

# M20 Junction 10a

TR010006

## Applicant's written summary of oral submissions at Development Consent Order Hearing



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# **Applicant's written summary of oral submissions at Development Consent Order Hearing**

**Planning Act 2008  
Infrastructure Planning (Applications: Prescribed Forms  
and Procedure)  
Regulations 2009**

**Volume 15.3**



# Issue and revision record

Revision	Date	Originator	Checker	Approver	Description
A	May 2017	Mott MacDonald Sweco	Mott MacDonald Sweco	Highways England	DCO submission (deadline 8)
		Burges Salmon	Burges Salmon		

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# 1. Applicant's written summary of oral submissions at Development Consent Order Hearing

K. Draft Development Consent Order		
	PINS Question	Summary of oral submissions
K.01	<p><b>Applicant's Responses to Kent County Council (KCC) and Ashford Borough Council (ABC)</b></p> <p>Re. the Applicant's document <i>Applicant Responses to Kent County Council and Ashford Borough Council DCO Comments</i> [REP7-013]:</p> <p>i. Are ABC and KCC satisfied with the Applicant's amendments to the dDCO Revision E at Deadline 7 [REP7-004/ 006] and summarised in the schedule of amendments to the dDCO [REP7-007]?</p>	No response required
K.02	<p><b>Article 39: Trees subject to Tree Preservation Orders</b></p> <p>i. Is ABC content with this Article and the accompanying Schedule 8 as now drafted at Deadline 7 [REP7-004/ 006]?</p>	No response required
K.03	<p><b>Requirement 5: Landscaping</b></p> <p>In a submission at Deadline 6 [REP6-001], ABC refers to Requirement 5, and states: "<i>Add a requirement for the environmental masterplan (see requirement 7 of the M4 DCO)</i>".</p>	As set out in the Applicant's response to this point at Deadline 7: The environmental masterplan is to be certified by the Secretary of State under Article 44(1)(e) of the DCO. It is not an item which requires consultation with the Council, although the Applicant has met with the

<b>K. Draft Development Consent Order</b>		
	<b>PINS Question</b>	<b>Summary of oral submissions</b>
	<p>i. What is the Applicant's position on this request?</p>	<p>Council to discuss the environmental masterplan and consequential amendments have been made to the environmental masterplan as a result. It is understood that ABC is now content with the environmental masterplan. It is not intended to add a Requirement in relation to the environmental masterplan. Under Requirement 5 of Schedule 2 to the DCO, the landscaping scheme, to be based on the environmental masterplan, must be approved by the Secretary of State in consultation with both the relevant planning authority and local highway authority. This provides adequate opportunity for the Council to be consulted on the proposed landscaping.</p>
K.04	<p><b>Reptile mitigation (outside Order Limits)</b></p> <p>In the Applicant's response at Deadline 6 [REP6-022] to the ExA's Second Written Questions [PD-012], the Applicant states that it has:</p> <p><i>"concluded that a Grampian requirement would not adequately secure the on-going management of land outside of the Order limits. A unilateral undertaking under section 106 of the Town and Country Planning Act 1990 has therefore been prepared and was sent to Ashford Borough Council (who would be the relevant enforcing authority for the purpose of the unilateral undertaking) for review on 29 March 2017 ... Comments from ABC on the draft undertaking are awaited. The Applicant will submit the unilateral undertaking to the Examination once its terms have been finalised"</i>.</p>	<p>A unilateral undertaking under section 106 of the TCPA 1990 has now been agreed and given to ABC and KCC by the Applicant. A copy of the completed unilateral undertaking dated 25 May 2017 is being provided to the Examination at Deadline 8.</p>



K. Draft Development Consent Order		
	PINS Question	Summary of oral submissions
	<p>i. Would the Applicant and ABC update the Examination on the status of the unilateral undertaking?</p>	
K.05	<p><b>Finalising the dDCO</b></p> <p>i. Do ABC or KCC or any Statutory Parties have any further proposed changes to Revision E of the dDCO at Deadline 7 [REP7-004/ 006]?</p>	No response required.
K.06	<p><b>Final updates to the dDCO</b></p> <p>Would the Applicant please provide, at Deadline 8, updated versions of the dDCO in three forms – clean; with incremental tracked changes from Revision E [REP7-004/ 006]; and with full tracked changes from Revision A [APP-018]?</p>	The requested documents are being provided at Deadline 8 and further updated at Deadline 9 if necessary. An explanation of any amendments will also be provided, in line with any amendments discussed at the hearing.

L. Funding		
	PINS Question	Summary of oral submissions
L.01	<p><b>Funding Position</b></p> <p>i. Would the Applicant provide an update on the funding position, highlighting any uncertainties and issues?</p>	<p>The contents of the funding statement remain valid, although things have progressed in terms of delivery and are now at a more advanced stage. There is no reason to think that any of the funding set out in the funding statement will not be available. The Applicant is submitting an updated version of the funding statement at Deadline 8 to confirm the up to date position.</p>