

WRITTEN REPRESENTATION re NWLDC LIR

Application: East Midlands Gateway Rail Freight Interchange (EMG2)

Interested Party: Protect Diseworth

Deadline: D2

AI Declaration

This document has been drafted by ChatGP responding to a request to “Summarise this report for Diseworth”

It has been carefully reviewed and summarises PD’s position in the DCO generally. Moreover sections 3.6, 9.2 and 9.3 was added in after scanning the underlying document sections manually.

1. Introduction

1.1 This Written Representation responds to the Local Impact Report submitted by **North West Leicestershire District Council (NWLDC)** and focuses specifically on the impacts of the Proposed Development on **Diseworth**, the settlement most directly and significantly affected.

1.2 While NWLDC indicates **in-principle support subject to mitigation**, its own evidence identifies **substantial and interrelated adverse effects on Diseworth** across landscape, heritage, residential amenity, traffic, and flood risk.

1.3 This Representation demonstrates that:

- The scale and proximity of the Proposed Development give rise to **significant adverse effects** on Diseworth;
- These effects are **not demonstrably mitigated to an acceptable level**; and
- The reliance on mitigation underscores the **inherent incompatibility** of the development with the village setting.

2. Diseworth as the Primary Receptor of Harm

2.1 The evidence base confirms that Diseworth is the **closest settlement to the site**, with residential receptors located immediately adjacent to the eastern boundary of the Proposed Development.

2.2 The Proposed Development comprises:

- Large-scale logistics buildings;
- Extensive HGV yards and circulation areas;
- 24-hour operational activity;
- High levels of artificial lighting.

2.3 The combination of **proximity and scale** results in:

- High sensitivity receptors; and
- High magnitude of impact.

2.4 This establishes Diseworth as the **principal receptor of adverse effects**, a matter of critical importance in the overall planning balance.

3. Landscape and Visual Impact

3.1 NWLDC identifies the landscape surrounding Diseworth as **sensitive**, particularly in relation to:

- The village edge;
- Open countryside setting;
- Relationship to the Diseworth Conservation Area.

3.2 The Proposed Development would introduce:

- Large industrial buildings of substantial height and massing;
- Extensive engineered landform changes (bundling);
- Urbanising infrastructure in a currently rural setting.

3.3 The need for mitigation measures including:

- Structural landscaping;
- Earth bunds;
- Visual screening.

demonstrates that **significant adverse landscape and visual effects arise in the absence of mitigation**.

3.4 Even with mitigation, the development would:

- Fundamentally alter the setting of Diseworth;
- Introduce a dominant industrial presence;
- Erode the rural character of the village edge.

3.5 These effects conflict with:

- The **NPPF requirement to protect landscape character**;
- Local plan policies seeking to maintain the **distinct identity of settlements**.

3.6 In addition to the above, PD reserve the right to review further and provide more detailed comments on section 7.122, 7.124 and 7.127 of the LIR.

4. Heritage Impact (Diseworth Conservation Area)

4.1 NWLDC identifies impacts on the **setting of the Diseworth Conservation Area**, including:

- Key views into and out of the village;
- The setting of heritage assets, including the parish church.

4.2 The Proposed Development would:

- Introduce large-scale built form into the immediate setting of heritage assets;
- Affect the appreciation of the village as a historic rural settlement.

4.3 These impacts amount to **harm to the setting of designated heritage assets**, engaging the statutory duty under:

- Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

4.4 The Applicant has not demonstrated that:

- This harm is clearly and convincingly justified; or
- It is outweighed by public benefits, as required by the **NPPF**.

5. Residential Amenity

5.1 NWLDC's assessment identifies significant concerns regarding **residential amenity** in Diseworth, including:

- Noise from 24-hour operations;
- Disturbance from HGV movements and yard activity;
- Light pollution from extensive external lighting;
- Visual dominance of large industrial structures.

5.2 These impacts are **inherent to the operation of a strategic rail freight interchange** and cannot be fully mitigated through:

- Landscaping;
- Acoustic barriers;
- Operational controls.

5.3 The result is a **material and unacceptable deterioration in living conditions** for residents on the eastern edge of Diseworth.

5.4 This conflicts with:

- The **NPPF requirement to secure a good standard of amenity** for existing and future users.

6. Traffic and Transport Impacts

6.1 NWLDC identifies concerns relating to:

- Traffic generation;
- Network capacity;
- Safety impacts.

6.2 Given its proximity, Diseworth is particularly vulnerable to:

- Rat-running;
- Increased HGV presence;
- Adverse impacts on pedestrian and cyclist safety.

6.3 These impacts are not yet demonstrated to be:

- Fully assessed; or
- Adequately mitigated.

7. Flood Risk and Drainage

7.1 While the site lies within Flood Zone 1, the evidence acknowledges that:

- Diseworth experiences **existing flooding issues**.

7.2 The Proposed Development introduces extensive areas of:

- Hardstanding;
- Roof coverage;
- Engineered drainage systems.

7.3 The acceptability of the scheme is therefore dependent on:

- The effectiveness of proposed drainage mitigation.

7.4 At present, there is **insufficient certainty** that:

- Flood risk to Diseworth will not be exacerbated.

8. Over-Reliance on Mitigation

8.1 A consistent theme in NWLDC's assessment is the reliance on mitigation measures to address:

- Landscape and visual impacts;
- Residential amenity effects;
- Flood risk;
- Environmental impacts.

8.2 This reliance demonstrates that:

- The Proposed Development gives rise to **significant adverse effects as a matter of principle**.

8.3 Mitigation in this context is:

- Compensatory rather than preventative;
- Uncertain in long-term effectiveness;
- Insufficient to fully address the scale of harm.

9. Policy Balance

9.1 While NWLDC refers to the allocation of the site for employment use, this:

- Does not displace the requirement to assess **site-specific impacts**;
- Does not override **national policy protections** relating to:
 - Heritage;
 - Amenity;
 - Landscape.

9.2 The weight to be given to allocation is:

- Significantly limited by the **unresolved impacts identified in the LIR** and as noted in PD's comments on the Applicant's responses to the First WQ's documents also submitted at D2, PD consider the emerging local plan can be afforded no weight, as the draft allocation is untested and not been subject to an EIP.

9.3 the LIR sets out (p116/7) the extent to which existing local planning policies are complied with. **In PD's submission, this is a key element of the report.**

10. Conclusion

10.1 NWLDC's own evidence demonstrates that Diseworth:

- Is the **most affected settlement**;
- Experiences **multiple significant adverse effects**;
- Faces impacts that are **not fully mitigated or resolved**.

10.2 The Proposed Development would result in:

- Harm to the **landscape and setting of Diseworth**;
- Harm to the **Diseworth Conservation Area**;
- Significant **loss of residential amenity**;
- Potential **traffic and flood risk impacts**.

10.3 These harms are:

- Substantial;
- Interrelated;
- Not clearly outweighed by the benefits of the scheme.

10.4 Accordingly, the Examining Authority is respectfully requested to find that:

- The Proposed Development gives rise to **unacceptable impacts on Diseworth**; and
- **Development consent should be refused**, or at minimum,
- Further information and mitigation must be secured before any recommendation can be made.