

APPENDIX 4:
Statutory Representations
Sport England
Environment Agency
Highways Agency



Creating sporting opportunities in every community

Simon Jones
Hinckley & Bosworth Borough Council
Council Offices
Argents Mead
HINCKLEY
LE10 1B

11th April 2013

Our Ref: EM/HIN/2012/28193/N

Dear Simon,

Application : 12/00295/OUT
Site Address: Barwell Sustainable Urban Extension (SUE) Land
West of Barwell Ashby Road Barwell

Barwell Sports contribution Methodology

Thank you for consulting Sport England on the Sports Contribution Methodology which I understand will be used by your authority to gauge the level of contribution to be sought from the proposed Barwell SUE towards the provision of sports facilities.

Sport England has previously advised that the Sports Facility Calculator (SFC) provides an indication of the level of contribution that can be requested, based on a robust and tested methodology, to provide a financial figure from the demand for sports facilities created by the proposed development. The SFC is designed to estimate the needs of discrete populations for sports facilities (such as sports halls and swimming pools) created by a new community of a residential development. It's important to remember that the SFC looks only at *demand* for facilities and does not take into account any existing supply of facilities or the ability of the existing facilities to accommodate growth.

The SFC is therefore, one part of the overall assessment of the impacts on existing facilities or to give an indication of the demand created for new facilities. The SFC provides one element to link the contribution to the development in a fair and reasonable way related both in scale and kind.

Whilst Sport England considers that the SFC is robust. The Sports Contribution Methodology can be used by your authority to ensure that, in the opinion of your authority, the contribution mitigates the impact of the proposed development on sports facility provision.

It is for the authority to take into account all the issues and determine having regard to local circumstances, determine the appropriate level of contribution, which is necessary to make the development acceptable in planning terms. Having regard to the overall viability of the proposal.



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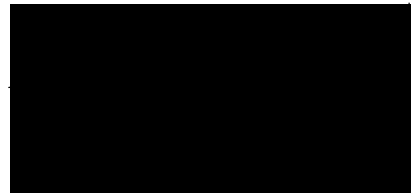
Sport England would not wish to raise an objection to this development so long as the authority is satisfied that the negotiated contribution meets the above.

The comments made in response to this application in the context of the Town and Country Planning Acts, does not in any way commit Sport England's or any National Governing Body of Sport's support for any related application for grants funding.

Thank you once again for consulting Sport England.

If you require any further information or would like to discuss this response in more detail please do not hesitate to contact me via the details below.

Yours sincerely



Steve Beard

Hinckley & Bosworth Borough Council
Development Control
Council Offices Argents Mead
Hinckley
Leicestershire
LE10 1BZ

Our ref: LT/2012/114640/02-L01
Your ref: 12/00295
Date: 04 July 2012

Dear Sir/Madam

OUTLINE APPLICATION INCLUDING ACCESS FOR UP TO 2,500 NEW RESIDENTIAL DWELLINGS (USE CLASS C3), AN EMPLOYMENT ZONE FOR GENERAL INDUSTRIAL BUILDINGS (USE CLASS B2) AND STORAGE AND DISTRIBUTION WAREHOUSES (USE CLASS) B8) PROVIDING UP TO 24,800 SQM, SPORTS PITCHES, PAVILION BUILDING AND CHANGING ROOMS (USE CLASS D2), AREAS OF FORMAL AND INFORMAL OPEN SPACE, CHILDREN'S PLAY AREAS, LANDSCAPING, ALLOTMENTS AND PUBLIC REALM WORKS, PROVISION OF HYDROLOGICAL ATTENUATION FEATURES, PEDESTRIANS AND CYCLISTS CONNECTIONS, NEW INFRASTRUCTURE AND SERVICES AS NECESSARY TO SERVE THE DEVELOPMENT AND A NEW COMMUNITY HUB AREA COMPRISING A PRIMARY SCHOOL (USE CLASS D1), A LOCAL HEALTH CARE FACILITY (USE CLASS D2) OR, IN THE ALTERNATE, A FAMILY PUBLIC HOUSE/RESTAURANT (USE CLASS A3/A4) AND LOCAL RETAIL AND COMMERCIAL UNITS (USE CLASS A1, A2, A3, A4 AND A5) UP TO A MAXIMUM FLOOR SPACE OF 1,000 SQM (EIA DEVELOPMENT) LAND TO THE WEST OF BARWELL

Thank you for referring the above application which was received on 17th May 2012, we apologise for the length of time it has taken to provide our response.

Environment Agency position

The proposed development will only meet the requirements of the National Planning Policy Framework if the following measure(s) as detailed in the EIA and Flood Risk Assessment submitted with this application are implemented and secured by way of the following planning conditions on any grant of planning permission.

Condition

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) dated March 2012, Ref: 25287; Appendix 13.1, Chapter 13, Volume 2 of the EIA, dated April 2012 and the following mitigation measures detailed within the EIA Sections 13.64 to 13.78 and FRA Section 4.5 (unless otherwise stated below):

1. Limiting and storing the surface water run-off generated by by all rainfall events up to the 100 year plus 30% (for climate change) critical rain storm so that it will

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Trentside Offices, Scarrington Road, West Bridgford, Nottingham, NG2 5FA.
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not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site, as shown on FRA Drawing No. 25287/008/010 Revision C (FRA Section 4.2, 6.2 and 6.4).

2. Provision of compensatory flood plain storage for the provision of the Vehicular road crossing of the River Tweed, and any other crossing located within the 100 year flood plain as shown on FRA Drawing No. 25287/008/009.
3. Provision of replacement trash/security screens to the existing Tweed Brook culvert which runs under the historic landfill site (FRA section 7).
4. Finished floor levels are set no lower than 600mm above the modelled 100 year plus 20% (for climate change) flood level applicable at the development phase (FRA section 7).

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason

To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

1. To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.
2. To reduce the risk of flooding from blockages to the existing culvert.
3. To reduce the risk of flooding to the proposed development and future occupants.

Condition

The development hereby permitted shall not be commenced until such time as a scheme to ensure no raising of ground levels, or bridge soffit levels, result in elevated flood levels, or a loss of flood plain storage due to the provision of the proposed new vehicular bridge crossing of the River Tweed, and/or any other public foot path crossings of the River Tweed or Tweed Brook, has been submitted to, and approved in writing by, the local planning authority, in consultation with the Environment Agency and LLFA.

The scheme shall include, but not be exclusive of:

1. Limiting the number of Crossings of the River Tweed, in the Tweed Park area from the 5 shown on Figure 4.6 Master Plan, (and Figure 8.3 page 109 within the Design and Access Statement dated April 2012), to 2, plus the new road crossing.
2. Crossings to be provided as clear span bridges or arches in preference to any culverting. Including the upgrading of existing crossings, where upgrading is required or proposed.
3. Bridge soffits set a minimum of 600mm above the modelled 100 year plus 20% (for climate change) flood level applicable at the crossing site. Flood plain outlines are shown on FRA Drawing No. 25287/008/009.
4. Bridge abutments set back beyond the top of the natural bank of the watercourse.
5. Where necessary (see point 2 above) culverts designed in accordance with CIRIA C689 (including up sizing to provide a free water surface and natural bed), and to have a minimum width/length of culvert essential for access purposes.
6. Provision of compensatory flood storage for all ground levels raised within the 100 year flood plain applicable at the bridge crossing sites, including proposed

location, volume (calculated in 200mm slices from the flood level) and detailed design (plans, cross, and long sections) of the compensation proposals.

7. Compensatory flood storage provide before or as a minimum at the ground works phase of the vehicle bridge and any other crossing construction.
8. Detailed designs (plans, cross, long sections and calculations) in support of any crossing.
9. Details of how the scheme shall be maintained and managed after completion.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority, in consultation with the Environment Agency and LLFA.

Reason

1. To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.
2. To reduce the risk of flooding to the proposed development, adjacent land and properties.
3. To improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system.
4. The proposed foot bridges within the Tweed Park may be inaccessible during flood events, and as such could increase the risk of harm to life.

Condition

The development hereby permitted shall not be commenced until such time as a scheme to replace the existing upstream and downstream trash/security screens to the Tweed Brook culvert under the historic landfill site has been submitted to, and approved in writing by, the local planning authority, in consultation with the Environment Agency and Lead Local Flood Authority.

The scheme shall include, but not be exclusive of:

1. Provision of the replacement screens prior to first occupation of any dwelling.
2. Trash/Security screens designed in accordance with the Trash and Security screen manual, 2009.
3. Details of how the scheme shall be maintained and managed after completion.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority, in consultation with the Environment Agency and LLFA.

Reason

1. To reduce the risk of flooding from blockages to the existing culvert.
2. To facilitate the clearing of the upstream trash screen during flood events.
3. To reduce the risk of harm to operatives during maintenance.

Condition

Development shall not begin until a surface water drainage scheme for each phase of development within the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority, in consultation with the Environment Agency and SUDS Approval Board. The scheme shall subsequently be implemented in accordance with the approved details before the

development is completed.

The scheme shall include, but not be exclusive of:

1. Surface water drainage system/s designed in accordance with either the National SUDs Standards, or CIRIA C697 and C687, whichever are in force when the detailed design of the surface water drainage system is undertaken.
2. Limiting the discharge rate of surface water run-off generated by by all rainfall events up to the 100 year plus 30% (for climate change) critical rain storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site, as shown on FRA Drawing No. 25287/008/010 Revision C.
3. Provision of surface water run-off attenuation storage to accommodate the difference between the allowable discharge rate/s and all rainfall events up to the 100 year plus 30% (for climate change) critical rain storm.
4. Detailed design (plans, cross, long sections and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements.
5. Details of how the scheme shall be maintained and managed after completion

Reason

1. To prevent the increased risk of flooding, and ensure future maintenance of the surface water drainage system.
2. To improve and protect water quality, improve habitat and amenity.

Condition

The development when permitted shall not be commenced until such a time as a scheme to dispose of foul drainage has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented as approved.

Reason

To minimise the risk of pollution of the environment.

Condition

No development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

- 1) A preliminary risk assessment which has identified:
all previous uses, potential contaminants associated with those uses, a conceptual model of the site indicating sources, pathways and receptors.
- 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- 3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages,

maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason

To ensure protection of controlled waters receptors

Condition

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reasons

To ensure protection of controlled waters receptors

Note

No soakaways shall be constructed in contaminated land

Comments/ Informatives

Protection of SINC

The design and Access statement describes the Tweed Park as - A traditional natural park linked by the Tweed Valley to the surrounding countryside. The park includes retained and enhanced existing natural landscape features and provides opportunities for informal recreation: -

8.2.7 A network of pedestrian paths create strong connections between adjacent communities to the north and south of the Park.

8.2.8 The Park accommodates attenuation and flood storage requirements while also providing a large play facility.

However in addition to the excessive number of pedestrian access bridges crossing the River Tweed within the functional flood plain, as detailed in our condition requirements above, we notice on many of the plans including Figure 9.8 (Pedestrian/Cycle Movement) that the area identified as a SINC on Drawing No. RG05 the constraints plan (Local wildlife site on Figure 5.4) has a primary pedestrian route network path and sub-path (as shown on Figure 8.3) passing diagonally through it. The use of which may be contrary to protecting the SINC site and wildlife currently existing within it.

River Tweed – Re-routing, Culverting, Channel Improvements, bankside planting & variable buffer strip

We have on two previous occasions been asked to comment in respect of suggesting that the development should take the opportunity to investigate the re-routing of the Tweed River around the old landfill site rather than allowing it to continue underneath in a culvert; to date we have had no response on why this cannot be considered as an enhancement to the development.

The proposed development site is crossed by the watercourse known as the Tweed River. Whilst the culvert is outside the development site, we strongly recommend that the proposed development should be used as an opportunity to restore the watercourse to a natural channel as this will in combination contribute to raising this waterbody to GOOD status by 2027 under the requirements of the Water Framework Directive. As well as meeting requirements of the river basin management plan, this would also be a clear, tangible and significant environmental gain in terms of the character of the area and nature conservation.

The Design and Access Masterplan Fig. 4.6 shows the Tweed River's riparian corridor disconnected by the culvert, the point in the above paragraph would resolve this and improve the development.

The Tweed Park illustration Fig. 8.3 does not appear to be enhancing the river and its corridor to the maximum potential. It still looks to be being kept straight and narrow as a drainage channel. Our advice is to widen the channel to allow it develop some degree of sinuosity and channel diversity and adding river gravels to improve bed structure and flow patterns. This will improve the ecological quality of the channel and improve the watercourse for the general public.

The river should be planted on either bank with oak and ash standard to in time provide dappled shade conditions for aquatic life and as an adaption for climate change.

The river corridor can be improved by reducing the number of crossings over it and having a mowing regime that provides an un-cut variable buffer strip, seeded and planted with a range of marginal species to benefit biodiversity and public interest.

Water Resources (D & A Statement)

There is no specific mention of water efficiency. Fittings that will minimise water usage such as low, or dual, flush WC's, spray taps, flush control systems on urinals e.g. infra-red sensors, and economical shower-heads in the bathroom should be installed. Power showers are not recommended as they can consume more water than an average bath. In the gardens water butts should be installed to provide a natural supply of water for plants. Any landscaping as part of the development should incorporate planting during autumn or spring to encourage deep rooting. Dry weather tolerant plant species should be chosen and water retaining granules or mulches used.

3.7 - Adapting to climate change is also about water demand management. Climate change could result in an increase in water scarcity which is why measures to reduce demand and encourage the efficient use of water are so important. Reducing water consumption also has the knock-on effect of reducing carbon emissions - water companies use energy to collect, treat and supply water and to subsequently treat waste water. If less water is used then less energy is expended providing it and there is less waste water to treat. Simple demand management measures – particularly those which reduce hot water use – therefore have significant potential to not only save water and energy, but also to reduce the carbon footprint throughout the water system. In section 8.4.4 it states that an underground surface water storage tank will be placed in the primary school grounds. The developers should consider whether this could be turned into a rainwater harvesting system and the water used for toilet flushing in the school.

3.7.13 Heat pump technology is mentioned here and in the separate energy statement.

GSHP systems can be used for heating or cooling and are in principle energy and CO₂ efficient. However, unless they are managed carefully there is the potential that the ground and groundwater can eventually warm or cool to a point where the system cannot continue to operate efficiently, or at all. Adjacent systems may also interfere with each other. The system operator should also consider potential for loss or damage to third parties.

In recent years there has been considerable interest in these systems in the UK and many are now being installed.

Key issues

- Risk of the pipes or borehole(s) creating undesirable connections between rock or soil layers. This may cause pollution and/or changes in groundwater flow and/or quality.
- Undesirable/unsustainable temperature changes in the aquifer or dependent surface waters.
- Pollution of water from leaks of polluting chemicals contained in closed loop systems.
- Pollution of water from heat pump discharge from an open loop system that contains additive chemicals.
- Impacts of re-injection of water from an open loop system into the same aquifer, both hydraulic and thermal, as well as any water quality changes induced.
- The potential impact of groundwater abstraction for ground source heat systems on other users of groundwater or surface water.

The Environment Agency has a number of aims which are relevant to these activities and which are detailed within our document "Groundwater Protection: Policy and Practice (GP3)". In particular I would draw your attention to our General Aims in Section 10 "Ground Source Heat Pumps". In particular, I would highlight the following:

P10-1 Influencing; We strongly encourage GSHP systems to be operated sustainably. In most cases this means there should be a balance between demand across a year for schemes using heating and cooling. This will avoid unacceptable heating or cooling of the ground and groundwater.

P10-2 Planning; We expect developers to undertake appropriate prior investigations for these systems. This should include environmental risk assessment and method statements for the construction and operation of the systems. These may be provided as part of the planning process.

Chapter 15 Air Quality

In this chapter it mentions that water will be used to suppress dust. It is not clear where this water will be sourced from. If anything other than mains water is to be used an abstraction licence may be required from us. There is no guarantee that a licence could be granted it is dependent upon water resource availability.

Waste

Any client who intends to carry out a project on any one construction site with an estimated cost greater than £300,000 excluding VAT must prepare a site waste management plan conforming to the Site Waste Management Plan Regulations 2008 before construction work begins. A preliminary SWMP has been prepared, however further details will need to be added to the plan in order to conform with the requirements of the regulations.

Specifically the site waste management plan must identify: the client; the principal

contractor; and the person who drafted it. It must describe the construction work proposed, including the location of the site; and the estimated cost of the project. It must record any decision taken before the site waste management plan was drafted on the nature of the project, its design, construction method or materials employed in order to minimise the quantity of waste produced on site.

It must describe each waste type expected to be produced in the course of the project; estimate the quantity of each different waste type expected to be produced; and identify the waste management action proposed for each different waste type, including re-using, recycling, recovery and disposal.

It must contain a declaration that the client and the principal contractor will take all reasonable steps to ensure that all waste from the site is dealt with in accordance with the waste duty of care in section 34 of the Environmental Protection Act 1990 and the Environmental Protection (Duty of Care) Regulations 1991; and materials will be handled efficiently and waste managed appropriately.

Sewerage Infrastructure

The increased amount of waste water and sewage effluent produced by the new development will need to be dealt with to ensure that there is no detriment in the quality of the water courses receiving this extra volume of treated effluent. There must also be available capacity within the sewerage infrastructure (foul sewerage network and receiving sewage treatment works) in order to accommodate this flow BEFORE any development is occupied. As such there may be a requirement for the expansion and upgrading of current sewage treatment systems, if the volume of sewage requiring treatment within the district increases and this should be discussed with Severn Trent Water at the earliest opportunity.

Any new sewerage infrastructure would not be allowed to contain storm overflows (CSO's or EO's) - therefore the surface water and foul elements should be separated - this would then enable the re-use of the 'clean' surface water element for water features, toilets etc. There must be no increase in discharge quantity or deterioration in discharge quality from existing storm overflows (combined storm overflows) upstream or downstream of any new development.

It is also imperative that adequate consideration be given to the watercourses themselves at all times (including those directly and indirectly affected by this development - on- and off-site, pre- and post-construction). No deterioration in water quality should be allowed (no deterioration from current status is allowed under the Water Framework Directive). The Water Framework Directive requires all waterbodies to achieve 'Good Ecological Status or Potential' by 2015. More information on the Water Framework Directive can be found in the Humber River Basin Management Plan published on 22 December 2009 on our web site at www.environment-agency.gov.uk/wfd. On page 6 of the main document you will find the principal requirements placed on member states which includes the prevention of deterioration in the status of aquatic ecosystems, their protection and the need to improve the ecological condition of waters.

With specific regard to this application, I have read Chapter 18 (Utilities) and have the following comments to make from a foul water and water quality point of view:-

It has been stated that the foul sewer infrastructure will be upgraded by 2014 and has been modelled to incorporate foul flows from this development. Does this include the receiving sewage treatment works (Hinckley STW)? Regular discussions and updates should be made between Severn Trent Water/developers/Local Authorities as the

application progresses given the size of this development and the possible impacts it could have on the receiving foul sewerage infrastructure and sewage treatment works and therefore receiving watercourse in the event of development proceeding quicker than the infrastructure can cope with.

I have sent a copy of this letter to the applicant/agent.

The Agency needs to compile reports to meet DEFRA high level targets and consequently a copy of the required decision notice should be forwarded following determination of the application.

Yours faithfully

MR GEOFF PLATTS
Planning Liaison Officer

Direct dial 0115 8463622
Direct e-mail geoff.platts@environment-agency.gov.uk

cc H O W Commercial Planning Advisors

Our ref: 12/00295/OUT
Your ref: 12/00295/OUT

Hinckley & Bosworth Borough Council
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For the attention of Ms Rebecca Grant

Sarah Garland
Asset Manager
9th Floor
The Cube
199 Wharfside Street
Birmingham B1 1RN

Direct Line: 0121 678 4161

Fax: 0121 676 6559

12 April 2013

Dear Ms Grant

**BARWELL SUSTAINABLE URBAN EXTENSION (SUE)
LAND WEST OF BARWELL, ASHBY ROAD, BARWELL, LEICESTERSHIRE**

Thank you for consulting the Highways Agency on the Addendum to the Environmental Statement which includes an update on the Transport Assessment which we have reviewed.

We have concluded that the issues raised in our letter of 4 May 2012 have been addressed and following the announcement of the Pinch Point scheme, on the A5 at Dodwells roundabout, the Highways Agency concludes the predicted additional traffic generated will be accommodated. However, we continue to support Leicestershire County Council in understanding the cumulative impact of the proposed developments in this area and the additional demand on the strategic and local roads.

Therefore, under Article 25 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the Highways Agency has no objections to the proposal and I enclose form TR110(04) for your records.

Please ensure you send me a copy of the decision on this application.

Yours sincerely



Sarah Garland

Network Delivery and Development Directorate



Enc



**Developments Affecting Trunk Roads and Special Roads
Highways Agency Response to an Application for Planning Permission**

From: Divisional Director, Network Delivery and Development, Midlands Region, Highways Agency.

To: Hinckley & Bosworth Borough Council


Council's Reference: 12/00295/OUT

Referring to the notification of a planning application dated 13 April 2012, your reference 12/00295/OUT, in connection with the A5, Barwell Sustainable Urban Extension, Land west of Barwell, Ashby Road, Barwell, Leicestershire, notice is hereby given under the Town and Country Planning (Development Management Procedure) (England) Order 2010 that the Secretary of State for Transport:-

- a) offers no objection;
- ~~b) advises that planning permission should either be refused, or granted only subject to conditions~~
- ~~c) directs conditions to be attached to any planning permission which may be granted;~~
- ~~d) directs that planning permission is not granted for an indefinite period of time;~~
- ~~e) directs that planning permission not be granted for a specified period (see Annex A).~~

(delete as appropriate)

Signed by authority of the Secretary of State for Transport

Date: 12 April 2013	Signature: 
Name: Sarah Garland	Position: Asset Manager
The Highways Agency: The Cube 199 Wharfside Street Birmingham B1 1RN	