



## RELEVANT REPRESENTATION OF EBBSFLEET DEVELOPMENT CORPORATION (EDC) IN RESPONSE TO LONDON RESORT DCO APPLICATION – 31 MARCH 2021

### Executive Summary

EDC in principle supports the proposal for the London Resort at Swanscombe Peninsula. We believe that this proposal could have significant economic benefits across the area, including the Garden City. However, on the basis of the information as presented in the DCO application, as a landowner, EDC has significant concerns about the commercial and technical inter-relationship between the DCO proposals and the Ebbsfleet Central development and as such, EDC as the owner of land affected, is **objecting** to the proposals as submitted by LRCH for the London Resort DCO.

The fundamental reasons for this objection and key concerns from EDC are noted below.

- Whilst LRCH refers to its ability to access the EIGP Option within the Statement of Reasons, the draft DCO includes powers (across land within the EIGP Option Agreement area) to permanently acquire more land than provided for by the EIGP Option Agreement **without any explanation or reason**. Furthermore, the draft DCO includes powers to compulsorily acquire land and rights over land and powers of temporary possession over land outside of the land identified in the EIGP Option **without any explanation or reason**.
- We still have fundamental concerns with the Article 5 (Parameters of authorised development) powers being sought across EDC landholdings. The limits of deviation being sought are excessive and represent an unacceptable degree of uncertainty which will thwart EDC's ability to regenerate Ebbsfleet Central.
- It is clear that LRCH is fully cognisant of the proposed development at Ebbsfleet Central and the Environmental Statement notes the extant planning permissions and current allocations for Ebbsfleet Garden City. However, there is no evidence that the extant Ebbsfleet Central consent or allocation within the Local Plan and EDC's Implementation Framework has been taken into account in terms of a cumulative development or as a receptor in its own right. No evidence or justification is provided by LRCH for these omissions and on this basis, EDC query the adequacy of the Environmental Impact Assessment which has been undertaken. Without this assessment work being complete, the relevant and proportionate level of mitigation to protect Ebbsfleet Central from environmental effects of the Resort Access Road cannot be identified and secured in the DCO.
- If the flexibility requested within the 'Article 5: Parameters of authorised development' contained in the draft DCO were to be approved it would provide no certainty as to the configuration of the Resort Access Road both in terms of both line and level. No evidence has been found to identify that the reasonable worst case configuration of the Resort Access Road has been described or assessed in the ES and individual ES chapters.



- With reference to statements made by LRCH in the Planning Statement (Paragraph 8.295), we consider that it is for LRCH to take account of the extant planning permission for Ebbsfleet Central in the design of their scheme, including proposed mitigation measures.
- The traffic modelling and car trip figures have only accounted for an AM peak commuter period of 08.00-09.00 and a PM commuter period of 17.00-18.00. As a result, the analysis and assessment undertaken does not consider the volume and vehicle trips made to and from the London Resort by staff and visitors during the London Resort peak arrival and departure periods. This information was included in the original consultation documentation. The full impact of the development scheme upon Ebbsfleet Central cannot therefore be determined, given that LRCH has previously identified peak London Resort road traffic is expected to occur outside of the network peak periods.
- There is a lack of clarity on the detail of the access into SQS and therefore the appropriateness, workability and deliverability of the new junction proposed in this location to provide access into EDC landholdings.

This representation summarises EDC's initial views on the DCO application. EDC reserves the right to produce further evidence on these points once the Examination commences and in accordance with the Examination timetable.

EDC has previously stated its willingness to enter into a negotiated agreement with LRCH that provides for the appropriate required rights to enable their scheme to proceed and remains ready and willing to enter into such an agreement.



## 1. Introduction

- 1.1. London Resort Company Holdings Limited (LRCH) submitted an application for a Development Consent Order (DCO) for the London Resort to PINS on 4 January 2021. The DCO application was accepted for examination on 28 January 2021.
- 1.2. Ebbsfleet Development Corporation (EDC) is the body, established by Government through statute, charged with the regeneration of the Ebbsfleet Garden City under the Local Government, Planning and Land Act 1980. In pursuance of that objective, EDC has acquired the freehold of c.110ha of land surrounding Ebbsfleet International Station, referred to as Ebbsfleet Central, which forms part of the land to which the DCO application relates.
- 1.3. This relevant representation is being provided by EDC in its role as a major land owner within the Order limits and in connection with our statutory role to regenerate the area. EDC is an 'affected person' within the meaning of section 59(4) of the Planning Act 2008 and as such is a Statutory Party for the purposes of section 88(3A) of the Planning Act 2008. A separate relevant representation is submitted in our role as Local Planning Authority.
- 1.4. EDC in principle supports the proposal for the London Resort at Swanscombe Peninsula. We believe that this proposal could have significant economic benefits across the area, including the Garden City.
- 1.5. However, as a landowner, we have serious concerns about the commercial and technical inter-relationship between the DCO proposals and Ebbsfleet Central and as such, EDC is **objecting** to the proposals as submitted by LRCH for the London Resort DCO.

## 2. Background and Context

- 2.1. Ebbsfleet Central has an existing outline planning permission for a substantial mixed use development (up to 3,200 homes, retail and employment floor space and supporting community and educational facilities - ref GR/1996/0035 and DA/96/00047/OUT), envisioned to be the heart of the garden city. Ebbsfleet Central is identified in Ebbsfleet Development Corporation's Implementation Framework which has been endorsed by EDC as the Local Planning Authority and both Gravesham and Dartford Borough Councils in their respective roles as Plan making authorities. Furthermore, Ebbsfleet Central is allocated for development in both the Gravesham and Dartford Borough Council Local Plans under the following policies.
  - Policy CS5 Ebbsfleet Valley Strategic Site in Dartford Core Strategy (2011)
  - Policy CS06 Ebbsfleet (Gravesham) Opportunity Area in the Gravesham Local Plan Core Strategy (2014)



- 2.2. As noted in the introduction above, in October 2019, EDC acquired the freehold interest of Ebbsfleet Central, c110ha of land surrounding Ebbsfleet International Station in order to facilitate the long held vision for Ebbsfleet Central to become the heart of the Garden City.
- 2.3. As part of this acquisition, EDC entered into an Option Agreement with Ebbsfleet Investment GP Limited (EIGP) relating to the London Resort Access Road (the EIGP Option). This agreement with EIGP secures the land and rights that LRCH requires for the Resort Access Road.
- 2.4. EDC's key reasons for lodging an objection to the London Resort DCO are listed below and covered in more detail in the following sections.
- Land and Commercial Matters
    - A. General
    - B. Land within EIGP Option Area
    - C. Land outside EIGP Option Area
    - D. Compulsory Acquisition Powers and Temporary Possession Powers
    - E. Other draft DCO Provisions
    - F. Crown Land
    - G. Funding Statement
    - H. Commercial Agreement
  - Technical Matters
    - I. Environmental Impact – General
    - J. Landscape and Visual Impact
    - K. Air Quality
    - L. Noise
    - M. Transport (including highway design and civil engineering)
- 2.5. The vast majority of the issues detailed below across both land and commercial and technical matters were raised in EDC's September 2020 consultation response (submitted in its role as a landowner) but have not been acted on by LRCH to date. It is not clear from the Consultation Report submitted as part of the DCO application how LRCH has had regard to EDC's consultation response.

### **3. Land and Commercial Matters**

- 3.1. The draft DCO includes powers to compulsory acquire land and rights over land and powers for the temporary possession of land which is within EDC's ownership and further details are provided in the sections below.



#### **A. General**

- 3.2. There is a general lack of information regarding the nature and extent of new rights and restrictions to be compulsorily acquired and how the land will be used. EDC challenges whether LRCH has in fact provided a clear intention of how the land will be used or whether LRCH has carried out an adequate land requirements assessment.
- 3.3. If granted, these wide ranging compulsory acquisition (land and rights) and temporary possession powers would prevent EDC from developing Ebbsfleet Central in line with its statutory purpose and EDC object on this basis.

#### **B. Land within EIGP Option Area**

- 3.4. With regards to those parts of the Order land that are within the EIGP Option Agreement, LRCH is seeking to compulsorily acquire more land than has been agreed in the EIGP Option Agreement without any explanation or reason. For example, LRCH is seeking to acquire land whereas the EIGP Option Agreement only entitles LRCH to rights over land. LRCH has not provided any details as to the nature of the new rights to be created and restrictions imposed. Such wide rights and restrictions go beyond the specific rights and restrictions to be granted pursuant to the EIGP Option Agreement. Again, LRCH has provided no explanation or reason. LRCH has made no efforts to acquire these additional rights and restrictions by agreement with EDC or to alter / amend the EIGP Option even though EDC made a clear representation at consultation that it wished to discuss LRCH's requirements and resolve these via commercial negotiation.
- 3.5. LRCH confirms in the Statement of Reasons (Section 7.7) that it has entered into a nomination agreement with Ebbsfleet Investment GP Ltd (EIGP) to become the nominated purchaser of the EIGP Option. On the basis that LRCH has the ability to access the EIGP Option (as noted in Section 7.7), that the reasons noted at Section 7.2 of the Statement of Reasons do not apply and LRCH has not explained clearly why compulsory acquisition powers need to be granted in respect of EDC's interests in those parts of the Order land within the EIGP Option; EDC request that EDC's interests are excluded from the compulsory acquisition and temporary use powers (in the same way as LRCH has exempted those interests owned by the Crown in this land and LRCH's own interests in other parts of the Order land).

#### **C. Land outside the EIGP Option Area**

- 3.6. The DCO is also seeking powers to compulsorily acquire land and rights over land and powers for temporary possession of land over land that is owned by EDC but is outside the land identified in the EIGP Option. The powers over EDC's land outside the EIGP Option which are included within the Draft DCO (in connection with Work Nos. 11, 17b, 23, 24b, 24c, 25, 26, 28a and 28b) comprise the following:



- Permanent acquisition of land, the acquisition of permanent rights and imposition of restrictions and the temporary possession of significant land on the east side of Ebbsfleet International Station to provide a multi-storey car park;
  - Permanent acquisition of land and rights and imposition of restrictions to provide for the relocation of car parking spaces from Ebbsfleet International Station Car Park D; and,
  - Permanent acquisition of land and rights, imposition of restrictions and temporary possession of land for providing the road between the resort and the A2.
- 3.7. It should be noted that the additional land take within the DCO compared to the EIGP Option will have a fundamental impact on EDC's ability to bring forward the planned development at Ebbsfleet Central and this does not appear to have been adequately considered by LRCH in assessing the net benefits of the project.
- 3.8. LRCH has not set out in its documentation why it is seeking compulsory acquisition powers on land outside the EIGP Option and why it requires this additional land and rights to deliver the Resort Access Road or its wider scheme. Furthermore LRCH has not attempted to acquire the additional land and rights by agreement prior to its inclusion within the DCO even though EDC made a clear representation at consultation that it wished to discuss LRCH's requirements and resolve these via commercial negotiation.
- 3.9. Whilst not identified in the land plans, work plans or within the DCO Order Limits, EDC note that that International Way is proposed as a route to access a temporary haul road in the Transport Assessment and Construction Traffic Management Plan. International Way is a private road and is not an adopted highway and is owned by EDC and leased to the Department for Transport (and sub-leased to HS1). LRCH has provided no evidence as to why this routing is required or how it will be secured.

#### **D. Compulsory Acquisition Powers and Temporary Possession Powers**

- 3.10. On the basis of the detail in the sections above and the misalignment between the powers being sought in the DCO and the commercial agreements in place; EDC has some fundamental concerns and objects to the powers being sought by the following articles being applied to land within EDC's ownership.
- Article 21: Compulsory Acquisition of Land
  - Article 22: Power to override easements and other rights
  - Article 24: Compulsory acquisition of rights and imposition of restrictive covenants
  - Article 25: Private rights over land
  - Article 29: Acquisition of sub-soil or air-space only
  - Article 30: Rights under or over streets
  - Article 31: Temporary use of land for carrying out the authorised development



- Article 32: Temporary use of land for maintaining the authorised development

3.11. Additionally, EDC would have expected Article 24 to refer to Schedule 7 to limit the purpose to which new rights can be acquired and restrictions imposed on the land coloured green and hatched blue and we believe this is an omission.

3.12. With specific note to Article 31, there is no justification as to why LRCH requires the ability to build part of the authorised development and not remove it, even if it does not subsequently acquire the land or rights over the land (either by agreement or using the compulsory acquisition powers in the DCO).

#### **E. Other draft DCO Provisions**

3.13. As noted in EDC's original consultation response, we still have fundamental concerns and object to the Article 5 (Parameters of authorised development) powers being sought across EDC landholdings. The limits of deviation being sought are excessive and go significantly beyond the margins provided for by the negotiated EIGP option with no explanation as to why this is the case or necessary. Furthermore, we request that limits of deviation to the upwards / downwards vertical levels of the highways works are specifically restricted by the existing incomplete bridge deck in order to protect the ability for this asset to be extended over the Resort Access Road as it forms fundamental part of the development proposals around Ebbsfleet Central.

3.14. EDC has other concerns regarding the wide nature of the powers in the draft DCO and reserves the right to make more detailed comments on the drafting of the DCO should these concerns not be rectified when LRCH submits its next version of the draft DCO into the Examination.

#### **F. Crown Land**

3.15. The DCO application acknowledges that Crown has significant interests in the land over which compulsory acquisition powers are being sought. However, there is no explanation within the application as to the steps LRCH has taken and/or proposes to take in order to reach agreement with the relevant Crown authority. Similarly no information has been provided as to whether LRCH has obtained, or will be able to obtain, consent from the relevant Crown authority pursuant to s135 of the Planning Act 2008. As such LRCH has not provided the required assurances that this would not be an impediment to the delivery of the London Resort.

#### **G. Funding Statement**

3.16. The Funding Statement should explain how the London Resort will be financed and how any compensation liability for exercising the compulsory acquisition powers will be met. We believe that there is a significant shortfall in information in the funding statement and there is very little



evidence to suggest that the finances to fund the scheme are in place. In particular, we would have expected to see a more detailed valuation for the compensation liability for exercising compulsory acquisition and temporary use powers and we would request that more evidence is provided to support the valuation which just states that the total cost for exercising these powers is estimated to be £200m. This is particularly relevant to EDC as the DCO is seeking powers to compulsorily acquire EDC's land, and rights over EDC's land, that goes beyond the scope of the EIGP Option.

#### **H. Commercial Agreement**

- 3.17. EDC re-iterates our previously stated willingness to negotiate an appropriate agreement that provides for the land and rights required by LRCH to deliver their scheme, but also provides proper protection for EDC fulfil its statutory purpose of regenerating Ebbsfleet Central. To demonstrate our willingness to progress such an agreement, EDC initiated commercial discussions on 17th March 2021.

#### **4. Technical Considerations**

##### **I. Environmental Statement (ES) – General**

###### Ebbsfleet Central Development Proposal

- 4.1. It is clear from the ES that LRCH is fully cognisant of the proposed development of Ebbsfleet Central and LRCH suggests that they have designed the Resort Access Road so as not to preclude development (however evidence is not provided to support this). The Planning Statement sets out the planning history and refers to Ebbsfleet Central, the extant permission and relationship with the London Resort Access Road in paragraphs 8.276 - 8.296.
- 4.2. EDC challenge the assertions made within paragraphs 8.276 – 8.296 of the Planning Statement as follows:
- LRCH concludes in paragraph 8.296 that in the light of the assessment work undertaken by LRCH and EIGP in 2015-17 (full detail in paragraphs 8.291 – 8.296), there is no justification for the decking of the Resort Access Road through Ebbsfleet Central. However, this evidence has not yet been disclosed or shared with EDC and no evidence is provided as to why, given the passage of time, this assessment is still relevant. This is especially pertinent considering the challenge posed in later sections of this relevant representation regarding the lack of evidence that the extant planning consent at Ebbsfleet Central has been taken into account in the ES assessments and determination of appropriate mitigations.
  - Within Paragraph 8.295 LRCH state that '*Ebbsfleet Central is of a sufficient scale and masterplanning of relative infancy such that any noise sensitive receptors (such as residential) can be designed to avoid any possible conflict with the London Resort Access Road*'. In designing



its scheme, we would expect LRCH to mitigate the impacts of the Resort Access Road where there is an extant planning permission in place.

- Within Paragraph 8.295 LRCH states that '*A significant benefit of locating the London Resort Access Road as close as practically possible to HS1 is the existing background noise levels generated by the operation of HS1 and the greatest separation distance from existing residential land uses to the west. It is anticipated land uses within Ebbsfleet Central will be commercial in nature providing different susceptibility to noise impacts than residential*'. Firstly, the Ebbsfleet Central development will be directly adjacent to the Resort Access Road and therefore without a significant separation distance. Secondly, the extant planning permission on site includes significant residential development alongside commercial development.

#### Assessment of Ebbsfleet Central Development

- 4.3. The ES notes the extant planning permissions and current allocations for Ebbsfleet Garden City, however, there is no evidence that the extant Ebbsfleet Central planning permission or allocation has been taken into account as a cumulative development (as identified in Chapter 21 of the ES) or as a receptor in its own right. No evidence or justification is provided by LRCH for these omissions.
- 4.4. The London Resort DCO application is clearly aware of the Ebbsfleet Garden City proposals and the Ebbsfleet Central Development is identified and allocated for development along with its extant planning permissions. EDC believe that a temporal overlap of effects is reasonably assumed and therefore Ebbsfleet Central should have been considered in the assessment of cumulative effects, regarding combined effects from the London Resort and Ebbsfleet Central to other receptors. Given there is no evidence this has occurred, we therefore believe that the assessment of cumulative effects is not in accordance with Planning Inspectorate Advice Note 17 as due consideration of 'other developments' has not been provided and EDC query the adequacy of the Environmental Impact Assessment which has been undertaken.
- 4.5. Furthermore, we believe that Ebbsfleet Central has not been properly considered as a receptor within the assessment of effects and that additional assessment work should be provided by LRCH to ensure assessments are complete. Without this assessment work being complete, the relevant and proportionate level of mitigation to protect Ebbsfleet Central from environmental effects of the Resort Access Road cannot be identified and secured in the DCO.

#### Limits of Deviation

- 4.6. If LRCH is able to carry out works to the flexibility allowed within the 'Article 5: Parameters of authorised development' contained in the draft DCO then, given the wide ranging limits of deviation being sought by LRCH, this could result in a potentially very different configuration of the Resort Access Road both in terms of line and level. No evidence has been found to identify that the reasonable worst case configuration of the Resort Access Road has been described or



assessed in the ES and individual ES chapters. Confirmation is required from LRCH to demonstrate that assessments have considered the worst-case limits of deviation.

#### Inconsistency in Mitigation Measures and Commitment to Mitigation Measures

- 4.7. It is noted that mitigation measures (associated with the Resort Access Road) suggested within chapters of the ES do not appear to be consistent, for example screening vegetation in the Chapter 11 Landscape and Visual Effects, and earth bunds/barriers in the Chapter 15 Noise and Vibration. In some places the Resort Access Road is stated to be in a cutting, but it is unclear if this is being considered a mitigation in its own right.
- 4.8. It is therefore unclear what mitigation measures have been "designed in" to the Resort Access Road and should be relied upon for assessments and what mitigation measures will need to be secured through the DCO. Finally, there is no commitment to specific mitigation options within the ES and the detailed assessments of the impacts of implementing specific mitigation measures to justify the residual impacts (and the appropriateness of these) are generally absent.

#### **J. Landscape and Visual Impact**

- 4.9. No evidence has been found to demonstrate that the Ebbsfleet Central development has been considered as part of the LVIA assessment. No evidence or justification has been provided for this omission. EDC believe that Ebbsfleet Central should have featured in the LVIA with the assessment conducted against defined parameter of future development of the site. It is our view that if Ebbsfleet Central were assessed as a receptor then a significant adverse effect is likely to have been identified resulting from the impact of the Resort Access Road.
- 4.10. Such adverse impact would require some form of mitigation potentially in the form of a deck, landscape planting or visual barriers. However, without the assessment being complete, the relevant and proportionate level of mitigation cannot be identified.

#### **K. Air Quality**

- 4.11. No evidence has been found to demonstrate that the Ebbsfleet Central development has also been considered as part of the air quality assessment. No evidence or justification has been provided for this omission. EDC believe that future receptors should have been included within the Ebbsfleet Central site and traffic from the development should have been included within the future year traffic model. Given that the impacts within Ebbsfleet Central have not been included in the air quality assessment, it is not possible to conclude whether mitigation is required along the Resort Access Road.



4.12. Lastly, it is unclear where the justification for the comment in the Planning Statement (Paragraph 8.295) stating that the impacts of air quality along the Resort Access Road have been considered within initial assessments indicating that the effects are not expected to be significant. Given there are no receptors which would represent the Ebbsfleet Central Development site it is therefore unclear how this conclusion can be relied upon.

#### **L. Noise and Vibration**

4.13. No evidence has been found to demonstrate that Ebbsfleet Central development noise and vibration receptors have been considered when assessing noise and vibration impacts from vehicle movements on the Resort Access Road. No evidence or justification has been provided for this omission. EDC believe that Ebbsfleet Central development receptors need to be included in any noise assessment.

4.14. With the aim of reducing impacts to negligible, the ES identifies options such as earth bunds, low height roadside noise barriers, reduced vehicle speeds or the use of low noise road surfaces. However, there is no assessment of the likely reduction in impact provided by these measures despite the ES concluding that with operational mitigation measures implemented, residual effects are likely to be reduced to negligible or minor adverse. There is no commitment to any specific mitigation option or explanation as to how this will be secured in the DCO.

4.15. It is not clear whether additional train movements are likely due to the London Resort proposals and if there will be subsequent changes in noise levels, due to the operation of London Resort.

#### **M. Transport (including highway design and civil engineering)**

##### Traffic Forecasts

4.16. We note that a number of key items of information, that were included in documents provided by LRCH at statutory consultation, have been excluded from the DCO application. Most notably, the car trip figures and modelling have only accounted for an AM peak commuter period of 08.00-09.00 and a PM commuter period of 17.00-18.00. As a result, the analysis and assessment undertaken does not consider the volume and vehicle trips made to and from the London Resort by staff and visitors during the London Resort peak arrival and departure periods. This information was provided by LRCH for the statutory consultation. The full impact of the London Resort upon Ebbsfleet Central cannot therefore be determined given that LRCH has previously identified that peak London Resort road traffic is expected to occur outside of the network peak periods.

4.17. Based on the analysis and assessment results provided within the DCO application, the traffic flows do not support the two lane dual carriageway access road solution proposed for the London Resort.



#### Mode Share

- 4.18. The mode share used for the traffic modelling and highway impact assessments is based on a worst case car demand scenario. We believe that there are flaws in this approach as whilst it may provide a worst case junction capacity appraisal, it will not present an accurate account of forecast development traffic given LRCH have undertaken a full mode share appraisal. This will skew the findings relating to the capacity appraisal of the A2 junction and the design and capacity requirements of the Resort Access Road.

#### Proposed Parking Provision

- 4.19. Given the HS1 station car parking at Ebbsfleet Central, which EDC are keen to protect from car parking demand from London Resort visitors, we have a legitimate interest in how LRCH will manage demand for car parking. So in that context, we are keen to receive more clarity from LRCH on their car parking and ticketing strategy. How will car parking and travel choices be controlled so as to back up their assumptions and forecasts, as it appears that parking management is still at the options stage? There is currently no requirement in Schedule 2 of the draft DCO relating to parking. Also, what is their definitive position with regard to managing offsite parking? LRCH's wider parking strategy partly relies on the use of the car park at Tilbury being available all year round (no evidence has been found to confirm that this is the case) and that it will prove attractive to visitors both in terms of convenience and through all seasons of the year.

#### Access to Station Quarter South (SQS)

- 4.20. The traffic modelling undertaken for the A2 Ebbsfleet junction and the access to Station Quarter South (SQS) is inconsistent with the proposed design arrangements presented in the scheme drawings included in the Transport Assessment. It is therefore unclear as to the design arrangements that are intended for the junction. The scheme drawings show very little detail in relation to stop lines, signal heads or lane arrangements. It is only from sections of the Transport Assessment that we were able to establish that the access to SQS would be signal controlled. As a consequence, it is not possible to confirm that the design and appraisal of the new junction is appropriate and more specifically what impact it has on EDC's own plans for development.
- 4.21. EDC require clarification on the design arrangements proposed for the A2 junction, including access to SQS, and that evidence is supplied to show the accompanying operational appraisal is consistent with the design proposed. This includes stop lines, signal heads and lane arrangements to be shown on the access drawings as a minimum, as well as details in relation to the proposed phasing and staging arrangements proposed, including those for the access into SQS.



- 4.22. The DCO application states that an allowance for the Ebbsfleet Central scheme has been made in the appraisal for the A2 and SQS junctions. However, there is no data provided in the assessment or associated appraisal documents to explain the total trip forecasts for the scheme nor is there evidence to show this is included within the junction capacity assessments completed. This information is required.

#### Existing Incomplete Bridge Deck

- 4.23. The information provided within the DCO application only includes details on the proposed bridge over the Resort Access Road, to tie in with the existing incomplete bridge deck, and does not provide any details on how the existing bridge deck would be extended to connect with that proposed bridge. Only the approximate distance between the two structures is shown on the drawings, which is approximately 20m. Further details in relation to how it is proposed to extend the existing bridge deck are therefore required.

#### Car Park D

- 4.24. The DCO application incorporates an alternative access arrangement to Car Park D as part of constructing the proposed Resort Access Road. The principle of the proposed access appears suitable. However, there appears to be a conflict between the general arrangement and proposed contours and levels drawings provided for this access road. Clarification is sought as to the intention for the car park access road.
- 4.25. The placing of a roundabout east of the proposed access to Car Park D is confusing. LRCH identify this as being required to allow drivers, who have no intention of accessing the car park but who have inadvertently proceeded south along International Way, are able to return without need to enter the car park to turn around. Typically it would be expected for the roundabout to be placed west of the car park access to address this point and, as such, clarification in relation to this aspect of the proposals is sought.
- 4.26. The Resort Access Road will run along the area where the unbuilt HS1 car parking will be placed. The proposals also have an impact on both existing and un-built parking spaces within Car park D. However, the DCO application does not provide details of the number of existing and un-built parking spaces that will be lost and the commercial arrangements to secure this. Under the lease between EDC (as freeholder) and DfT (as lessee), EDC are required to re-provide any built car parking spaces and unbuilt car parking capacity for the HS1 station where this capacity is lost as a result of development. LRCH are aware of this requirement and EDC requires suitable assurances from LRCH to ensure that these lease obligations are not breached.



### Construction Traffic Management

- 4.27. The transport documentation associated with the DCO application provides little consideration of the impact of construction traffic on roads across the Ebbsfleet Central development area including the roads that provide access to / from Ebbsfleet International. LRCH identify that International Way will provide a route to provide access to the development area for construction traffic, however no appraisal is included as to how this will impact upon the operation of local road junctions. Furthermore there appears to be no consideration of the environmental impact upon either residents associated with the consented Ebbsfleet Central scheme or other receptors including road users, pedestrians, cyclists and car drivers who use International Way to access Ebbsfleet International. These omissions need to be addressed so as to ensure all relevant receptors have been assessed.

## **5. Conclusion**

- 5.1. On the basis of the information as presented in the DCO application, EDC has serious concerns about the commercial and technical inter-relationship between the DCO proposals and Ebbsfleet Central and as such, EDC as the owner of land affected, is **objecting** to the proposals as submitted by LRCH for the London Resort DCO.
- 5.2. This representation summarises EDC's initial views on the DCO application. EDC reserves the right to produce further evidence on these points once the Examination commences and in accordance with the Examination timetable.
- 5.3. EDC has previously stated its willingness to enter into a negotiated agreement with LRCH that provides for the appropriate land and rights required to enable their scheme to proceed and remains ready and willing to enter into such an agreement.