



Meeting Note

File reference	TR010011
Status	FINAL
Author	Siân Evans

Meeting with	Bircham Dyson Bell
Meeting date	23 January 2013
Attendees (Planning Inspectorate)	Pauleen Lane – Examining Inspector Manager Gideon Amos – Examining Inspector Kathrine Haddrell – Senior Case Manager Frances Russell – EIA and Land Rights Manager Sarah Green – Lawyer Siân Evans – Case Officer
Attendees (non Planning Inspectorate)	Angus Walker – Bircham Dyson Bell (BDB) Dougal Ainsley – Bircham Dyson Bell
Location	Temple Quay House, Bristol

Meeting purpose	Discussion of the proposed application for Woodside Link
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Summary of key points discussed and advice given	<p>The Planning Inspectorate advised on its openness policy as well as not being able to advise on the merits of a specific project. The Planning Inspectorate referred to s.51 of the Planning Act 2008 and noted that any advice given under s.51 does not constitute legal advice on which applicants or others can rely.</p> <p>Relationship to other development</p> <p>The Planning Inspectorate asked for clarification on the relationship of the proposed Woodside Link road with the proposed mixed use development and the A5 – M1 link road, which includes the creation of junction 11A on the M1.</p> <p>BDB advised that Woodside Link road is necessary for the mixed use development to proceed. In turn, Woodside Link road is dependant on permission being given to junction 11A of the M1. The Planning Inspectorate enquired how the funding statement would deal with this. BDB advised that they would look into it.</p> <p>BDB confirmed that the ES would be for the road alone, and not the mixed use development. BDB to confirm whether the ES for the road would assess the impact of the traffic generated by the mixed use development.</p>
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Current position

BDB hoped that the application would be submitted to the Planning Inspectorate on 20 February 2013. They warned that this could slip but still anticipated the application would be submitted in Q1 of 2013.

The Planning Inspectorate asked BDB if they had considered the implications of the Department for Transport draft consultation. Due to the potential introduction of thresholds the link road may no longer require a Development Consent Order (DCO) under the Planning Act 2008. BDB anticipate that the application will be submitted before the proposed thresholds are expected to come into force.

Following a query from the Planning Inspectorate BDB advised that it is not proposed to alter the alignment of the road.

BDB advised that the promoters were consulting with both the Thames and East Anglia Regions of Thames Water as there was a division of responsibilities between the Regions in terms of main river and downstream flooding issues.

Draft Development Consent Order (DCO)

The Planning Inspectorate advised that the classification and speed limit of the proposed road is currently missing from the draft DCO.

The Planning Inspectorate queried whether article 5 of the draft DCO should include reference to the works plan and lateral deviation limits.

The Planning Inspectorate queried whether there are any bridges in the application as there have been issues with how to secure the design of bridges in previous applications unless design drawings were to be certified, in which case it may be necessary to consider applying more limited/tighter limits of deviation in respect of the design of such elements. BDB confirmed that there is one bridge and cross sections and plans will be included in the application.

The Planning Inspectorate queried the use of approximate areas of land in article 2(4) of the draft DCO given the need for certainty in relation to compulsory purchase of land. BDB advised that the plans would provide the required certainty. The Planning Inspectorate advised on the need for consistency and clarity in the DCO.

The Planning Inspectorate stated that the promoter would need to show where the environmental mitigation measures identified in the ES were provided for in the DCO. It would be helpful to include a table identifying how and where each mitigation measure was secured by the DCO.

Section 127 and open space land

The Planning Inspectorate advised that any potential section 127 applications should be flagged up as early as possible. BDB advised that there is only 1 statutory undertaker and they hoped to reach agreement with them before the end of the examination.

BDB advised that some open space land is included within the application boundary. This will trigger the requirement to replace the land through an Exchange Land Certificate. The Planning Inspectorate advised that the sooner this process is started the better.

Policy position

The Planning Inspectorate reminded BDB that because there is no National Policy Statement for transport the application needs to be clear on the policy position and it would be helpful if a policy statement could be included in the application. BDB confirmed that the policy position would be updated.

Planning Inspectorate advice

BDB stated that they had not yet seen any draft land or works plans but they hope to see them and other draft documents in the next couple of weeks. BDB advised that it would be helpful to have another meeting before the application is submitted. The Planning Inspectorate stated that it would be helpful for the works and land plans and any draft documents to be passed to them before the meeting as the sooner these are shared the sooner any potential problems can be flagged up.

BDB stated that they are advising the applicant on their consultation but they are not leading on it. The Planning Inspectorate warned that there are risks associated with outsourcing the preparation of different parts of the application and advised the applicant to look at recent section 55 checklists which are published on the Planning Inspectorate's website.

The Planning Inspectorate advised that communication is very important and that they would prefer a single point of contact for the applicant. Kathrine Haddrell confirmed that she is the key point of contact for the Planning Inspectorate and Angus Walker advised that he should be the key point of contact for the applicant.

The Planning Inspectorate advised BDB that there was new CLG guidance on the pre-application process which they should have regard to when preparing their application documents. However the Planning Inspectorate advised that they would take a pragmatic approach if the guidance is not fully complied with, due to the expected submission date being so close to the publication of the new guidance.

Specific decisions/ follow up required?	
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Circulation List	All attendees