



## Meeting Note

<b>File reference</b>	<b>TR040005</b>
<b>Status</b>	<b>Final</b>
<b>Author</b>	<b>Kate Mignano</b>

<b>Meeting with</b>	<b>Network Rail Infrastructure Limited (NRIL)</b>
<b>Meeting date</b>	<b>15 June 2012</b>
<b>Attendees (Planning Inspectorate)</b>	<b>Katherine Chapman (Case Leader) Tim Hallam (Lawyer) Andrew Luke (Senior EIA Advisor) Kate Mignano (Case Officer) Apologies: Robert Upton (Pre-application Examining Inspector)</b>
<b>Attendees (non Planning Inspectorate)</b>	<b>Colin Field (Senior Planner – NRIL) Bob Aldridge (Scheme Project Manager – NRIL) Jon King (Wardell Armstrong) Chris Sinton (Wardell Armstrong) Richard Guyatt (Bond Pearce) Caryl Walter (Bond Pearce)</b>
<b>Location</b>	<b>Temple Quay House, Bristol, BS1 6PN</b>

<b>Meeting purpose</b>	<b>To provide a project update and overview of the pre-application work carried out so far</b>
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<b>Summary of key points discussed and advice given</b>	<p>The attendees were aware of the PINS policy on openness and transparency. Any issues discussed and advice given will be recorded on the National Infrastructure Planning section of the Planning Portal website in accordance with Section 51 of the Planning Act 2008 (PA 2008). Any advice given does not constitute legal advice upon which applicants (or others) can rely.</p> <p><b>Project Update</b> Expected date of submission 15 August 2012.</p> <p>NR gave an overview of the S.42, S.47 and S.48 consultation which has been substantially completed. There were two rounds of consultation from which approximately 200 responses were received. These are currently being analysed.</p> <p>In accordance with their SOCC, NR plan to hold exhibitions in a third "information round" of consultation, providing the public with information on the evolved scheme.</p> <p>The potential components of the scheme were discussed including the possibility of a certificate under s.127 being required, in relation to the compulsory acquisition of land in</p>
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the ownership of Statutory Undertakers. NRIL explained that talks were on-going and therefore the requirement for a s.127 certificate is not confirmed.

The Planning Inspectorate advised NR to document all correspondence within their consultation report particularly when responses are not received so that measures taken to seek responses are recorded.

NR explained there is continuing positive dialogue with the Local Authorities. Local Authorities had asked NR questions regarding timescales under the Planning Act 2008 (PA2008) process, in particular, in relation to the submission of adequacy of consultation responses and Local Impact Reports (LIR). The Planning Inspectorate advised NR to direct the Local Authorities to contact The Planning Inspectorate for advice regarding their role and timescales involved during the application process.

NR outlined the position in relation to whether certain Local Authorities would need to obtain Committee approval prior to submitting their LIRs, and the possibility of some Local Authorities submitting a joint LIR.

#### **Environmental Matters**

The Planning Inspectorate enquired whether NR has undertaken consultation on the approach to and findings of environmental studies with the relevant statutory consultees, including Local Authorities, the Environment Agency and Natural England. NR confirmed that consultation was ongoing, and that they had been consulting with the relevant statutory bodies.

The Planning Inspectorate recommended that environmental reports submitted with the application should include any correspondence with statutory consultees evidencing agreements on methodologies, assessments and mitigation measures. The Planning Inspectorate highlighted the potential to document areas of agreement and disagreement through Statements of Common Ground (SOCG).

NR identified that that applications for protected species licences will run in parallel to this application. Protected species licenses may be required for Great Crested Newts; surveys for which are on-going. Bat surveys are also on-going.

The Planning Inspectorate asked if any changes had been made to the scheme since the submission of a request for a screening opinion. NR was confident that no material changes had been made to the scheme. In their view the application scheme remained broadly the same and still fell within the parameters considered at screening.

NR asked if the River Basin Management Plan can be submitted as part of the Flood Risk Assessment. The Planning Inspectorate have clarified this approach since the meeting and are of the opinion that this approach is acceptable however legibility should not be compromised.

NR said that in their view the project would not have any significant effects on designated sites, and that they would be submitting a short report with the application confirming that view.

The Planning Inspectorate asked if any protective provisions had been requested by the Environment Agency (EA) and/or other bodies. NR said that the EA had not to date asked for the inclusion of such provisions.

### **Draft Development Consent Order (DCO)**

Recent dialogue between NR and the LA's indicated that their role with regard to discharging requirements was understood. The Planning Inspectorate suggested that it may be useful for this communication to be documented.

NR confirmed the land and access areas for storage are within the DCO order limits.

NR said it was likely that compulsory acquisition powers would be sought in the draft DCO, and confirmed that they were currently working on relevant application documents.

The Planning Inspectorate queried the scope of the works that were being proposed under associated development paragraph (i) in Part 1 of Schedule A of the draft DCO, and suggested that these could be tied to what was shown on the plans and/or what had been assessed in the environmental documents that were to be submitted with the application. NR was to give further consideration to this.

### **Draft plans etc.**

NR said that all plans to be submitted as part of the application should be finalised within the next two weeks. NR asked if it was acceptable to put the existing and new services plan on one plan. The Planning Inspectorate confirmed this is an acceptable approach which other applicants have used providing that it was clear as to what the plans were showing. The Planning Inspectorate advised NR to ensure documents are appropriately cross-referenced with the relevant DCO provisions and schedules.

### **Localism Act 2011**

The Planning Inspectorate explained that following the coming into force of relevant provisions in the Localism Act there have been changes to categorisation of Local Authorities under s.43 PA2008 and that statutory parties and 'neighbouring' Local Authorities were now no longer

	<p>automatically interested parties. The Planning Inspectorate advised NR to seek their own legal advice with regard to these matters.</p> <p>The Planning Inspectorate provided NR with the latest version of Advice note 6: Preparation and submission of application documents (see attachment 1).</p>
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<b>Specific decisions/ follow up required?</b>	<p>Protective provisions – NR to clarify the position.</p> <p>NR to provide The Planning Inspectorate with a draft copy of their Consultation Report prior to the application being submitted.</p> <p>NR to provide The Planning Inspectorate with copies of correspondence from Natural England concerning matters discussed and in particular conclusions on Habitats matters.</p>
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<b>Circulation List</b>	<p>All attendees</p> <hr/> <hr/> <hr/> <hr/>
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