on the routing of the trips to the site.

To calculate Car and HGV traffic from the figures, given as percentages in the report, we have used the 24 hour totals provided to us. Utilising this data the following statistics arise.

Light Vehicles

No Man's Heath

According to IM Properties, traffic impact on the B5493 through No Man's Heath will be 12% of the car traffic accessing the site, around 1000 cars per day. Given the lack of any detailed traffic assignment we have assumed that this will consist of a proportion of Tamworth and North Warwickshire and the whole of the Lichfield and East Staffordshire traffic, which, in total, is almost 30% of the car trips to the site. However, IM Properties do not state how much of the traffic from Tamworth has been assigned along the A5 to Junction 10 and up the M42. The A5 approach to Junction 10, which, as can clearly be observed during the majority of the day, is subject to severe delays, and as a result takes longer than using the B5493. Experience of the villagers in this area tells us that the most efficient route from Ventura Park, for instance, which is inside the traffic model zone the consultants have shown for South and West Tamworth, is along the B5493. Interestingly, if the route is calculated by Google Map, between this part of Tamworth and the Development site, it also suggested the B5493.

'Residents Against Project Mercia' (Land Adjacent to Junction 11, M42)



Finally the traffic from North Warwickshire could well be coming through No Man's Heath along Austrey Lane and Church Lane as this is a key route from this area to the M42. However, neither Austrey Lane nor Church Lane have even been evaluated by IM Properties to see if this is the case, or a problem.

The prediction made by IM Properties of 12% of Light Vehicle traffic travelling through No Man's Heath could be a substantial under estimate.

Traffic from Eastern Tamworth

Traffic from Eastern Tamworth would probably take other routes to the site, rat running through Shuttington, Seckington, Newton Regis, Austrey and No Man's Heath. It should also be noted that these rural roads are used every day by cyclists and horse riders and adding additional traffic could result in accidents.

While not large in numbers, this traffic will have a noticeable effect not only as additional traffic but also higher levels of noise and air pollution.

Traffic from Lichfield and East Staffordshire

Similarly traffic from Lichfield and East Staffordshire, estimated at 700 vehicles per day, has 2 ways of getting to this site. The first is using the A51, through the village of Hopwas, which has a 30mph speed limit and frontage development throughout, to Tamworth, round the north of Tamworth using Cotton Lane, Gillway Lane and Browns lane which are subject to 30 and 40mph speed limits with frontage development throughout, and then the B5493 through No Man's Heath. The other route, while cross country, is a very viable alternative and goes through the villages of Whittington, past the St Giles Hospice, Harleston, Haunton, Clifton Campville and No Man's Heath. The routes through all of these villages have frontage development throughout. It should also be noted that these rural roads are used every day by cyclists and horse riders and adding additional traffic could result in accidents.

While not large in numbers, this increase will have a noticeable effect not only as additional traffic but also higher levels of noise and air pollution.

A444 Acresford Rd and Atherstone Rd

Traffic to and from the development travelling along the A444 both north and south will result in noticeable increases in; vehicles, noise and air pollution.

To the North, between the M42 and Burton upon Trent, through the villages of; Stretton-en-Le-Field, Acresford and Overseal will see an increase of around 1400 cars per day. The A444 through Overseal has a 30mph speed limit and has frontage development throughout. The junction of the A444 with the Lullington/Woodville Roads is signalised and subject to severe delays during certain times of the day.

Effects of the increase in traffic using the A444 could result in additional delays that could result in 'rat-running through the villages of Netherseal and Chilcote. While not large in numbers, this will have a noticeable effect not only as additional traffic but also higher levels of noise and air pollution.

The A444 to the south, between the M42 and the A5, through the villages of Twycross, Sibson and Fenny Drayton, will see a daily increase of around 1100 cars and 200 HGV's per day. The road through Twycross has a 30mph speed limit, has a mini roundabout at its northern end, has frontage development throughout and passes the village school, which suffers from parking problems at certain times of the day.

'Residents Against Project Mercia' (Land Adjacent to Junction 11, M42)



The road through Sibson has a 40mph speed limit and has frontage development to one side and has side road accesses on both sides.

Twycross Zoo also has its access from the A444 to the north of Twycross Village. This increase in traffic will have an adverse effect on the access and egress to and from the Zoo.

Regular users of the Redgate junction of the A444 and the A5 experience severe delays throughout the day.

The complete absence of any Traffic Information provided away from the close vicinity to the site is giving the Planning Authority an unrealistic and misleading presentation of the actual traffic impacts on the villages on these routes.

IM Properties have also stated there will be no future issues with the Redgate junction without providing any evidence to support this statement. This is giving the Planning Authority an unrealistic and misleading presentation of the actual traffic impact on this junction.

Heavy Goods Vehicles

IM Properties have shown HGV distribution comparisons on the roads linking with the M42 Junction 11 between two different traffic models that have been used to predict the traffic impact of the development. The Pan Regional Transport Model (PRTM), owned by Leicestershire County Council (LCC) predictions, that have been agreed with LCC and Highways England (HE), shows 11% of the HGV traffic from the development using the B5493 and 40% using the A444 Atherstone Road. However IM Properties have dismissed both of these and arbitrarily changed the predictions made by PRTM.

A general note regarding the impact of HGV's accessing this site is that, if they are given specific time slots for delivery and collections, and there is insufficient parking space within the site, where are they going to park while they wait? Along the edges of roads? Lay-bys? Field gates etc. This could cause severe safety issues across the local network.

B5493

Regarding the B5493 IM Properties state that "there would be no increases in HGV traffic (on the B5493) given the minimal number of locations that would attract HGV traffic at and around the northeast of Tamworth". What this dismissal of the PRTM modelling ignores, is, as stated above, Google Maps shows the B5493 and through Tamworth, to be the preferred route from the site to Ventura Park and on to the A5. Therefore the possible HGV traffic needing to access areas in central Tamworth, the A5 west and North Birmingham, such as Sutton Coldfield, are just as likely to take the B5493 and then onward as using the M42 and A5.

Therefore we feel that the assumption that there will be no HGV traffic using the B5493 is incorrect and that the PRTM output is more realistic, meaning there could be an additional 220 HGV's per day through No Man's Heath causing increased noise and air pollution.

A444 Atherstone Road

Regarding the A444 Atherstone Road IM Properties have used data from the freight route planner website referred to as Smart Road Routing and re assigned the M6/M1/A14 HGV traffic to the M42. and removed 50% of the HGV's from the A444.

'Residents Against Project Mercia' (Land Adjacent to Junction 11, M42)



Therefore, it is quite possible that the actual HGV traffic past Twycross Zoo, through Twycross, Sibson, Fenny Drayton, and on to the Redgate Junction could be in the region of 400 per day.

5.5 Junction Assessment

The assessment shown only deals with the access junctions to the development and makes no reference at all to the impact on other junctions within close proximity to the site.

Junctions in No Man's Heath; B5493/Austrey Lane, Clifton Lane, Chilcote Lane and Church Lane, and in Appleby Magna; A444/Bowleys Lane and New Road are all within 1km of the development and will inevitably be affected by the increase in traffic predicted by IM Properties.

Outside this close proximity there are also additional junctions along the A444 in both directions that will be affected.

This lack of Junction assessment outside the accesses to the site does not allow the Planning Authority to fully understand the overall impact of the additional development traffic.

5.6 Travel Plan

Site Location and Surrounding Area

This makes reference to being located approximately 1.4km to the west of Appleby Magna and 3.2km south west of Measham, but says nothing of being only 565m from No Man's Heath.

It states that the site is primarily open agricultural land, with some farm buildings and outhouses located to the east, off Acresford Road. The site is not primarily open agricultural land it is, apart from the Farm buildings, totally open agricultural land surrounded, from the M42 to Tamworth by open agricultural land with small village settlements, and no other industrial development.

IM Properties have provided inaccurate and misleading information regarding the true nature of the area in which this development will be located.

Travel Plan Objectives and Targets

IM Properties set out the baseline mode choice for workers, car, walking, cycling, bus, train and motorcycle that has been observed in this area from a Journey To Work survey undertaken in 2011 in the area around and including Measham.

The results of this survey have been used as the baseline, and year 1, 2 and 3 predictions, for the proportion of workers that will travel by each mode. Except for car, were, over the 3 years, IM Properties have increased the target number of car sharers, and reduced the number of car drivers.

to 16% and 61% respectively. There are no targets for any other mode of transport other than the ones shown from the 2011 survey. So one can assume that, in the context of this Planning Application, IM Properties is showing their expectations of mode choice to give them the level of car driver and car sharer they hope to achieve.

The Baseline, and years 1, 2 and 3 show 11% of workers (330 people) walking to work, the only communities within walking distance, as identified by IM Properties, are; No Man's

'Residents Against Project Mercia' (Land Adjacent to Junction 11, M42)



Heath and Appleby Magna. The combined population of these villages is around this number. They also show 2% of workers cycling. The reality is that if the aim is to work towards a mode choice close to the baseline, as IM Properties implies, then this is an impossible target to achieve.

The reality is that IM Properties will not have any idea of the actual distribution until the development is constructed and in operation and, given the location of this development, it is quite possible that 100% of workers will be car drivers or sharers and none will be using any sustainable other form of transport mode, especially walking or cycling.

Travel Plan Measures for Pedestrians and Cyclists

The object of a Travel Plan is to show how IM Properties is going to achieve the aims set out in the District, County and National Planning Policies they refer to. The measures set out by IM Properties for walk and cycle facilities are all within the site. The proposal shows no commitment to solving any of the offsite cycle, and very limited commitment to solving the offsite pedestrian, facility issues. In fact the only off site improvement are to the footways leading to the M42 Junction, which begs the question as to how walkers to the site are to get to that junction. To access the site by walking from Appleby Magna would be difficult given there are no footways along the A444 from the village to the Service Area. Then pedestrians would have to negotiate the slip roads on the Motorway junction. To walk from No Man's Heath would also be difficult given there are no footways between No Man's Heath and the southern entrance to the site. Also the street lighting on these routes is limited. On the A444 the lighting extends around 250m from the Motorway Junction and on the B5493 around 600m from the Motorway Junction. There are no proposals to construct any new footways to make these walking journeys possible. The same discussion relates to the 2% cycling to work in the targets, given the proposal does not include any cycle facilities outside the site itself.

IM Properties proposes measures to encourage the use of alternative modes to the car include; Rail network map and timetables, pedestrian and cycle routes to the site”.

Given there are no rail routes, no cycle routes and very limited pedestrian routes in this location, all of this is irrelevant to the Travel Plan.

IM Properties is proposing to provide a number of incentives to promote cycling and walking including; cycle parking, and a 2m cycle track and 2m footway around the site. They will also provide; showers, changing facilities and lockers, as well as maintenance equipment, for cyclists, and umbrellas for walkers.

Given there are no cycle facilities and, only local footways to M42 Junction 11, to access this site, and IM Properties is not proposing to provide any cycle facilities and only pointless improvements to footways off site, these measures are irrelevant to the travel Plan.

IM Properties shows a toolkit for the implementation of the Travel Plan that given the lack of offsite facilities to allow people to walk and cycle to this development is mostly irrelevant.

The Travel Plan is a document that pays lip service to the sustainable transport requirements of national and local policies and should be disregarded as a part of this proposal.

5.7 Road Safety Audit

Independent Safety Audits were undertaken on both accesses to the site.

*'Residents Against Project Mercia'
(Land Adjacent to Junction 11, M42)*



The issues highlighted with the southern access were addressed by IM Properties.

However the issues highlighted with the main access roundabout give great concern. The Safety Audit stated that it was “concerned that the high traffic flows and close proximity of the access junction may result in queuing traffic obstructing or partially obstructing the highway increasing the risk of rear end shunts or side swipe type collisions”. IM Properties have stated that this will not be a problem due to the signalling of the motorway junction and that their detailed modelling of traffic at these junctions shows a maximum queue of 13 vehicles. By their own calculations, it would only take 15 vehicles to cause a blocking back situation as stated in the Safety Audit, based on the length of carriageway available and 6m allowed for each vehicle. From the dimensions given per vehicle these figures can only apply to cars and LGV’s. This site is expected to generate 2000 HGV trips per day, each HGV takes the same space as 3 cars or LGV’s, so if, for example, 2 HGV’s are in this queue then it only needs an additional 9 cars or LGV’s to make this road layout potentially dangerous, according to the Safety Audit.

The absolute reliance on traffic predictive modelling, to this extent, even as advanced as the ones used, is beyond reason and could result in accidents at this junction and should be discounted.

We are aware that Highways England also have severe reservations regarding IM Properties mitigation measures at this junction.

*'Residents Against Project Mercia'
(Land Adjacent to Junction 11, M42)*



6. Contact Details

Residents Against Project Mercia
c/o Harwood Cottage
Austrey Lane
No Man's Heath
Tamworth
B79 0PE