

Meeting Note

File reference	TR050002
Status	Final
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Meeting with	Marrons
Meeting date	10.01.12
Attendees (IPC)	Janet Wilson Kath Haddrell Katherine Chapman
Attendees (non IPC)	Julie Russell (Marrons) Ben Holmes (Oxalis Planning) Kate Bedson (Roxhill Developments Limited)
Location	IPC Offices, Temple Quay House, Bristol

Meeting purpose	To introduce a new project to the IPC and gain knowledge of the 2008 Planning Act process
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Summary of key points discussed and advice given	<p>The IPC explained its openness policy and explained that in compliance with s.51 of the Planning Act 2008 (PA 2008), a meeting note would be taken at every meeting. This, along with any advice given on the project, will be published on the project page on the website. In addition, the IPC reiterated that, the IPC is unable to comment on merits of the project during pre-application.</p> <p><u>The Project</u> The project team provided the IPC with a brief overview of the national context of the project. The need for a Strategic Rail Freight Interchange (SRFI) in the East Midlands area was highlighted through the Regional Spatial Strategy prior to its abolition.</p> <p>The site chosen for this project was one of three locations in the 'three cities' region recommended for a SRFI through the Strategic Distribution Site Assessment Study for the Three Cities Sub-Area of the East Midlands produced by Aecom, commissioned by East Midlands Development Agency.</p> <p>Subsequently, this site, to the north of East Midland's Airport, was identified in North West Leicestershire's draft Core Strategy but has since been removed.</p> <p>The scheme consists of:</p> <ul style="list-style-type: none"> • 6 million square feet of floorspace B2 & B8 warehousing
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- and some ancillary B1 uses;
- development of a spur line off the current freight line, north of East Midlands Airport;
- changes will be made to M1, Junction 23a, Junction 24 and Junction 24a to ease traffic flow and reduce congestion
- significant landscaping to protect views of residents in Castle Donington Kegworth, Lockington and Hemington.

The IPC advised that the project team should satisfy themselves as to whether they would be applying for one or two Nationally Significant Infrastructure Projects (NSIPs) and whether this would be in the form of one or two Development Consent Orders (DCO).

The IPC advised that it is possible to consent two NSIPs through one DCO, however, thought should be given as to the approach to be taken prior to scoping the Environmental Impact Assessment (EIA) and starting consultation. Furthermore, how this is communicated in the EIA and through the promoter's consultation strategy will be important.

The IPC advised that the EIA and consequently the DCO would be required to cover all of the land required for the project.

2008 Planning Act process

The IPC explained that the PA 2008 process is front loaded and therefore, only minor changes to the submitted DCO are possible. Engagement with relevant local authorities and statutory consultees is required throughout the process. The role of the local authority in the process is threefold. The local authority should be consulted on the content of the Statement of Community Consultation (SoCC) during pre-application (s.47). During acceptance, the IPC will request an Adequacy of Consultation response from the local authority to take into account their views on whether the consultation was inline with the SoCC (s.55). During the examination period, the local authority is requested to submit a Local Impact Report to the examining authority (s.60).

To ensure deadlines are met, the project may wish to work with the local authority team and discuss key dates. The local authority may also wish to look into internal delegation procedures as some statutory deadlines are less than a month.

To assist local authorities with resourcing to meet deadlines, the IPC explained that some developers have entered into Planning Performance Agreements (PPA) with local authorities. This is not something that the IPC will be involved with but others have found them a useful tool and thus they are worthy of consideration. IPC would not be signatory to a PPA they are methods for promoter/local authority liaison and agreement if

considered appropriate by both parties..

The IPC offered to speak to the local authority and answer any questions they have about the process and if required, visit the local authority and local communities at the appropriate time.

Commissioners

Once the project is at a suitable stage, a pre-application Commissioner will be appointed to provide s.51 advice to the applicant on the pre-application process supported by the IPC case team.

Upon submission, the commission would appoint a different acceptance Commissioner who will, with the support of the IPC case team, under s.55, decide whether to accept the application for examination.

If the application is accepted, this commissioner may also be appointed as the Examining Authority (or as part of a panel) who will then examine the application, alternatively, a new commissioner or panel of commissioners may be appointed.

This ensures issues that are discussed in the pre-application stage do not influence the acceptance and examination stages of the process.

EIA Scoping

The IPC advised that to enable comprehensive scoping, the scheme should be at a suitable stage prior to Regulation 6 notification (Infrastructure Planning (Environmental Impact Assessment) Regulations 2009). Once Regulation 6 notification is received, the IPC will produce a Regulation 9 list of consultees. This is created from the redline shapefile provided by the project team. The IPC advised that the Regulation 9 list of consultees may assist the project team in compiling their own section 42 consultation list but that it should not be relied upon for consultation by the project team.

The IPC requested at least 10 days notice prior to submission of the scoping request under Regulation 6.

Drafting documents

The IPC explained that the draft DCO would have to undergo Parliamentary drafting as it making a change to a Statutory Instrument.

S.106 agreements and drafting of requirements will be undertaken by the project team and the local authority.

Examining the DCO

The IPC explained that the examination is an inquisitorial process rather than an adversarial process. It is a written process

	<p>upon which interested parties can submit written evidence to the Examining Authority. There is generally no cross-examination. The Examining Authority will take into account any relevant National Policy Statement (NPS) and any other important and relevant evidence submitted.</p> <p><u>Future of the IPC</u> The IPC will, as of April become part of the Planning Inspectorate, however the IPC case team will remain unchanged and therefore the project team is assured of a seamless transition to the new arrangements.</p> <p>The IPC suggested the project team consider how the change in name from April may be addressed in their project documents and consultation to limit confusion for the public.</p>
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Specific decisions/ follow up required?	<p>The project team will provide the IPC with contact details for the local authority.</p> <p>The IPC will investigate the requirement for meeting with the local authority.</p> <p>Marrons are to provide corrected information of the project to enable the information to be published on the website.</p> <p>Marrons to consider whether the project is one NSIP or two and how best to deal with this in the event that it is decided that the project is two NSIP's.</p>
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Circulation List	All attendees