

Rynd Smith LLB MA MRTPI FRSA  
Lead Member of the Examining Authority for the London Resort Application  
The Planning Inspectorate, National Infrastructure Planning  
Temple Quay House, 2 The Square  
Bristol, BS1 6PN

24<sup>th</sup> January 2022

Dear Sir,

**RE: Application by London Resort Company Holdings (“the Applicant”) for an Order Granting Development Consent (“a DCO”) for the London Resort**

**Amendment to Constitution of the Examining Authority and Consultation on Examination Procedure and Timing (PINS Ref: BC080001)**

Having reviewed the submissions, including from the Applicant, to the Examining Authority received by 10<sup>th</sup> January 2022, in response to the consultation initiated in your letter dated 21<sup>st</sup> December 2021, Buglife, Kent Wildlife Trust, CPRE Kent and the RSPB would like to make further comments.

We are surprised to see the extent of unresolved and outstanding consultation concerns for a range of non-ecological issues, notably around transport and related infrastructure. We therefore wanted to respond further to note these concerns in addition to the environmental & ecological issues and concerns we raised in our letter to you dated 10<sup>th</sup> January 2022<sup>1</sup>.

London Resort Company Holdings (LRCH) has been adamant (and repeats the same in its letter replying to your request, dated 10<sup>th</sup> Jan) that the reason for their repeated delays has been the uncertainty relating to the Site of Special Scientific Interest (SSSI) notification, despite their awareness of the impending notification prior to submitting their Development Consent Order (DCO) application<sup>2</sup>.

However, as the Applicant has been clear it does not intend to significantly alter its plans in response to the SSSI notification, it appears that the deficiencies in its initial application are the primary cause of their ongoing delays. The Applicant has gone as far in their update to the Examining Authority dated 24<sup>th</sup> November 2021<sup>3</sup> as to state that, *“For the avoidance of doubt, there has not been, nor will this precipitate any material changes to our application, nor will the project be ‘materially different’. Changes to design in response to the SSSI designation are limited to subtle changes in the green infrastructure strategy to preserve a greater area of notified habitat outside of the resort.”*

The Applicant states in its most recent letter, that, *“proceeding directly to Examine the application as currently before it, commencing in March 2022 could in fact lead to an Examination that lacks legitimacy and risks undermining the NSIP process”*. However this is not in our view the cause.

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<sup>1</sup> <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/BC080001/BC080001-001058-London%20Resort%20response%20to%20PINS%20-%2010th%20Jan%202022.pdf>

<sup>2</sup> <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/BC080001/BC080001-001058-London%20Resort%20response%20to%20PINS%20-%2010th%20Jan%202022.pdf>

<sup>3</sup> <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/BC080001/BC080001-001039-London%20Resort%20Letter%20to%20PINS%2024.11.2021.pdf>



Considering the series of long delays associated with the Application and the absence of promised consultation by the Applicant with key stakeholders including statutory consultees such as Natural England<sup>4</sup> throughout 2021, the Applicant's claim is somewhat questionable that a revised May-June examination "*would reinforce to all parties that the Examination will take place and ensure an absence of tardiness in either sharing of, or responses to, documents*". The various responses from Interested Parties clearly lay out a pattern of failure to consult, during the protracted pre-examination period to date.

As outlined in our previous letter of 10<sup>th</sup> January, it is clear that regardless of the timeline for the Examination, a detailed and comprehensive roadmap will be required, to ensure that all parties work cooperatively to ensure it is achieved. Given prior experience with the Applicant's lapsed commitments to the Schedule of Consultation we would appreciate clarity on what actions the ExA might be able to take should the Applicant fail to follow this new timeline.

Thank you for providing us with the opportunity to respond once again to the ongoing delays of the examination. We would be happy to provide more expansive answers to the above if the ExA would find it useful.

Yours sincerely

Buglife

CPRE Kent

Kent Wildlife Trust

The RSPB

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<sup>4</sup> <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/BC080001/BC080001-001081-Natural%20England%20Response%20Redacted.pdf>