

Wiktorja Sypnicka

From: Andrew Churchill <Andrew.Churchill@JJCHURCHILL.COM>
Sent: 21 September 2021 15:06
To: Humphrey, Elizabeth
Subject: Appeal Ref: APP/K2420/W/21/3279808
Attachments: 20-01021-OUT Residential Development Objection 9-2-21[5].pdf; Letter to Bill Cullen 17-5-21.pdf; Agent of Change Appeal Letter 21-9-21.pdf

Categories: 3P - 3279808 (Hinckley & Bosworth)

Further to the notification from HBBC of an appeal being made to the Secretary of State against the Council’s decision to refuse to grant planning permission for residential development up to 63 dwellings at Station Road, Market Bosworth, Leicestershire, please find attached:

- 1.) My direct submission into the appeal process “Agent of Change Letter 21-9-21”,
- 2.) My original letter of objection from 8/2/21, and
- 3.) My further letter of objection to the HBBC CEO on 17/5/21

Kind regards,



Andrew Churchill
Executive Chairman

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Ms Elizabeth Humphrey
Planning Inspectorate
ELIZABETH.HUMPHREY@planninginspectorate.gov.uk

21st September 2021

Dear Ms Humphrey,

**Re.: DESCRIPTION : Residential development up to 63 dwellings with associated access,
Landscaping, open space and drainage infrastructure (Outline - access to be considered).
LOCATION : Land At Station Road Market Bosworth Leicestershire
Appeal Ref: APP/K2420/W/21/3279808**

I write further to the formal objections which JJ Churchill has made in relation to the above Application and subsequent Appeal. I am aware that our letters of objection to HBBC will have been forwarded to yourself; however, for ease of reference I have included them within this communication as well.

Further to these detailed objections and concerns I would like to re-confirm the potential impact the proposed development could have upon the future of one of largest and most valued employers within Market Bosworth as a consequence of the Agent of Change principle not being given adequate consideration on this occasion, in accordance with NPPF 2. The foundation of our grave concern is the fact that JJ Churchill is a manufacturing operation located extremely close to the application site. We specialise in the aerospace sector and support a wide range of jobs from apprentices through to design, development and production. The concern is that future noise complaints on public health grounds from newly constructed residential properties nearby would impact on future operations to such an extent that we would no longer be able to operate from the site, and either have to close or move. I feel that it is important to draw attention to the fact that this potential consequence was such recognised in relation to the Charles Church application in 2014, for much the same site, at which time the impact on our operations was confirmed by HBBC as one of the grounds for the refusal of that application.

As you will see from our original objections, we are aware that a noise survey was carried by the applicant, however, we have made it clear that this analysis is fundamentally flawed as it was carried out during daytime when the majority of our staff were on furlough and only very limited work was being carried out. In contrast, prior to COVID-19 we would regularly operate on 24-hour basis 7 days a week, and this had been a circumstance which had developed over a number of years as the business had grown.

We are also aware that both the applicant and HBBC have made reference to a noise survey carried out in 2013 by ourselves which they have interpreted as an indication of our noise levels today. Unfortunately, the majority of our equipment and operations have changed, and as a consequence these figures are not representative of our more recent activity. I would again draw your attention to the previous reason for refusal in the relation to the Charles Church application on the grounds that it did not constitute sustainable development because of the impact up ourselves.

In conclusion, I would like to point out that we have previously made the offer to HBBC to actively engage in a properly designed noise analysis of our operations, however, this offer has not been taken up by either the Borough Council or applicants.

Your sincerely,

Andrew Churchill
Executive Chairman



Mr M. Bowers
Director (Environment & Planning)
Hinckley & Bosworth Borough Council
Hinckley Hub
Rugby Road
Hinckley
Leics.
LE10 0FR

8th February, 2021

Dear Mr Bowers,

Re.: 20/01021/OUT Residential development up to 63 dwellings North of Station Road Market Bosworth

I am writing to formally object to the above application on the grounds that it will create significant harm to the landscape and character of Market Bosworth, will impact adversely on our ability to continue to invest and operate from our current site, and will bring forward an unallocated site which would undermine the community's preferred site as set out in both the NDP and Local Plan. I would stress that these grounds are entirely consistent with the reasons for refusal for the previous Charles Church application for which a Planning Appeal was scheduled for September 2014. The Council will be aware that the Appeal was withdrawn by the applicant shortly before the Inquiry, the assumption being that their final assessment will have concluded their chances of winning were so limited that they could no longer justify further expenditure. Due to the relatively late withdrawal of the Appeal a considerable amount of work and analysis had been carried out, with one of the most significant items being the Landscape Assessment/Proof of Evidence that was commissioned by HBBC and which will remain highly relevant to the current application. Along with the similar Proof of Evidence for the more recent Kyngs Golf Course applications which clearly influenced the Planning Inspector decision in relation to the significant landscape impact.

Given the significance that is currently being given to landscape impact in local planning applications we have taken the decision to have the application reviewed by the same local independent consultant who prepared the reports on behalf of HBBC for both the Charles Church and Kyngs Golf Course Appeals. Our logic being that they have the best and most detailed understanding of the site, along with its context in relation to the character of Market Bosworth. A copy of the final report is enclosed and gives a full analysis of the limitations of the applicant's landscape assessment, whilst also confirming that significant landscape harm will be caused as well as a considerable detrimental impact upon the character of Market Bosworth. This report in turn re-confirms independent plan Inspectors' and Examiners' conclusions, such as the Local Plan Inspector who commented that development of this site would "bring housing in depth which is not characteristic of the area and would create a new leading edge on the north side of the road and would have an unacceptable impact upon the setting of Market Bosworth". This view was endorsed by the Neighbourhood Plan Examiner in 2015 who concluded that "development on land to the north of Station Road would result in a significantly more urbanised approach to the town".

With regards to the potential impact of the operations of JJ Churchill Ltd., our concerns are even more grave than previously noted given the current pandemic-related economic circumstances and the significant measures that we have had to take in order to continue to operate are well known both locally and nationally. Our clear

intention and need is to be able to re-commence volume manufacture without new constraints to recovery that proximal residential housing would bring, for instance being prevented from running at nights and weekends. To protect and grow the highly skilled (and highly paid) jobs we have in the Borough we will need to return to 24/7 operations; it is therefore fundamental that the likely impact of the proposed housing on our operations is understood before any decision can be made. The most obvious concern relates to noise and future complaints from new residents on public health grounds, which would in turn lead to enforcement action. It would not be the first occasion that a viable engineering business has been closed down as a result of new housing being approved nearby. The noise report prepared by the applicant is even more inadequate than those which raised concern with the previous Charles Church application and led to one of the grounds for refusal. Fundamentally, the analysis was carried out during a period of minimal working during the current pandemic when the majority of our workforce was furloughed, the reporting sites were chosen to be the most distant and shielded from the factory, and clearly it did not cover the most relevant time period when 24-hour operations would, under normal economic conditions, be occurring.

I cannot stress how important this matter is and the dire consequences that could follow from such an uninformed decision. We are key suppliers of turbine blades for the world's most economical and powerful jet engines including the Rolls-Royce Trent 1000, Trent XWB and development "Ultrafan" engines made in Derby (powering the Boeing B787 Dreamliner and Airbus 350-1000). As such we are a critical component of both the Boeing and Airbus supply-chains – which in-turn support hundreds of thousands of jobs. As a certified aerospace and defence contractor for flight-critical parts, any physical move of our equipment (let alone to a different site) would necessitate complete re-qualification. This process would take a minimum of a year, during which time it would be impossible to sell the unqualified product. Consequence, I hope that you will appreciate it is completely un-economic to re-locate – we would have to close.

Finally, I would like to draw your attention to the support which we have given to bringing forward both HBBC's and the community's preferred site at Station Field, along with your masterplan. We feel that this development is compatible with JJ Churchill remaining in its current location, given distances, screening, and the orientation of our noise-generating activity. We also note the recent Housing Need Assessment that has been carried out by the Neighbourhood Plan with support from national consultants and yourselves. This has confirmed that Station Field, combined with current approvals, will create 200% of the current requirement. It is clear that Market Bosworth will be providing well in excess of the minimum requirement and is therefore taking its fair share of the Borough's housing requirement.

In conclusion, the reasons for refusing this application remain entirely consistent with the previous application's refusal, with the only notable changes being further endorsement of the Neighbourhood Plan Policies by the recent Kyngs Golf Course Appeal and the plan Examiners "significantly more urbanised" conclusion as detailed above.

Yours sincerely,



Andrew Churchill
Executive Chairman



Mr B Cullen
Chief Executive
Hinckley & Bosworth Borough Council
Hinckley Hub
Rugby Road
Hinckley
Leicestershire LE10 0FR

17th May, 2021

Dear Bill,

Re.: Richborough Estates Application, Market Bosworth

Hopefully you will have by now had sight of the letter from John Wastenev regarding the above planning application and the considerable concern that has been created across the community by the Planning Officers' decision to recommend approval at Committee on the 25th May. I would like to very much add my support to what John has said, particularly as I understand that officers referred to this as a 'knife-edge' decision.

In addition to John's comments, I would also raise a concern specific to ourselves and how the 'Agent of Change' principle has been addressed on this occasion. As you will know this new and important planning consideration was introduced in 2018 and forms part of NPPF2, placing a managing and mitigating responsibility on applicants introducing a new land use where there is a nearby source of noise. Given this requirement we had expected to be consulted in detail with regards to our level of noise generation, particularly when we are carrying out some of our louder activities on a 24-hour basis. During the pandemic we have been about 70% less busy than normal and as things return to pre-pandemic levels of output, so will our machining noise-levels. I have previously written advising about the unprecedented difficulties that we are facing in order to continue to trade, and any future restrictions on our ability to continue to operate on our current unrestricted basis is likely to not only hamper our recovery, but will, compromise the very existence of our business. We understand that a very limited noise survey was carried out for a few hours during a daytime period, however, the monitoring sites were at the furthest points from our factory which was operating at only 20% capacity on that date due to lockdown. Any conclusions reached from this exercise will therefore be fundamentally flawed and cannot be relied on in any way.

I am sure that you can understand that given our current financial position, with the introduction of a large number of houses in such close proximity, there is the gravest of concern that our operations will be restricted to such an extent that were we prevented from running at both night and weekends, we would not be able to secure a return on the very high capital cost of the high-technology equipment installed. Re-location is not a commercial option in our very heavily-regulated sector of aviation and aerospace – we would therefore be forced to close.

Given the timescales involved, an urgent response from yourself or your planning team would be very much appreciated.

Yours sincerely,

Andrew Churchill
Executive Chairman

