

Our ref: SHARE/99455203

Rynd Smith
Lead Member of the Examining Authority
The Planning Inspectorate

Peter Fisher
Head of Third Party Infrastructure
Strategic Projects Division
National Highways
The Cube
199 Wharfside Street
Birmingham
B1 1RN

Via E-Mail to:

LondonResort@planninginspectorate.gov.uk

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Dear Rynd,

THE LONDON RESORT – COMMENTS ON RESPONSES TO EXAMINING AUTHORITY’S PRE-EXAMINATION QUESTIONS – DECEMBER 2021

This letter provides a response from National Highways (formerly Highways England) to the Examining Authority’s (ExA) request for comments on the published responses to the ExA’s letter dated 21 December 2021, in relation The London Resort (the Applicant) Development Consent Order (DCO) and should be read in conjunction with our initial response of 10 January 2022.

National Highways has reviewed the other published responses submitted to the ExA and confirms that the information and outstanding issues and concerns highlighted within our initial response remain relevant. However, we would like to raise the following additional points, as a result of the comments submitted by a number of interested parties.

The response from the Port of Tilbury (PoTLL)¹ raises significant questions over the viability of the Applicant’s car parking proposals at Tilbury. National Highways has already highlighted the need for the Applicant to fully demonstrate the impacts on the Strategic Road Network (SRN) to the north of the River Thames. The application proposes 10,000 car parking spaces in two locations: 7,500 spaces at the Kent Car Park and 2,500 spaces at the Tilbury Car Park. If the Tilbury Car Park is no longer viable, this would mean a significant proportion of car trips need to be redistributed and reassessed within the Transport Assessment. This, and any associated change to the SRN mitigation requirements, would need to be agreed with National Highways.

PoTLL has also queried whether the Applicant’s construction proposals can co-exist alongside the expansion plans for the Port of Tilbury linked to the Thames Freeport

¹ Port of Tilbury response <https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/projects/BC080001/BC080001-001059-PoTLL%20Response%20to%20ExA%20Procedural%20Decision%20of%202021%20December%202021.pdf>

initiative. The response to this query is important as it may also require a reassessment of the proposals' construction impacts on the SRN.

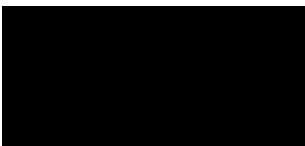
Comments from consultees including High Speed 1 (HS1)², Network Rail³ and Transport for London (TfL)⁴ also raise concerns over the robustness and deliverability of the rail strategy in the Applicant's proposals. National Highways has already raised concerns in relation to the adequacy of transport and access strategy and these comments continue to raise uncertainty. Any changes to the modal split represented in the Transport Assessment, will ultimately have an impact on the SRN.

Any changes associated with the issues raised above would require the Applicant to reassess the impacts on the SRN and demonstrate that the proposed mitigation is appropriate or whether further mitigation is required. This is likely to require an updated Transport Assessment to be submitted. In these circumstances, National Highways considers there would be insufficient time to be able to agree the impact of the proposals on the SRN prior to an Examination in Summer 2022.

As noted in a number of responses, the level of resource required to resolve some of the outstanding issues is significant and places a burden on publicly funded organisations such as National Highways. We note that to mitigate against this with other consultees, the Applicant has committed to reimbursing these costs. As further work to resolve existing and emerging issues is more aligned to pre-application work that would be expected to fall outside our statutory consultee role, National Highways may also need to explore the option of cost recovery.

National Highways acknowledges the Applicant's response dated 10th January 2022 and reiterate that we wish to work in a collaborative way to resolve the outstanding issues set out in our initial response. However, this will require the Applicant reengaging with National Highways and refocusing their efforts with sufficient resource to progress and resolve the outstanding issues.

Yours sincerely



Peter Fisher

Head of Third Party Infrastructure

² HS1 response <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/BC080001/BC080001-001076-HS1%20Response%20Redacted.pdf>

³ Network Rail response <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/BC080001/BC080001-001056-AS%20-%20Network%20Rail%20Infrastructure%20Limited.pdf>

⁴ TfL response <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/BC080001/BC080001-001094-TfL%20Response%20Redacted.pdf>