



London Resort
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Your Ref:
Our Ref: 20/00597/NSIP

Date: 21st September 2020

Dear Sirs,

**RE: Consultation response under section 42 of the Planning Act 2008
London Resort: Nationally Significant Infrastructure Project**

Thank you for consulting Dartford Borough Council on the proposed London Resort leisure and entertainment attraction. The Council is the primary host local authority within which the development falls and will be the authority most impacted by the implementation of these proposals in the short and long term.

We recognise that there are many local authorities and statutory bodies which the applicant also needs to liaise and engage with and that is right and appropriate. However, the Resort will lie immediately adjacent to residential communities in Dartford Borough; will rely on the transport network across the Borough to transport visitors and staff, will result in the displacement of an entire employment estate; will rely on the housing stock in Dartford to house its temporary and permanent workers as well as visitors; and will rely on the Dartford residents to supply part of its workforce. Moreover, the Resort will in the long-term depend on the Council to support it through the provision of a range of services such as licensing permits, inspection of food premises and ongoing planning approvals. The impacts and reliance on the Dartford community and Dartford Council will continue throughout the operational lifetime of the Resort. A positive and collaborative relationship will be required between the Resort operator and Dartford Council working with its residents to enable the smooth running of the Resort.

The Ebbsfleet Development Corporation (EDC) currently acts as the local planning authority for development management purposes for the area where the London Resort is to be located. It has been set up with the objective of regenerating and bringing forward transformative development in the Ebbsfleet area, including the Swanscombe Peninsula, and creation of the Ebbsfleet Garden City. Dartford Council shares the objectives of the EDC in this respect and works closely with the EDC to help bring these objectives to fruition. The Council is working in partnership with the EDC to ensure that the proposals brought forward by you contribute to and support the strategic vision for the Ebbsfleet Garden City.

The Council recognises that if the proposals are implemented, there is the potential for very significant benefits in terms of local employment opportunities and a boost to the local economy. However, these local benefits are not a foregone conclusion and may only materialise with the right mechanisms in place. Moreover, the proposals will inevitably give rise to wide-ranging and significant negative impacts, unless these are understood in advance and mitigations are put in place to address them.

To understand the scale of the proposals in the local context (which are not spelled out in all the thousands of pages of documents provided as part of the consultation) if the proposal is implemented, on a peak-day when the Resort is fully operational it is estimated that there could be over 90,000 visitors and staff on-site on any one day, many of whom would be travelling to and from the Resort along the Borough's transport network. This will dwarf the total population of the Borough which currently stands at 113,000. The London Resort will, therefore, dominate Dartford Borough in terms of people movement and activity. The Council is committed to ensuring that it is fully engaged in the development of the proposals and is able to help shape them so that the benefits of the development can be locally reaped and the not insignificant impacts which will inevitably arise can be appropriately mitigated.

However, given the lack of commitment from the applicant to date in funding consultants to assist the Council in engaging with the proposal, together with the compressed timetable set out by the applicant, with multiple strands of work taking place concurrently, the necessary collaborative engagement has not taken place. It is hoped that the applicant will take the opportunity to put this right before submission of the DCO to the Planning Inspectorate.

It is, of course, the applicant's responsibility to ensure that the proposal submitted to the Planning Inspectorate is sufficiently developed and that a full and relevant Environmental Impact Assessment (EIA) has been carried out. However, in its role as the host authority, Dartford Council will be required to advise the Planning Inspectorate on the local impacts of the scheme through its Local Impact Report. It is expected that it would draw on the EIA to come to its conclusions. However, the Preliminary Environmental Information Report (PEIR), which is the precursor to the EIA, provides much data but little in the way of understanding of impacts on the local area. It is the view of the Council that much work still needs to be undertaken by you to reach a position where the assessment of the proposal is presented in a way which provides a full and robust understanding of its local impacts.

The Council does have some concerns, at present, about the adequacy of the consultation process, as so little detail has been provided of the proposal itself or how it might come forward and there has been no meaningful assessment of the likely impacts. It is difficult therefore for the Council to consider the proposal and there is certainly insufficient information in order to inform a Local Impact Report or Statement of Common Ground. It is difficult to see how the consultation details therefore meet the objectives of the Nationally Significant Infrastructure Project process which seeks to resolve issues prior to an application being submitted. The Council would therefore urge the applicant to develop the proposal and the mitigations proposed in more detail before an application is made to the Planning Inspectorate.

Only once the impacts are understood can a view be taken on whether it is possible to mitigate these and what form the mitigations should take. We are not yet at that point. It is suggested that the current programme for submission of the application is unrealistic. A longer time frame is needed to collaboratively work with the Council to fully understand the impacts of the proposal and consider the most appropriate means to mitigate these.

Given the current paucity of relevant detail, analysis and assessment provided, the Council has not prepared a detailed review of the information since much of this is as yet poorly-developed or not relevant to a local understanding of the impacts. The Council has rather concentrated on the issues which cause initial concerns and which create risks for the Council and the Borough. In its current form, there are some serious and significant concerns and risks arising from the proposed development. It is hoped that a longer time frame in advance of submission will enable the parties to work together to arrive at an improved understanding of the impacts and appropriate mitigations. There are a couple of high level issues which should be noted. Firstly, the site, as noted above, lies within the Ebbsfleet Development Corporation area. There is a long-standing commitment from the relevant local planning authorities as well as Central Government for transformative development and regeneration of this area, now being taken forward as Ebbsfleet Garden City. Plans and delivery are well progressed and these are embedded in Dartford's Local Plan, contributing to its planned delivery of homes and jobs. It is incumbent on the Council to ensure that the delivery of its Local Housing Need requirement, as currently planned, is not jeopardised by the Resort proposals. Housing delivery within the EDC area forms a significant part of the Council's total requirement. There is no assessment within the documents provided of the potential impact of the Resort proposals on the delivery of homes, jobs and other supporting facilities within the wider EDC area. Secondly, Dartford is placed at a key transport node. You will be aware from the consultations on the proposals that transport, particularly rail capacity and the capacity of the surrounding local and strategic road network are key issues for Dartford residents, employees and businesses. Many aspects of the transport network, such as the North Kent Line and walking and cycling routes, have not been addressed at all in the documentation. Other aspects, such as the impact on the road network, are as yet in the early stages of assessment so currently do not provide an understanding of the impacts. These are matters on which the Council would wish to have full involvement.

Attached at Appendix A are the Council's comments based on the submitted Preliminary Environmental Information Report, the Draft Development Consent Order and the Draft Plans. As noted above, a formal review of the information provided has not been undertaken. The Council considers that there is still much work to be undertaken to provide a meaningful assessment of the proposed Resort impacts and that this is best undertaken in a collaborative and iterative way with you and your consultants working alongside the Council and its consultants. It is hoped that this can be facilitated by a commitment from you to the funding of consultants, so as to enable this work to be taken forward.

Additionally, an initial review of the Draft Development Consent Order (DCO) is provided at Appendix B. At this stage, the DCO can only be partial. Without an understanding of the impacts, appropriate mitigations cannot be identified. However, it is hoped this initial review can form a start to ongoing discussion.

Finally, at Appendix C, an initial identification of S106 heads of Terms is provided. Again, without understanding impacts, the S106 cannot be fully defined. However, again it is hoped this can be a starting point for discussions.

With respects to all three appendices and the comments contained within them, these are considered to be initial and preliminary, in the absence of a full understanding of the Resort

proposals and their impacts. The Council reserves the right to add to or amend these as more information becomes available.

The Council acknowledges that the applicant has made significant progress in developing its business case and the internal operation of the London Resort. However, the Resort will not be an island. It sits within a very tight urban area with large-scale development proposals. There is much collaborative work still to be done to understand how the Resort will interact with its surrounding area and to ensure that they can co-exist in a mutually supportive way. It is hoped that this letter and its attachments make clear the importance that Dartford Council attaches to ensuring the local impacts of the London Resort are fully understood and appropriately responded to. We look forward to working with the applicant in a positive way on these matters.

Yours sincerely,

Teresa Ryszkowska

Head of Regeneration

OVERVIEW

1. *Clarity of proposals and impact*

The Council appreciates the complexity of the proposal but it is disappointing that there is a lack of clarity on proposals and assessments have not been supplied or completed.

It is also disappointing that the Preliminary Environmental Impact Report (PEIR) was completed prior to the Scoping Response from the Planning Inspectorate and therefore has not taken this into account or the comments raised by the Local Authorities. Some of these comments are repeated below as they have not been addressed in the PEIR.

The Council reserves the right to comment where the impacts are not clear or have not been assessed at all.

The lack of completeness of the environmental information in the PEIR, including baseline surveys, assessment and modelling makes it difficult for the Council to provide comprehensive comments on the proposed development; its impacts; and potential mitigation. It is also of some concern that the PEIR makes judgements and statements regarding impact without the benefit of survey work, modelling and assessment.

It is unclear as to what Gate 2 will comprise as the description for Works No. 2 in the draft Development Consent Order (DCO), which seems to align with the area noted as Gate 2, does not include “events spaces, themed rides, entertainment venues, theatres and cinemas” as set out for Works no 1. It seems to only include retail, dining and entertainment facilities and entertainment venues, all uses which have previously been advised to be outside of a “payline”. Indeed there is no reference to any of these proposals being within a payline and no requirement in the DCO in this regard.

RISK: The proposal could become an out of town retail and leisure centre which has different impacts to a “global entertainment resort”. Potential adverse impact on town centres, Bluewater and district centres and potential to undermine mixed use proposals at Ebbsfleet Central which are likely to rely on retail and leisure uses at the core.

2 *Cumulative and identified development*

It is unclear how the development will impact on the delivery of Ebbsfleet Central which is identified for delivery of housing and employment within the Council’s adopted Local Plan and emerging Local Plan.

Not only is the construction work for the Resort access road likely to blight and hinder delivery of this housing and employment but the DCO and Works plan indicate that much of the area identified in the Local Plan is proposed to be used for a multi-storey car park, surface car park or alternative car park in the DCO.

There is no assessment of these impacts within the PEIR and indeed the land use plan does not indicate this.

RISK: Council cannot meet its housing and employment delivery targets, infrastructure is not delivered and development of the Ebbsfleet Garden City is undermined.

3. *Phasing*

There is no clear phasing or triggers for provision of different facilities, which is critical on a major development site of this complexity.

For instance, requirements that the road, people mover, riverboat access, car parking be complete and available for use before Gate 1 is open to the public.

Indeed the DCO does not set out any restrictions on how the development comes forward. At present the DCO allows any part of the development to come forward without Works No 1. E.g. the retail, dining and entertainment in Works no 2 could come forward in isolation.

The Council considers that this is unacceptable. The references to assessments in the Environmental Statement all assume Gate 1 comes forward first but the DCO requirements are limited and phasing has not been clearly set out in any document.

Requirement 2 of the draft DCO, setting out a simple time limit for implementation of the proposal of 5 years is unacceptable for a development of this scale and complexity in the Council's opinion. The time limit condition should set time limits for the implementation of each phase of the development, as would usually be the case with a major outline planning permission. This is necessary, in order to ensure that the development is not implemented by a small "Works package" and then remains an extant permission for many years but without any work coming forward, thus blighting the area.

RISK: The entertainment attraction will not be delivered in full or as suggested. The development could be implemented and then cease and yet the permission would be extant. A number of risks ensue, for example an-out-of-town retail/leisure complex being developed in isolation, resulting in competition to existing centres, or development of the staff housing in isolation. The large area covered by the Consent could become blighted, unmanaged and undeveloped for a number of years

4. *Input into design and layout*

Over the years of gestation of this project, technical consultees and the Council have warned that the development has been “fixed” without the assessments being completed and without meaningful discussions with consultees feeding into the option choices. The concerns raised previously that there would be no ability to influence the design in order to reduce impacts now appears to be borne out. Although it is noted that the proposals provide very little detail on land uses and detailed design and this is still to be developed. However, the Council is concerned that the DCO also contains little ability for the local planning authorities to approve detailed design for many of the proposals. Requirement 4 of the DCO only allows for detailed design of Works 1 and 2 to be agreed.

This omits a number of significant work packages. For instance Works nos 14b and 14d are directly adjacent to residential uses (albeit at a different level). The services and infrastructure buildings covered by these Works numbers is very broad and could have a significant impact on adjacent properties. The Parameters plans consist of height plans showing heights above AOD but as plans of existing levels do not appear to have been provided it is difficult for the Council to consider the impact on adjacent uses and the appearance of the area, particularly given the varied topography in the area.

There are significant issues within the Kent project site that require detailed design to ensure adequate mitigation, for instance the road design across the Bakers Pit SSSI, the Scheduled Monument and Northfleet landfill. As well as how the road will integrate with Ebbsfleet International Station and the proposed development in the area. Yet there appear to be less detailed plans of the proposed Resort road and junction arrangements than submitted in 2015.

RISK: Detrimental impact on neighbouring residents and character and appearance of the area as well as prejudicing future development and protected heritage assets.

5. *Construction Programme*

The Council has some concerns about the reality of the construction programme and the delivery of appropriate mitigation - for example: habitat creation and archaeological evaluation - prior to work starting on the site.

PRELIMINARY ENVIRONMENTAL INFORMATION REPORT (PEIR)

The Council acknowledges that the PEIR is a preliminary report on the environmental information but given the absence of much of the baseline surveys, assessments and modelling, it does not contain sufficient depth of information on which the Council can confidently make any judgement with regard to the detailed design and mitigation of the proposal.

Chapter 7: Land use and Socio-economic effects

The Council would request that full consideration is given to the character, nature and use of the associated development, as these will have different socio-economic impacts to the venue itself, particularly the 'conferention centre', e-sports arena, and other venues.

The Council is disappointed that although this chapter seems to cover a lot of information the PEIR however provides no real analysis and there is a reliance on documents for key data where the authors already accept they need updating. Some of the documents referred to are older documents whilst other times using the updated version of the same doc e.g. KCC GIF. Documents relied on include those that have been superseded post 2015 e.g. Gravesham BC has a more recent retail study, or are so out of date that they not credible, such as the Thurrock 5 year housing supply referred to which is more than 5yrs+ out of date.

It is not clear from the PEIR how the development construction will impact on other development coming forward at the same time. There is no analysis of what other larger scale construction will be happening at the same time, as noted above the proposal is likely to directly impact on the ability of Ebbsfleet Central to be built out and there is no consideration given to the level of demand for construction jobs by competing infrastructure, commercial and housing delivery. This has the potential to delay critical infrastructure and employment floorspaces and could raise construction costs of development sites, which is particularly critical with regard to housing costs for local people and the ability of sites to provide affordable housing and s106 contributions.

RISK: The objectives and policies of the Local Plan cannot be delivered.

The Council notes that a retail and leisure assessment is to be produced and would welcome involvement in the detailed scope of this. There is limited detail within the PEIR with regard to this. Impact on the local town centres, in terms of both leisure and retail, should be addressed. Theatres and social facilities, within the proposed development which are open to the wider public should be considered with regard to impact on local theatres. Both Dartford and Gravesend have local theatres that could

be impacted by the proposed theatres within the Gate 1 area and the non-gated 'conferention' centre, and there are further regional theatres in the wider area. The proposal, if successful, is also likely to create demand for new retail and food and drink uses (as well as hotels) seeking to locate close to the site but not forming part of the development itself. The consequences of the proposal in terms of stimulating these types of uses close to the development should also therefore be taken into consideration but does not seem to have been considered in the PEIR. The impact of the proposal on the town centres and planned new retail and leisure floorspace, such as at Ebbsfleet Central and consented extensions to Bluewater Regional Shopping Centre needs to be assessed and the impacts need to be identified clearly. The Council is also concerned about the land use changes in the local area: the impact on local shopping centres such as Swanscombe; and consequent changes on the nature of the offer in the local shopping centres to a visitor-orientated offer, with a loss of their continued ability to serve local needs. Mitigation proposals should be included and the impacts with and without mitigation assessed.

RISK: Lack of understanding and appropriate mitigation of the retail and leisure impacts could lead to undermining of town centres and Bluewater and the communities they support, as well as diversion of investment from the emerging Ebbsfleet Central proposals

The Council would like to understand the impacts with regard to displacement of employment uses on the proposed site, particularly as these are predominantly "bad neighbour uses". Where is it anticipated that they will go? Will the services they provide still be available to the local communities? What is the consequence of the loss of these local businesses for the local communities, in terms of both employment, the services they provide, as well as impact on the businesses themselves? The PEIR although identifying this as an issue does not consider the types of uses and simply advises that employment land has been identified in the Local Plan. There is no acknowledgement that this identified employment land is there to be the needs of the existing and growing population in Dartford. In addition, the identified sites referred to in the PEIR are not offering land for the warehousing, waste transfer stations and heavy industrial uses located within the project site. The Borough already has significant pressure and impacts from development in the Green Belt where commercial uses, such as those to be displaced from the site, seek cheap accommodation.

RISK: Businesses which serve the local population are displaced out of their existing catchment area. There is increased pressure for bad-neighbour uses on unauthorised agricultural land in the Green Belt, creating an urban fringe which result in visual harm to the landscape and undermines the purpose of the Green Belt.

The Council is concerned about the lack of understanding of the local housing market and the travel to work market. There is much data provided and comparison at the national level but this does not help in the understanding of the dynamics of the local housing market. Moreover, amalgamation of the data of the three Boroughs, including Thurrock, within the Core Study Area further obscures understanding of the issues and impacts and is misleading. Thurrock is very much larger than Dartford in area and household numbers and, being on the other side of the river, is unlikely to commensurately contribute to labour force and accommodation provision, particularly at the construction phase but also in the operational phase.

Data is provided showing that Dartford is doing well in terms of meeting its Local Housing Need requirement, which is the case. However, this data does not provide an understanding of the local housing market. Much of the new housing is being taken up by people moving out of London and is not affordable to many local residents. As noted, the Private Rented Sector (PRS) in Dartford is comparatively small. The shortage of PRS locally is exacerbated by this accommodation being taken up by homeless households from London Boroughs. Despite one of the highest growth levels in the country as compared to existing population, housing pressures in Dartford are already severe. There is no capacity within the housing identified in the Local Plan to meet the needs arising from the Resort from construction workers, workers during the operational phase and visitors staying overnight. The additional demand from the proposal has potential for significant impact on the ability of local people to access new and existing housing. The conclusion of the report that the impact on homes and their residents will be minor adverse (not significant) in 2025 and moderately adverse in 2030 and 2038 (para 7.370) is not credible.

The use of existing data on travel to work times to existing employment within the wards covered by the proposal is simplistic and reflects the nature of the existing jobs and the long term relationship that the local communities of Swanscombe and Northfleet have had with the employment areas on Swanscombe Peninsula. The proposed leisure and entertainment attraction will provide significantly different job types and potentially impact on the character of the existing community and housing demands. The assessment of housing pressures should also include consideration of increased rental and purchase prices as a result of pressure on accommodation and changes to the type of residential accommodation in area, such as the need for increased short stay lets and the impact this demand has on the local housing availability. Displacement of local residents from the housing market due to the increased housing demand and increase in prices should be assessed. Holiday and short stay lets cannot generally be controlled outside of London where the character of the property remains a single family dwelling. The increase in these housing types is already causing harm to local residents of Dartford and the increased proliferation

of such units should be considered with regard to direct impact on neighbours, and the changing character of communities should be assessed.

RISK: Increased pressure for short term lets in the surrounding area, which are not controlled under planning legislation. Could result in impacts on neighbouring residents, loss of community cohesion and change in the character of the area.

RISK: Increased demand for housing arising from the proposal could mean that the Council cannot provide for local needs, housing prices will rise and local people will be displaced and/or there could be increased pressure to release Green Belt for housing development.

Although the PEIR advises that a Health Impact Assessment will be carried out and notes there could be an increase in admissions, particularly during the construction periods which are over an extended time, to Darent Valley hospital there is no detailed assessment and no suggested mitigation put forward. There seems to be no reference to discussions with the Dartford and Gravesham NHS Trust

The references in the PEIR to new GP and surgery provision in the area are out of date and over-estimate and in addition this new provision is identified to meet the needs of the existing growth in the area. Surgeries and doctor waiting lists are already over-capacity, as identified in some of the analysis. The development will therefore create additional demand and need for further GPs, both during construction and from staff living in the area at the operational stage. There is no indication of how this additional need can be provided, whether there are sufficient GPs to take up new posts and how additional infrastructure can be funded.

RISK: Lack of provision of healthcare to meet the construction and operational needs, putting pressure on a healthcare service that is already over capacity in the area.

There is no assessment of the impact on locally provided Council services. Consideration of the impact on all such services and their cost to the Council should be undertaken including:

- Environmental Health (covering both inspection of food outlets, public health risk assessment of the Resort in the construction and operational phase; responding to complaints from the resident population on noise issues etc.)
- Parking Enforcement outside the Resort boundary;
- Planning – applications for discharge of conditions, amendments to DCO, details of later phases etc.; as well consequential impacts outside of the application boundary and the need to change planning policy.

- Planning Enforcement – investigation of instances where the conditions of the DCO are reported as being breached
- Licensing – applications for alcohol licences
- Community Safety – investigation and response to instances of public disturbance / increases in theft etc arising as a consequence of the Resort (the Council works in collaboration with the Police on such matters)
- Street cleaning – additional litter on street and bins outside the Resort
- Housing – additional demand for affordable housing; increased homelessness etc arising from housing pressures generated by the Resort

The detailed design of the Resort is likely to give consideration to terrorist related attack and proposed mitigations to deal with this. The Council suggests this should also be considered within the Assessment, with consideration to the impacts of how heightened alerts levels would affect operations, queuing etc and how evacuation might impact on the local area, as well as the impacts of the security on the surrounding community.

Chapter 8: Human health

The urban areas of North Kent have a poor record of health for a variety of reasons. Obesity is a particular problem in the local area, although the PEIR notes there will be additional walking routes, it does not consider the potential for detriment from increased availability for junk food and passive entertainment. In addition, the potential for a worsening local environment, such as dominance of the car on local roads which discourages walking or cycling; increased density of development and smaller housing types discouraging further activity and reducing access to outside space. In addition the risk resulting from worsening air quality in the area (discussed below) should be considered in more detail.

RISK: Potential for increased obesity, worsening air quality, poor environments impacting on mental health.

Chapter 9 Transport, accessibility and movement

It is disappointing that no details have been provided of the traffic modelling and the current consultation details contain less detail than the draft proposals of 2015.

The Council notes that KCC as highways authority have provided comments on the Technical Notes submitted and referred to in the PEIR. But these comments have not been addressed.

The transport chapter concentrates on visitors to the amusement park element of the attraction with no discussion about the nature of the non-gated uses, such as the 'conferention' centre, which will be likely to generate peak vehicle trips.

The proposed Access Strategy is far too simplistic in the Council's view for a proposal of this complexity and variety of trip generators. It concentrates on the main vehicular access, which the Council recognises as a key consideration with a number of constraints. However, there is no discussion about pedestrian and cycle access from the existing road network or how the "local access" may be controlled.

There is very little detail provided on access points to the site particularly during the construction stage, but also during the operational phases at a local level and for non-visitor traffic or non-motorised modes. For instance the Works Plans show landscaping and pedestrian walks to London Road (Works no25a) but it is not clear if this is to link with London Road or uses a tunnel under the road to access the staff accommodation area. The location of these access points for pedestrians, although welcome, can create impacts such as drop off and collection by car. In addition the footways along London Road are narrow and there appear to be no proposals for works to London Road itself.

It is not clear how staff living on site will access the Resort for work or where they will park their cars.

RISK: Impact in highway safety, free-flow of traffic and neighbouring amenity due to attraction of vehicular drop off. Plus inadequate width footways and cycleways along the connecting classified road.

Chapter 9 seems to concentrate on the effects of transport and traffic and yet the Transport Notes issued by London Resort assume notable levels of travel by other modes. There appears to be little about: the assessment of these other modes; the impact of the proposal on existing public transport services; capacity of services and infrastructure; and whether it is realistic to assume these alternative modes are useable/accessible. There is therefore no indication of consideration of the mitigation required to make them viable alternatives to the car; or of the impact on local users of use of these services by Resort visitors/employees.

As advised by Kent County Council, as local highways authority, in addition to highway capacity it is key that a detailed review of the existing walking, cycling and public transport facilities is undertaken for key destinations such as Greenhithe, Swanscombe and Northfleet stations and surrounding cycle routes to the site. This includes both capacity and quality of routes, with improvements implemented where required.

There is little commitment to reducing the vehicle arrival modal share. The anticipated mode share of 66% arriving by car is significantly above what the Council would expect

for a modern planned development immediately adjacent to international and domestic stations and with access to river transport. This target disappointingly lacks ambition.

Rail transport

The PEIR advises that the primary station will be Ebbsfleet International, which may be the case for visitors, but staff are more likely to use the North Kent Line as are more local visitors. The assessment should include the capacity of local stations on the North Kent Line to deal with visitors and staff and the capacity of the North Kent Line services. Peak arrivals and departures of visitors to the Theme Parks and associated development should be considered; existing stations and the surrounding environments, particularly on the North Kent line, may not be able to cope with these peaks. The assessment should include capacity of the station buildings, platforms, stairways, lifts and their external spaces to support peak usage; provision of facilities including ticketing and information, toilets, refreshments etc; and interchange facilities including the capacity of the bus interchanges and capacity for drop-off/s collections as well as the interface with walking and cycling routes. The assessment should consider provision for disabled access. Safety aspects of potentially large crowds within and around the station at peak times, including on platforms, stairways and outside the station co-mingling with vehicular traffic should be considered. The Council requests that rail services and infrastructure are included with the Environmental Impact Assessment.

This is particularly concerning in the light of the proposal to dismiss Swanscombe Station as an option and instead visitors will be encouraged to alight at Greenhithe Station and use either Fastrack or a shuttle bus service to the resort. The Assessment should include consideration of the use of Greenhithe Station and the impacts of this proposal, both with regards to capacity of the station forecourt and bus interchange and also the impact on the residential development (Ingress Park) that lies between Greenhithe Station and the Resort and would be affected by increased services along the Fastrack route. This should be compared with the impacts of using Swanscombe station and the mitigation requirements.

It is noted that paragraph 9.64 acknowledges the need for infrastructure at other stations, e.g. Swanscombe, to aid movement of people but no further detail is provided. There is limited ability to carry out small-scale improvements to Swanscombe Station to make it safe for a higher level of useage than currently. The Council supports Network Rail proposals to consider a full redevelopment of the existing station.

The proposal is likely to have an impact on the existing rail infrastructure and rolling stock in terms of capacity to deal with the increased demand. The limited capacity on the existing network at peak times is likely to have an impact on the assumptions made with regard to use of the rail network by staff. There needs to be more detailed

analysis of where staff will come from and what times (acknowledging that not all staff will arrive immediately before a Park opening, and that not all of the proposals relate to an amusement park with opening times.

The Council notes that paragraph 9.268 acknowledges that HS1 and the North Kent Line (NKL) are close to capacity.

It is disappointing however, that the PEIR assessment of rail passenger capacity is limited to data for High Speed 1 from 2011. This is shortly after the Ebbsfleet station opened and the pattern of usage of this station and demand from commuters, both from the new housing in Ebbsfleet Garden City as well as commuters driving to the station from the rest of Kent has increased significantly.

LRCH will be aware the Government is funding a study (AW2E) into options for enhancing connectivity between Abbey Wood (as the present terminus for the south east branch of Crossrail) and Ebbsfleet. The study is “mode-agnostic” and is focused particularly on the level of development uplift different options could support and how different options might be funded and financed. Extension of Crossrail itself is one of the options under consideration; and whilst LRCH’s transport strategy is designed not to be dependent upon such an intervention, it does not consider any consideration of the additional benefits and access implications of connectivity to visitor and labour markets that such an intervention could unlock.

RISK: There will be inadequate passenger capacity on NKL services and station capacity will be inadequate at peak times. This could lead to increased car usage.

Non motorised transport

The Transport Notes make assumptions about active travel modes but these assumptions would need to be based on the availability of adequate infrastructure in order to be valid. However there appears to be no indication in the Scoping Report, of an assessment of this infrastructure. Actual walking and cycling routes over the mode share trip origin areas and from the public transport and car park arrival points should be assessed and mitigation put forward to demonstrate that the mode share assumptions can be achieved.

The majority of the pedestrian routes referred to in Chapter 9 are leisure pedestrian routes. There is no assessment of walking routes for staff and local visitors, including users of the Thames Clipper service.

There is no discussion about A226 London Road, as noted above even though part of this falls within the project boundary.

Bus transport

The assessment should identify the origins and routes of potential Fastrack users and other bus services (TfL bus routes extend into Dartford and there are longer distance buses serving Bluewater). The capacity assessment of local bus services must form part of the assessment to ensure they can meet the demand of the development and to identify where additional capacity is needed and how that will be delivered. The impact on existing users should be assessed.

Reliance on Fastrack is likely to lead to the need for increased services, reducing the headway between buses. Where service levels are required to be increased, the impact on the local traffic network, junctions and noise and air quality impacts on the local environment should be assessed. In particular, the impact on local traffic of increased delay at signals, given the signal priority afforded Fastrack buses, should be assessed.

In addition the assessment should include a capacity assessment of the infrastructure supporting the bus services, e.g. bus stops, bus stands, bus interchange facilities and dedicated bus routes.

It appears to be proposed that the main disembarkation station on the North Kent line will be Greenhithe Station, with the Fastrack service providing the final leg of the journey, although this is not set out in the PEIR. However, the Council must highlight that the route between the station and the Resort takes the bus through the quiet residential neighbourhood of Ingress Park, where many families with young children live. This is a pedestrian-friendly residential area where through traffic is discouraged. The impact of the increased frequency of bus services on this area should be assessed, both at peak times for any assumed enhancement of the bus service, as well as peak times for resident journeys. The assessment should include impact on traffic flows through the area; impact on the local environment including noise and air quality and other disturbance; impact on pedestrian and cycle routes in the area; including any potential barrier effect of a high frequency of buses; visual impacts of buses travelling through at a high frequency; and road safety issues. Additionally, consideration should be given to the propensity for Resort visitors/employees to disembark at Ingress Park to take advantage of the quieter Thames Riverside/parkland environment and any consequent disturbance issues arising.

The Council consider that Swanscombe Station will be the main point to alight for staff and visitors and this should be assessed fully.

RISK: The Fastrack bus services will not be available for local users and commuters which is fundamental to the Council's strategy for modal shift and underpins growth and housing delivery in the area.

RISK: The quality of the residential environment at Ingress Park will be undermined/lost impacting on the character of the area and the quality of the environment and accommodation which meets an important need in the area.

Road traffic

It is disappointing that there is no detail of traffic modelling.

More detail is required with regard to the different uses proposed within the Project site so that they can be assessed fully. More detail is also required with regard to the “local servicing route” and the potential impacts of this and mitigation to ensure that impacts are limited should be included.

The Council would emphasise the request by KCC to carry out an assessment for a weekend peak. There is the potential for flows relating to London Resort to conflict with flows generated elsewhere, particularly in the case of the Bluewater regional shopping centre which also has significant leisure uses, and is another major generator of visitor traffic in the immediate vicinity. Bluewater results in significant flows at weekends and on a seasonal basis, including in association with special events, as well as “off peak” peaks in traffic flow such as the morning opening which may coincide with the morning peak of the leisure resort and afternoon peaks at school pick up time. The Council, as well as the Highways Authority, need to be assured that the assessment provides a worst case scenario of the impacts on local roads particularly when peak trips for Bluewater coincide with high trip levels at London Resort, such as weekends during the run up to Christmas or summer school holidays.

It is not clear how construction traffic will be considered in the assessment. The commitment to the majority of construction materials travelling by River in the guide to consultation is noted but there do not seem to be commitments to this in the PEIR or suggested controls to ensure this should be included as part of the mitigation. Some construction traffic and construction workers are less likely to arrive by the River, particularly until the wharf is suitable for use, and this impact should be assessed, particularly as the new Resort access road will not be available at the early stage of construction. Detailing phasing of the construction supplied with the ES would be helpful in this regard.

There should be detailed assessment of the construction phasing and the impacts on the local road network as well as consideration of the cumulative impacts that might occur due to other large scale construction projects in the area at the same time, such as Lower Thames Crossing, Ebbsfleet Central and the generally high levels of development taking place in the area. There is no detail of the Construction Phase assessment.

RISK: Severe impact on local and strategic road network during construction as materials and contractors need to access the construction sites including the Resort road which is in itself a significant piece of infrastructure.

Car Parking

It is not clear how parking will be made available to visitors. The Council understands that this will be part of the ticketing for the theme park visitors but it is unclear how parking will be made available to users of the restaurants for instance, outside of the payline? If there is a charge for this parking it will lead to pressure for parking in the local area.

Detailed mitigation proposals with regard to control of off-site parking within the local area and around Fastrack stops, which could be impacted, should be included as part of the assessment. This may need to be addressed through parking regulation and enforcement.

The parking survey of 2015 is out of date now.

RISK: Adequate on-site parking is not made available or is unattractive to visitors outside the payline. Pressure for parking on local roads.

Mitigation

It is not clear what mitigation is proposed as there is no assessment or indeed detail of the proposals.

Mitigation should consider the need for a methodology for measures to be introduced as remedial actions post commencement where impacts are outside acceptable limits together with the payment of penalties if the assessed vehicle levels are exceeded so that a pot of money can be created to fund the remedial actions. This methodology of potential toolkit measures to be determined in the future subject to the impacts arising has been developed for other planning permissions in the area supported by penalties for exceedances of traffic numbers above those anticipated.

Assessment of the existing walking, cycling and public transport infrastructure is likely to lead to a need for mitigation and this should be considered with regard to the impact on the existing developed areas as well as planned development and the unintended consequences of such mitigation (eg. Creation of a direct access which might encourage car parking around this connection).

Some of the “unintended consequences” of the mitigation and the Resort development itself is unlikely to be foreseeable this far ahead and as the entertainment industry will respond to changes both in fashions and impacts such as the Coronavirus pandemic.

The Council would suggest that consideration is given to a 'local community' fund as compensation for the environmental/disturbance impacts of the development.

Chapter 11: Landscape and visual effects

As requested in the scoping response an additional long distance view should also be considered from the higher ground to the south, from the North Downs. Many of the viewpoints in the PEIR are from low points within valleys, there are no viewpoints from the highest points on the Downs directly adjacent to the project site. The site is prominent from the Bean junction area and St Clements Way and as a major road junction and access to Bluewater shopping centre this view is seen by millions every year.

Since there are proposals for development directly to the east and north of Swanscombe, (e.g. infrastructure buildings) the Council consider the visual impacts of these proposals on the residents and occupants adjacent to these areas should be considered but this does not appear to have been taken into account.

Receptors in the area also include the high numbers of people who drive through the area or visit Bluewater or travel through the area on the train. Consideration should therefore be given to the impacts on these views and the perception of the Borough to visitors and people travelling through it.

The issue of lighting on the Peninsula at night is something that still needs to be considered in terms of visual impact and any proposals for mitigation.

The current parameter plans provide a great deal of flexibility on what the actual scale of development is and it is important for any assessment to give a clearer idea of what is actually involved and what it might look like. Is it a solid building or a ride that appears more lightweight and as identified above the nature of the uses is very flexible. The Council considers it is difficult to make a realistic assessment without this information.

Parameter plans imply structure heights of up to 100m AOD. Most of the site in Kent is close to 0 AOD, but there is no detail of existing levels to understand these impacts. The cliffs and chalk spines could provide some screening but it appears from the maximum AODs set out that this is unlikely.

The Council is not convinced therefore by the initial judgements made in the PEIR with regard to limited landscape impacts and consider that more detail should be provided with regard to the proposal and the impacts.

RISK: Long distance views from high ground will not be assessed, the impacts of the development will not be assessed fully in terms of visual impact particularly in terms of the adjacent residents and the character and appearance

of the area surrounding the core of the site and therefore adequate mitigation will not be provided.

Chapter 12: Ecology and Biodiversity

The KCC Ecology section provides advice to the Borough Council under a service agreement. They provide the following comments with regard to chapter 12 of the PEIR.

“The submitted ecological surveys in appendix 12.1 have not been reviewed in detail as at the time of writing the reports the majority of the surveys were still being undertaken.

Surveys Results

The submitted report has detailed that the following species have been recorded within the site to date or presumed to be present (* denotes surveys are on going or will be to commencing)

- Wintering bird surveys – site provides functionally linked land associated with the SPA and Ramsar sites
- 28 species not associated with the SPA/Ramsar sites recorded during the wintering bird survey
- 93 species recorded during the breeding bird surveys*
- Suitable buildings and trees to be used by roosting bats*
- At least 9 species of foraging/commuting bats*
- Dormouse*
- Otter*
- Water vole*
- 3 species of reptile
- At least 262 species of invertebrates*
- Aquatic Invertebrates*
- 8 Rare Plants
- Harvest Mouse*

We highlight that no specific botanical survey has been carried out and we presume that the plant species were recorded during other surveys and therefore the number of rare plants within the site may be higher than recorded.

Records of Brown hare, hedgehog, pygmy shrew and weasel were identified during the data search but the ES states they will not be taken forward as an Important Ecological Feature. However we highlight that as no specific surveys have been carried out they may be present within the site and therefore impacted by proposed development and therefore should be considered within the submission. In addition we highlight that brown hare and hedgehog are priority species (under S41 NERC Act) and impacts to species of principal importance / BAP priority species are: “*Capable of being a material consideration in the...making of planning decisions.*” (paragraph 84, Government Circular (ODPM 06/2005)),

Bat Surveys – it’s understood that internal examination of the buildings could not be carried out as a result of Covid 19 restrictions. But due to the size and type of the proposed development we would have expected emergence surveys to have been scheduled to ensure it was understood if and to what extent bats were roosting within the buildings to ensure the impact on roosting bats was fully understood.

We highlight that the species interest of the site is so high due to the range of habitats present within the site including scrub, woodland, semi improved grassland, Coastal Grazing Marsh, Open Mosaic Previously Developed Land, Reedbed and open water. We have concerns with the conclusions of the report about the classification of the importance of the species within the site and we are of the opinion that for many of the species groups the conclusions are underrated. To demonstrate our point we have the following examples:

- reptiles have been assessed as district level importance even through the presence of 3 species of reptile make the site suitable to be considered as a Local Wildlife Site. Therefore we would expect the reptile population to have been assessed as county importance.
- Otters have been assessed as local importance but otters are not common within Kent and therefore the presence of otter is of note – therefore we would expect otter to have been assessed as at least county importance.

We highlight that as all the surveys have not been completed the importance classification can not be fully considered and we advise that those conclusions must only be made once the surveys have been completed.

Ecological Mitigation

Limited information has been provided on what ecological mitigation required to retain the ecological interest of the site and instead the report details that the following are the key mechanisms to implement the required mitigation.

- Construction and Environmental Management Plan
- Ecological Mitigation and Management Framework Plan
- Landscape and Ecological Management Plan
- Green Infrastructure Strategy
- Sustainable Drainage Scheme
- Detailed Lighting Strategy.

We highlight that until all the ecological surveys have been completed and it is fully understood what is present on site it is impossible to fully understand what the impact will be, what mitigation is required and if it is achievable. We advise that this information is required prior to identifying what mechanisms could be used to implement it.

We highlight that when we refer to impacts we refer to both direct and indirect impacts. This includes (but not limited to) habitat loss, changes to habitat management, increase in noise, increase in lighting and increase in disturbance.

Onsite mitigation

The proposed development will result in the direct loss of habitat for the implementation of the proposed development and the remaining areas will be required to be multi-functional and provide Open Space for recreation and SuDS in addition to the ecological mitigation. Due to the loss of habitat, impacts from the proposed development (including noise and lighting) and the other requirements on the retained habitat (in particular recreation) we are concerned that, due to the ecological interest of the site, there will be a limit to the amount of ecological mitigation which can be implemented successfully on site and there will be a significant loss of biodiversity within the site.

Multifunctionality of open spaces

We understand that due to the limited amount of space within development sites that open spaces do have to be multifunctional. However in these situations we would fully expect information to be submitted clearly demonstrating what the constraints on site would be and those requirements would not negatively impact the ecological mitigation.

The Swanscombe peninsula currently has limited recreational access so the site is largely undisturbed. The creation of walking trails within the site would encourage people to use the

site and therefore result in an increase in disturbance within site and as such it may result in the following:

- Reduction in breeding bird species/numbers due to an increase in noise / light
- Reduction in bat species/numbers due to increase in light (lighting may be required within the open space area due to H+S)
- Loss of habitat due to increase in trampling

Therefore we would fully expect any submitted information to fully assess the impact the proposal would have from an increase in recreational pressure.

We highlight that the pressure from recreation would result from the proposed development and existing and proposed housing within the surrounding area.

Surface Water Drainage Features are required to prevent surface water flooding and therefore any SuDS Features will have to be managed in a way that means that they will remain operational. We agree that SuDS features can benefit biodiversity but there will be restrictions on the types of habitats that can establish within these areas and the management priority will be for surface water drainage not biodiversity. Therefore there will be limits on the mitigation which can be incorporated in to the SuDS scheme.

We highlight that due to the proposed recreational usage of the site there may be requirements to avoid deep water bodies within the site for H+S reasons and therefore it may not be possible to retain existing habitat types or species present within the site.

The report has detailed that there will be a direct impact on Botany Marshes LWS designated sites due to alteration of hydrological regime through destruction of adjoining wetland but advised that the proposed mitigation is certain subject to design and implementation of suitable drainage and hydrological strategy. We highlight that the implementation of appropriate mitigation is not certain until it has been clearly demonstrated that an appropriate drainage and hydrological strategy can be implemented – we would suggest that until that point the proposed mitigation is uncertain at best.

We highlight that there is a need for any future submissions to clearly demonstrate that they have worked collaboratively with other specialists to ensure it is fully understood what the direct and indirect impacts from the proposal is and if the mitigation is achievable.

Off Site

The submitted information has highlighted that due to the use of the site by wintering birds the proposed development will have a negative impact on South Thames Estuary and Marshes SSSI, Inner Thames Marshes SSSI, Medway Estuary and Marshes SPA/Ramsar/SSSI and Thames Estuary and Marshes SPA/Ramsar and the mitigation is uncertain due to the requirement of off site mitigation. We highlight to fully understand the if the impact can be mitigated details of an off site mitigation area must be provided and it must be demonstrated that the mitigation is achievable and it can provide suitable habitat in perpetuity. We highlight that as the proposal will result in likely significant effect on the designated sites there will be a need for any further information submitted to enable the determining authority undertake an Appropriate Assessment.

The submitted information has highlighted that there will be a need for off site species mitigation and we would expect information to be submitted demonstrating that suitable mitigation areas can be created within Kent and ideally the immediate surrounding area. We highlight that due to the size of any off site mitigation areas and the habitat creation requirements it may not be possible for the proposed designated sites and the species mitigation to be located within the same area. It must be clearly demonstrated that the mitigation can be implemented and retained in perpetuity.

We highlight that we expect ecological surveys to have been carried out on the proposed off site mitigation areas. This will enable consideration of whether the proposed off site mitigation is appropriate and any requirements for habitat creation would not negatively impact any species currently present within the site.

Net Gain

The submitted information has detailed that the applicant is proposing to implement Net Gain and detailed that the proposed development will result in a loss of 355 units however the Net Gain information has been submitted as a PDF rather than an excel Metric and therefore there it is difficult to interrogate the data to consider if we agree with the conclusions. To enable full consideration of this matter we would expect an excel Net Gain Metric and corresponding maps showing the locations of the habitats detailed within the metric. We highlight that the loss of habitat (in Net Gain terms) may be higher than 15%. In situations where Net Gain is proposed we would expect information to be submitted demonstrating that it can be implemented and retained in perpetuity.”

RISK: There is a significant risk at present that the proposal will not be assessed fully with regard to ecology and biodiversity and will result in significant harm to the bio-diversity of the sites.

The Council would also raise the issue that it will seek a s106 agreement with regard to the management of the Green Zones to ensure that they are retained as such in perpetuity to ensure there is no “permitted development associated with the “amusement park” as suggested in the DCO and that the sites aren’t subsequently used for expansion of the “theme park” through themed nature trails. These Green Zones should be managed such that they remain open and are not behind a payline.

Chapter 14: Cultural heritage and archaeology

Kent County Council Heritage Conservation, who are the Council’s advisors with regard to archaeology, have provided the following to the Council. Listed Buildings are matters dealt with by the Council.

“Chapter 14 of the PEIR covers Cultural heritage and archaeology and correctly notes that nationally and internationally important archaeological remains are known to be present within the Kent part of the site; these include the designated sites of Palaeolithic Bakers Hole SSSI and scheduled monument, Neolithic remains along the Ebbsfleet valley and Roman remains around Springhead Roman town and religious focus. In addition, nationally important undesignated archaeological assets are known or expected to be present within the site and under the NPPF (para 194 footnote 63) should be treated as though they are designated.

Chapter 14 is supported by a draft Archaeological Desk based assessment 2015, a draft Archaeological deposit model and characterisation 2015, a Historic Landscape assessment 2015, a fluxgate gradiometer survey 2016, an Earth resistance and EI survey 2017 and a Palaeolithic Desk-based assessment 2017. As stated in the draft Desk based assessment and the draft deposit model and characterisation, both of these reports will need to be updated to take account of the later reports noted above and the updated Historic Environment Record search which was obtained in 2020. As up to date reports have not been shared as part of the statutory consultation, draft updated reports should be sent to statutory consultees and local authorities for comment prior to DCO submission.

The updated Archaeological desk-based assessment should also include a detailed historic map regression (see KCC standard specification current version), a specialist assessment of industrial archaeology (including the cement industry, Bell Wharf and the super pylon), which

seems to have been underestimated in the reports so far, and a detailed archaeological impact assessment, which should include temporary construction impacts and landscape and biodiversity mitigation alongside the development proposals.

In addition, archaeological field evaluation will be required in several areas of the site prior to submission of the DCO. In particular, the areas which require evaluation to be undertaken and reported on before submission of the DCO include Bakers Hole SSSI, Scheduled Monument and adjacent non-designated archaeological remains (transit route, people mover, interchange area); non-designated archaeological remains in the area of Springhead Roman town and religious focus; designated and non-designated archaeological remains of earlier prehistoric date along the flood plain and adjacent areas of the river Ebbsfleet; and borehole assessment of alluvial areas relating to the river Thames. Natural England and Historic England are the main advisers in relation to the designated sites but important archaeological remains are known to be present outside the designated areas so KCC Heritage Conservation would wish to agree the Written Schemes of Investigation for the evaluation work prior to it being undertaken and the draft reports prior to DCO submission. The work should be carried out according to KCC standard specifications.

Information in the PEIR is unclear about the proposed location of the people mover – the Illustrative masterplan seems to show Option 1 of the routes considered in the Palaeolithic DBA, whereas Masterplan fig 4.2e (described in 4.27 as the current proposal) seems to show option 3 of the routes assessed in the Palaeolithic DBA and paragraph 4.45 states: *‘The solution now proposed involves a people mover route comprising a lightweight road laid on the surface of Baker’s Hole, with minimal ground penetration to avoid disturbance to the geological and Palaeolithic features that justify the protection of the site. From the proposed travel interchange the route would cross the designated area and then follow a course along the eastern edge of Baker’s Hole. To facilitate its future removal or realignment, the people mover route would not be adopted as public highway.’*

Option 2 of the people mover routes causes least harm to cultural heritage (see Palaeolithic DBA) – this route should therefore be chosen or a full explanation provided within chapter 4 of why it has not and clarity as to which of the other routes is proposed. As noted above archaeological field evaluation should be undertaken prior to submission of the DCO.

In addition, all of the proposed routes for the people mover, transit route and interchange will have an impact on non-designated archaeological remains of expected national importance; field evaluation is required prior to submission of the DCO, as noted above.

I welcome the intention noted in Chapter 14 to produce a Historic Environment Framework and strategy for submission with the DCO; a draft documents should be sent to local authorities and statutory consultees for comment prior to submission of the DCO. The document should include agreements for management and enhancement of heritage assets within LR land ownership which will include Bakers Hole SSSI, SM and adjacent archaeological remains.

I also welcome the statement in 14.215 that *‘Opportunities will be sought to mitigate effects on the historic environment through improving public understanding and engagement with, and protection of, the historic environment. The nature of the use, display and interpretation of the archaeological and built heritage evidence is currently under discussion and will be more fully addressed in the ES and supporting appendices but options include: ...’*. Again, draft proposals should sent to local authorities and statutory consultees for comment prior to submission of the DCO. There are opportunities to improve the condition, management, display, and interpretation of the important archaeological remains within and adjacent to the site – this should be explained in detail in the DCO following further discussion local

authorities and statutory consultees, and developer contributions should be agreed to allow these ambitions to be achieved. Understanding of the historic environment of the area will help in understanding the context of the development and through careful design can help develop a sense of place and sense of identity of the development within the local area.

Detailed comments

Temporary rights and access to land – mapping of designated and non-designated heritage assets needs to be undertaken and safeguards put in place to ensure damage is not inadvertently caused.

4.46 – the Bakers Hole SSSI should also be considered in the Cultural Heritage section in terms of its Palaeolithic archaeology and the need to consider geological evidence to understand Palaeolithic archaeology

The Kent project site 5.23 onwards should include description of cultural heritage.

5.32 Welcome recognition of 1965 ‘super pylon’ as a local landmark but it also needs to be considered as an industrial heritage asset, in terms of views and setting etc.

5.45 Land remediation proposals and 5.57 landscaping should be assessed for archaeological impacts.

5.63 people mover and transit interchange and 5.68 access route - impacts on archaeological remains should be noted.

5.75 river transport – heritage assessment of proposals at Bell Wharf is needed and appropriate mitigation.

5.76 flood defence and 5.77 habitat improvement – archaeological impact assessment and appropriate mitigation is needed.

5.66 construction activities – need for archaeological investigations has been noted but there is also a need for archaeological evaluation, impact assessment and mitigation through design first.

Written schemes of investigation and Construction practice codes should also be agreed before consent is granted.

The Construction Environmental Management Plan and Construction Transport Management Plan need to take full account of archaeological impact assessment and mitigation requirements.

Ch 6 Scope of EIA and methodology Table 6.1 should be amended to include non-World Heritage Site internationally important heritage assets – the latter is based on political decisions not significance thresholds. Expert professional judgement should be used. Table 6.1 should also be amended for all levels of sensitivity to include non-designated heritage assets as possible sensitive sites, see NPPF para 194 footnote 63. Again professional judgement should be used.

9.390 Mitigation measures should be agree with LPAs and statutory consultees before submission of the DCO.

Ch 10 As noted above the impact on heritage assets at Bell Wharf needs to be assessed including from dredging.

Ch 11 Landscape and visual effects – Landscape Strategy document including planting proposals should take account of heritage assets.

The landscape character assessment should take account of historic landscape character which at the moment it does not seem to include.

The site is referred to as brownfield or having previous industrial use but the industrial heritage character needs to be assessed further.

Table 11.4 should include Springhead Roman town, St Botolph's Church, All Saints Church, Northfleet historic town, and Swanscombe peninsula super pylon.

Chapter 14, the draft Archaeological desk-based assessment and the draft deposit model etc will need to be updated as noted above and stated in 14.3. The potential for survival of important industrial heritage remains should be considered in more detail rather than just assuming that recent industrial use will mean their wholesale removal. Further assessment by an appropriately qualified specialist will be required. Draft reports should be provided prior to submission of the DCO.

It is disappointing that archaeological field evaluation has not yet been completed and reported on. Draft reports should be provided prior to submission of the DCO.

14.57 – KCC standard specifications for archaeological work (copies attached to the email) should be added to the relevant guidance section.

Palaeolithic desk-based assessment - more detailed assessment of impacts including sections, at the southern end of the people mover, transport access and transit interchange is required.

See also general comments re cultural heritage above.

It is not possible to comment on most of Chapter 14 until the baseline assessment has been updated and the field evaluations carried out. In the absence of up to date information in the statutory consultation, a draft of Chapter 14 should be provided to the local authorities and statutory consultees for comment before it is finalised.

Ch 18 The impact of the proposals on the geological significance of Bakers Hole SSSI does not seem to have been assessed in this chapter or elsewhere in the PEIR. When it is assessed should be aware that geological character and value contributes to Palaeolithic significance also.

Fig 5.4 Land use plan - the whole of Bakers Hole SSSI/SM and adjacent nationally important non-designated Palaeolithic archaeology is shown as resort access – this introduces too much flexibility and uncertainty into the proposals and should be amended to show the agreed route.

Fig 9.5 – should include other important heritage assets.

Fig 11.2 should include nationally important non-designated archaeological assets.

Fig 14.1 and 14.3 Swanscombe skull SSSI and NNR should be included on plan of Kent heritage assets.

Figs 14.3 to .7 need to be updated.”

KCC Heritage Conservation have also supplied to the Council standard specifications for evaluation and investigation stage documents which they require to be submitted as it is understood that it is useful to supply such documents at the DCO stage.

The Council notes that the Historic Environment Framework and Strategy for submission with the DCO referred to above does not appear to have been included in the Draft DCO.

It appears from these comments that a significant amount of work, assessment and detailed design needs to be completed in order for the impacts on cultural heritage and archaeology to be understood and mitigated.

RISK: The cultural heritage and archaeology in the area may be lost without adequate investigation and interpretation.

Chapter 15: Noise and vibration

The Council notes that there is a commitment to discuss the methodology of the assessment and the noise receptors with the Council's Environmental Health advisors and welcomes this. However, there has been no discussion yet with regard to this methodology and the Council is concerned about the limited time that now may be available to discuss and agree such detail.

The assessment should include consideration of the impacts from the evening uses and venues proposed, as well as impacts away from the Resort at transport interchanges and other locations where visitors/ employees/construction workers may gather. There is little mention of the evaluation of associated development such as hotels/convention centre.

The Council notes that a floating pontoon is proposed to serve Thames Clipper, which will extend from Bells Wharf towards Ingress Park (a waterfront residential development). As noise cannot be attenuated well over water this should be assessed in detail with regard to the impact on the adjacent existing dwellings as well as the new residential development (with a resolution to grant planning permission subject to a legal agreement) which will extend over the foreshore on a pier structure

There is no assessment of residential receptors near infrastructure buildings, particularly those buildings proposed to the rear of Swanscombe High Street.

RISK: Inadequate assessment of noise potential could result in inadequate mitigation

Chapter 16: Air Quality

General comments on the proposed methodology

The proposed assessment methodology is generally accepted. However the Council notes that the report states that the traffic modelling will be used to identify the full study area used for the air quality assessment. One of the Council's main concerns is the impact that the development will have on the local road network. Whilst the majority of vehicles accessing the site are likely to use the Strategic Road Network (SRN) there may be a large number of vehicles that are displaced from the SRN on to the local road network as a result of increased congestion. This scenario should be included within the modelling. The impacts of additional bus services, their direct contribution to air pollution, as well as the air quality consequences of increased congestion on the local road network should also be considered.

Given the potential for wider impacts arising from the development, the other Air Quality Management Areas in the Borough should also be considered, not only the AQMA immediately adjacent to the site along the A226 and that at Bean junction.

It is suggested that in order to ensure the final assessment meets the Council's normal requirements that the detail of the proposed assessment is discussed further with the Council's Environmental Health advisors and agreed before the modelling work is carried out.

Potential mitigation put forward to reduce air quality should be included and assessed within the EIA.

Consideration should be given to new areas with regard to worsening air quality which may lead to a need for further AQMAs to be declared. The Council would expect the developer to pay for designating such AQMA and funding mitigation. Examples might be worsening air quality in Ingress Park, due to the increased number of buses, cars looking for park etc, or worsening air quality on the new development in Ebbsfleet Garden city adjacent to Ebbsfleet junction and the Resort access road.

Details should be provided of the proposed energy centre, in terms of location and emissions.

The air quality of the proposed riverboat landing appears to have been assessed with regard to the construction impacts but there seems to be no assessment with regard to the operational impacts on air quality.

RISK: Increased levels of pollutants within the Council's AQMAs which are all based around the local and strategic road network. Need for further AQMA's to be declared where new housing is coming forward in the Garden City.

RISK: Increased emissions as a result of the development could delay the achievement of Air Quality objectives in the Borough.

Chapter 16: Water Resources Management

The Council will defer to comments made by the Environment Agency and the Lead Local Flood Authority (KCC) and other statutory consultees with regard to this matter.

However, the water management issues in this area are complex and must be considered with regard to other developments coming forward. The Council as local planning authority needs to ensure that the development does not prejudice the infrastructure available for other developments, particularly given the level of development coming forward within the Borough. The Council will expect the assessment to consider how the impact of the development on water resource availability will be mitigated.

The Council will also expect the water management mitigation proposals to set out how water will be conserved and water use minimised both during the construction phase and the operation phase.

Chapter 18: Soils and ground conditions

The Council would suggest the involvement of their contaminated land officer in the detailed site investigation methodology and assessment in order to ensure that the risk to human health is prevented.

Chapter 19: Waste and Materials

The Council defers to KCC as waste authority with regard to the detail of this assessment.

However, the Council would expect the mitigation proposed to seek to minimise waste generated, maximise recycling and seek to minimise impacts with regards to the removal of waste from the site. The number of vehicle movements should also be minimised. If, as is likely, a commercial waste company undertakes the waste collection operations, there would need to be assessment provided of the origin/destination of the waste vehicles to feed into the traffic modelling. Waste disposal is a KCC matter but it may have land use effects on the area if there are additional requirements for waste sorting/recycling/ incineration or other disposal facilities such as anaerobic digestion.

The Works set out in the DCO include provision for waste transfer facilities. More details of the location of this should be provided, as the works plans provide a number of alternative location. Together with details as to whether such a facility would be dedicated to the Resort only or accessible to other waste companies.

Draft Development Consent Order

Detailed comments on the draft Development Consent Order are attached to this response (appendix B).

Some issues have been touched on above but as identified there appears to be inadequate detail on implementation and phasing and the requirement for approval of details of works parcels is limited.

The provisions for deemed consent seem to give very little time for consideration of what could be complex detailed matters, given the lack of information submitted with the proposal. Although not matters for the Council, the risk to the Council is that important matters in the Borough managed by other statutory providers will not be considered fully.

Article 51 advises that the development is an amusement park for permitted development purposes. But the Council would argue that a lot of the principal development and all the associated development is not actually the amusement park. The area to be considered for this benefit should be defined on a plan. The risk is that permitted development could take place on Green Zones or landscaped areas or could impact on neighbouring residents.

Mitigation and s106

In order to start to identify some of the mitigations required as a result if the proposal the Council has also attached a table of the s106 requirements (Appendix C) which should be considered as a starting point for discussions on the matter. The Council reserves the right to add or amend this list of requirements as the impacts of the proposal become more fully understood.