



Meeting note

Project name	Western Rail Link to Heathrow
File reference	TR040009
Status	Final
Author	The Planning Inspectorate
Date	13 November 2018
Meeting with	Network Rail
Venue	The Planning Inspectorate
Meeting objectives	Project Update Meeting
Circulation	All attendees

Summary of key points discussed and advice given

The Developer was aware of the Planning Inspectorate's (PINS) openness policy and that any advice would be recorded and placed on PINS' website under section 51 of the Planning Act 2008 (PA2008). Any advice given does not constitute legal advice upon which the Developer (or others) can rely.

Review of Programme

The Developer advised that the application submission date is likely to be summer 2019.

Section 42 and 47 Consultation

The Developer provided the Inspectorate with an overview of the consultation that has taken place explaining that the Statutory Consultation was completed on 22 June 2018 and they felt the response was generally positive. The Developer advised that there have been some minor changes to the proposals following consultation and the Developer is proposing to undertake targeted consultation on these proposed changes. The Planning Inspectorate advised the Developer to ensure there is a sufficiently robust justification for undertaking targeted non-statutory consultation, as opposed to statutory consultation on these changes and queried how they would ensure all persons who would be impacted/ interested in the proposed changes would have a say on the proposals prior to submission. The Inspectorate also advised the Developer to review the Government's Planning Act 2008 Guidance on the pre-application process as it provides information specifically on undertaking targeted consultation. The Developer was advised to detail their justification in the consultation report.

The Developer advised that the main issue arising from the feedback to the consultation is the proposed permanent road closure of Hollow Hill Lane and the associated effects from such closure. The Developer explained that further traffic modelling is being undertaken and the outputs will inform discussions to be held with local highways authorities.

The Developer explained that all traffic modelling would be assessed on a worst-case scenario. The Developer has been working closely with relevant highways authorities since 2015.

The Developer advised that objections have been received regarding the closure of the contract car park at the shaft 3 site. The Developer stated it is working closely with the owner of the land regarding compensation and discussing the potential for an alternative temporary car park located in green belt. The Inspectorate advised the Developer that they will need robust justification for taking green belt land, referring to the National Planning Policy Framework.

The Developer advised that there will be a section of the Environmental Statement (ES) dedicated to explaining the interface with the proposed Heathrow expansion and that their intention is to enable justifiable flexibility within the draft Development Consent Order (dDCO) to enable the scheme to take account of Heathrow plans when more detail on the project is available.

Interface with other Proposed Developments

The Developer has been working jointly with CEMEX exploring the opportunity to re-use excavated material from the proposed tunnel boring works to backfill the voids created by CEMEX's mineral extraction work. The Developer explained that the current ES includes two volumes, one volume covering the works required should an agreement with CEMEX be in place and a second volume should an agreement not be in place. The dDCO may allow for sidings to be constructed but this may not be required if an agreement has been reached with CEMEX. Assessment of both scenarios provides a worst-case assessment.

The Developer stated that the Heathrow Express (HEX) depot proposals were no longer being pursued at Langley.

In regard to the M4 Smart Motorway project, discussions are ongoing with HE on the M4 intersection cross over link with this project.

The Developer explained that the dDCO for the Western Rail Link to Heathrow will go ahead irrespective of the Heathrow expansion proposal.

In regard to cumulative effects, the Inspectorate advised the Developer not to ignore Heathrow and to review the Planning Inspectorate Advice Note 17. The Inspectorate advised the Developer to ensure that best efforts have been made to liaise with the Heathrow Developer.

Environmental Statement (ES) and Structure of the ES

The Developer stated that the ES baseline assessment year would be 2017 and the future baseline would be 2020. Construction is assumed from 2021-2027 which includes 1 year of commissioning.

Traffic modelling is ongoing, utilising the Slough Multi Modal Model and discussions about it are underway with Buckinghamshire County Council (BCC). Some further sensitivity

testing may also be undertaken, utilising BCCs model if it is available in time. Slough experimental closure data has been incorporated into the assessment. The Developer explained that air quality emissions from traffic would be assessed based on the Institute of Air Quality Management (IAQM) 2017 methodology.

The Developer explained that some appendices of the ES were written previously and do not contain paragraph numbers. The Developer noted this isn't in line with Advice Note 6; however, all new documents submitted as part of the DCO application will meet these requirements. The Developer queried whether documents such as the Transport Assessment and Flood Risk Assessment should be appended to the ES. The Inspectorate stated its preference that any documents relied on for the assessment of significant effects should be appended to the ES.

The Developer confirmed that a health chapter would be produced for the ES.

The Developer confirmed that in preparing the ES it was relying on the transitional provisions within the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017.

Draft Order

The Developer provided an overview of the works explaining that a significant part of the scheme will be tunnelled. The Developer explained that it intends to use restrictive covenants over a "protective envelope" of land above the tunnel (land within the Limits of Deviation). The Inspectorate advised the Developer to review Advice Note 15 and explained that justification should be contained within the Explanatory Memorandum as to why restrictive covenants are necessary.

The Developer explained that they are seeking Compulsory Acquisition (CA) for the railway and tunnel and floodplain compensation areas and temporary possession for construction sites. However, in regard to CA they are aiming to reach agreement with the parties prior to the examination.

The Developer advised that discussions are ongoing with the Environment Agency regarding protective provisions. The Developer is aiming to have a draft DCO compiled early in 2019 and will consult with main consultees including local authorities.

AOB

The Inspectorate reminded the Developer of the Environmental Impact Assessment regulation change from the 2009 regulations to the 2017 regulations and asked whether the Developer will re-scope as they had originally scoped under the 2009 regulations. The Developer advised that they will be using the transitional provisions but will be including a health chapter within their Environmental Statement.