



## Meeting note

### File reference

<b>Status</b>	<b>FINAL</b>
<b>Author</b>	Robert Ranger
<b>Date</b>	23 August 2017
<b>Meeting with</b>	<b>London Resort and Highways England</b>
<b>Venue</b>	Temple Quay House, Bristol
<b>Attendees</b>	<b>Highways England</b> Hugh Coakley, HE John Rowland, HE Nicholas Coombes, HE Kevin Bown, HE <b>London Resort</b> Kevin Doyle, LRCH Shabana Anwar, BDB David Dixon, WSP Chris Potts, Savills Rhys Govier, Savills <b>The Planning Inspectorate</b> Helen Lancaster - Senior EIA and Land Rights Advisor Gareth Leigh - Infrastructure Planning Lead Katherine King - EIA and Land Rights Manager Richard Price - Case Manager Robert Ranger - Case Manager
<b>Meeting objectives</b>	To understand how the proposed projects interact and align
<b>Circulation</b>	All attendees

### Summary of key points discussed and advice given:

The Planning Inspectorate (the Inspectorate) advised on its openness policy, explaining that any advice given would be recorded and placed on the Inspectorate website under section 51 of the Planning Act 2008 (as amended) (the PA2008). Any advice given under section 51 would not constitute legal advice upon which applicants (or others) could rely.

Highways England (HE), London Resort (LR) and the Inspectorate case team introduced themselves and their respective roles.

LR provided an update on their Proposed Development. They have adjusted their programme to accommodate both the need for further traffic modelling and their

desire to provide more information to the public about the nature of the attractions that the resort is proposed to host. They propose to carry out further consultation in the first quarter of 2018, and they hope to submit a Development Consent Order (DCO) application in the second quarter of 2018.

The Inspectorate will update the project website to reflect the revised estimated submission date. The Inspectorate advised LR to engage with statutory consultees, since LR are proposing consultation soon after the Christmas period. LR confirmed that they were engaging with statutory consultees on a regular basis and that the adjustment to the programme had generally been well-received.

HE provided an update on the A2 Bean to Ebbsfleet Proposed Development. HE also propose to consult in January 2018, in advance of a DCO submission in August 2018. HE anticipate a preferred route announcement soon after the meeting (August 2017). HE are also active in stakeholder engagement and expect to submit a scoping request to the Inspectorate shortly.

Subject to development consent being granted, HE is committed to begin construction work on the Proposed Development in March 2020 and that it should be open for traffic 2022/3.

The Inspectorate will update the national infrastructure website with a dedicated project page for the Proposed Development once the preferred route announcement has been made. The Inspectorate will contact HE with a request for the information needed to create the project page.

LR noted that both projects have similar programmes. LR anticipate the 'grand opening' of the resort in 2023.

The Inspectorate asked for an overview of differences in the proposed designs for the A2 junctions at Bean and Ebbsfleet.

Delegates explained that the proposed design for the LR Proposed Development at Ebbsfleet was similar to that proposed by HE, but at a slightly different location and scale, and included an additional link road to create a gyratory junction, and a bisecting road to a new roundabout to allow a direct route to the resort. HE confirmed that the LR proposal for Ebbsfleet would need to include for all the additional required capacity at that junction, including the additional capacity directly required by LR. HE proposals for the Ebbsfleet junction were smaller in scale, accommodating greater capacity but not accounting for traffic numbers associated with the resort.

The proposals for the Bean junction are still being developed, but LR propose to mitigate the additional impact of their scheme. HE referred to DfT Circular 02/2013 and considered that LR must mitigate so as not to prejudice development in the approved local plan. Both HE and LR agreed that modelling will help to evaluate what effect LR is likely to have on the Bean junction

Whilst it was noted in the meeting that this would mean two applications for the same junctions (albeit at different scales) to be submitted to the Inspectorate for Development Consent, HE confirmed that they must proceed with their Proposed Development against the risk that LR do not proceed with theirs. HE would still have a responsibility to upgrade the junctions. HE consider that there are four possible scenarios; that both junctions are delivered by LR, that both junctions are delivered

by HE, that LR proposals for the Bean junction only mitigate for the impacts of the LR Proposed Development and do not include wider improvements which HE consider necessary and so that junction is delivered by HE whilst the Ebbsfleet junction is delivered by LR, or that LR is delayed and the junctions are delivered by HE and then modified by LR in the future.

HE do not anticipate the third scenario as they believe LR are required by DfT Circular 02/2013 to accommodate traffic impact without compromising local plan developments. HE expressed the view that LR is not consistent with the local plan, and that in practice this means that junctions must be provided with adequate capacity to serve the resort as well as surrounding needs identified in the local plan.

LR do not anticipate the final scenario and have not assessed it. If LR were to secure development consent, construction would begin on the highways works very quickly and as such ensure that any junction improvements are made once.

The Inspectorate noted that the DCO applications would be considered by different Examining Authorities, who would report to the Secretary of State for Communities and Local Government in the case of the London Resort application, and the Secretary of State for Transport in the case of the A2 Bean to Ebbsfleet application. Each DCO application will be considered on its merits. The Inspectorate strongly advised that LR and HE agree Statements of Common Ground or more formal instruments to make the anticipated interactions between the schemes clear to the Examining Authorities and clear for any discharging body upon implementation. HE were also advised to be very clear about their dual role as developer and as a statutory consultee.

Both HE and LR agreed to share outcomes of traffic modelling as they are created. This was appreciated by the Inspectorate as agreement of methodologies and data prior to submission of an application is of assistance in examination.

LR do not anticipate any compulsory acquisition of land to deliver highways improvements at the Ebbsfleet junction. HE will need to acquire as much land as is necessary to deliver their scheme, but only if they are unable to secure the land by agreement.

LR are undertaking land referencing at the moment across their red line area, which is generating local interest. HE has not yet begun land referencing, but plan to do so soon. The Inspectorate recognised that in order to demonstrate due diligence, it is likely that both LR and HE will have to undertake land referencing separately, albeit recognising the potential confusion and consultation fatigue for land owners.

HE and LR agreed that it was important to agree a public position so as make the situation as clear as possible for members of the public.

The Inspectorate suggested that LR and HE consider having a presence at each other's consultation events; and coordinate the use of venues etc. It will be important to make reference to the other scheme, although HE will have to do so having regard to the fact that their scheme does not accommodate LR and therefore the impacts of LR will not be assessed in their Environmental Statement (ES).

HE have found that to date, that confusion between the schemes has not emerged during their consultation activities, and they were generally able to explain the situation clearly to members of the public.

The Inspectorate advised that cumulative impact assessment for both schemes should make clear the two scenario approaches; both with and without the other scheme, clearly explaining the reasoning for the approach taken. The Examining Authority will have to consider what evidence exists, and how much weight will be attached to it. This may give rise to a degree of duplication in the evidence base of the applications.

A Rochdale envelope approach around the worst case scenario is likely to be the most appropriate and both LR and HE were advised that should this approach be implemented in the ES, a range of scenarios would be need to be considered and it would need to be clear that the worst case had been assessed.

In relation to the scenario where one junction be provided by each developer, the Inspectorate advised that if the junctions have been assessed together then a scenario where they are delivered separately may give rise to unassessed impacts if one has been designed to mitigate impacts of the other. Therefore, if this scenario is a possibility, it would need to be assessed and potentially enabled through the DCO.

The Inspectorate also advised that any utilities diversion works would need to be carefully considered and programmed, particularly any works affecting underground gas pipelines as depending of the works required, such a diversion can be a Nationally Significant Infrastructure Project on its own.

HE asked if the project pages on the national infrastructure website could be linked. The Inspectorate explained that this was not possible, but that the advice given would highlight the close geographical connection between the schemes.

In relation to further work programmes, the Inspectorate advised that it would assist the planning of resource if as much notice as possible could be provided in relation to the requesting of Scoping Opinions. Furthermore, the Inspectorate request 2 weeks' between the submission of a shapefile and submission of the scoping request. Planning Inspectorate Advice Note 7 explains further.

The Inspectorate asked if either project team were likely to submit draft documents for advice. LR anticipated a draft DCO which would be shared with the Inspectorate soon. HE are confident that they have sufficient time in their programme to submit draft documents following formal consultation.

### **Specific decisions / follow up required?**

The Inspectorate will email HE with a request for details to establish a project page for the A2 Bean to Ebbsfleet Proposed Development.