

Lower Thames Crossing

5.4.1.4 Statement of Common Ground between (1) National Highways and (2) Kent Downs AONB Unit

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Lower Thames Crossing

5.4.1.4 Statement of Common Ground between (1) National Highways and (2) Kent Downs AONB Unit

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1 Introduction

1.1 Purpose of the Statement of Common Ground

- 1.1.1 This Statement of Common Ground (SoCG) has been prepared in respect of the Development Consent Order (DCO) application for the proposed A122 Lower Thames Crossing (the Project) made by National Highways Limited (National Highways) to the Secretary of State for Transport (Secretary of State) under section 37 of the Planning Act 2008.
- 1.1.2 This SoCG does not seek to replicate information which is available elsewhere within the Application Documents. All documents may be available on the Planning Inspectorate website.
- 1.1.3 The SoCG has been produced to confirm to the Examining Authority where agreement has been reached between the parties named below, and where agreement has not (yet) been reached. SoCGs are an established means in the planning process of allowing all parties to identify and so focus on specific matters that may need to be addressed during the examination.

1.2 Parties to this Statement of Common Ground

- 1.2.1 This SoCG has been prepared in respect of the Project by (1) National Highways, and (2) Kent Downs Area of Outstanding Natural Beauty Unit (Kent Downs AONB Unit).
- 1.2.2 National Highways became the Government-owned Strategic Highways Company on 1 April 2015. It is the highway authority in England for the strategic road network and has the necessary powers and duties to operate, manage, maintain and enhance the network. Regulatory powers remain with the Secretary of State. The legislation establishing National Highways made provision for all legal rights and obligations of the Highways Agency, including in respect of the Project, to be conferred upon or assumed by National Highways.
- 1.2.3 AONBs are nationally important and protected landscapes that have the same status in planning terms as National Parks and represent 18% of the land area of England and Wales. The Kent Downs AONB Unit acts in an advisory role on applications which would have a significant effect on the Kent Downs AONB, including direct and indirect impacts to the Kent Downs AONB and its setting.

1.3 Terminology

- 1.3.1 In the matters table in section 2 of this SoCG, “Matter not agreed” indicates agreement on the matter could not be reached, and “Matter under discussion” where these points will be the subject of on-going discussion wherever possible to resolve, or refine, the extent of disagreement between the parties. “Matter agreed” indicates where the issue has been resolved.
- 1.3.2 It is agreed that any matters not specifically referred to in Section 2 of this SoCG are not of material interest or relevance to Kent Downs AONB Unit. As such, those matters can be read as agreed, only to the extent that they are not of material interest or relevance to Kent Downs AONB Unit. However, if new

matters arise Kent Downs AONB Unit reserves the right to comment on those matters as it considers appropriate.

1.4 Overview of previous engagement

1.4.1 A summary of the meetings and correspondence undertaken between the two parties in relation to the Project is outlined in Appendix C.

1.5 Status of the Statement of Common Ground

1.5.1 It is agreed that this statement is an accurate description of the matters raised by the Kent Downs AONB Unit, and the current status of each matter.

1.5.2 It is agreed that Appendix C is an accurate record of the key meetings and consultation undertaken between (1) National Highways and (2) the Kent Downs AONB Unit in relation to the matters addressed in this Statement of Common Ground.

2 Matters

2.1 Matters agreed, not agreed or under discussion

2.1.1 Table 2.1 details the matters which have been agreed, not agreed, or are under discussion between (1) National Highways and (2) Kent Downs AONB Unit.

2.1.2 It is acknowledged there are some matters where further discussion may take place during the detailed design stage of the Project to finalise detail, but the matter is agreed in principle. Matters to which this applies have an asterisk (*) next to them.

Table 2.1 Matters

Topic	Item number	Kent Downs AONB Unit comment	National Highways comment	Document Reference	Status
Planning statement/policy					
Management Plan	2.1.1	The Project should fully consider the principles, aims and objectives of the Kent Downs AONB Unit Management Plan 2021-2026.	The principles, aims and objectives of the Kent Downs AONB Unit, including their management plan for 2021-2026, have been reviewed as part of Environmental Statement (ES) Chapter 7: Landscape and Visual (Application Document 6.1) and are detailed in ES Appendix 7.6: Kent Downs Area of Outstanding Natural Beauty Relevant Guidance (Application Document 6.3).	ES Chapter 7: Landscape and Visual (Application Document 6.1) ES Appendix 7.6: Kent Downs AONB Relevant Guidance (Application Document 6.3)	Matter Agreed
Cost benefit assessment	2.1.2	The AONB Unit is concerned that too much emphasis has been placed on economic factors without	All decisions about the Project, such as whether it should proceed, the selection of a preferred route	Environmental Statement (Application Document 6.1)	Matter Not Agreed

Topic	Item number	Kent Downs AONB Unit comment	National Highways comment	Document Reference	Status
		<p>due consideration of the Project's impact on the environment. The economic benefits must be weighed against the loss of quality of life and wellbeing that would be caused by damage to protected landscapes, biodiversity, the historic environment, light pollution and loss of tranquillity in a landscape of national significance.</p>	<p>and design considerations, have taken account of a wide range of economic, social and environmental impacts, and have been assessed appropriately, in accordance with the requirements of the National Policy Statement for National Networks (NPSNN). It is National Highways' view that the NPSNN test has been met, and that the benefits of the Project clearly outweigh the impact on the Kent Downs AONB.</p> <p>Impacts on the Kent Downs AONB are assessed in the Environmental Statement (Application Document 6.1):</p> <ul style="list-style-type: none"> • Impacts to quality of life and wellbeing are assessed within ES Chapter 13: Population and Human Health • Impacts to biodiversity are assessed within ES Chapter 8: Terrestrial Biodiversity • Impacts to the AONB, including light pollution and tranquillity are 	<p>Need for the project (Application Document 7.1)</p>	

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			<p>assessed in ES Chapter 7: Landscape and Visual</p> <ul style="list-style-type: none"> • Impacts to the historic environment are assessed in ES Chapter 6: Cultural Heritage <p>The Planning Statement (Application Document 7.2) responds to the following Paragraphs of the NPSNN: Paragraph 5.151 which requires that applications should include an assessment of:</p> <ul style="list-style-type: none"> • <i>the need for the development, including in terms of any national considerations, and the impact of consenting, or not consenting it, upon the local economy;</i> • <i>the cost of, and scope for, developing elsewhere, outside the designated area, or meeting the need for it in some other way; and</i> • <i>any detrimental effect on the environment, the landscape and recreational opportunities, and the</i> 		

Topic	Item number	Kent Downs AONB Unit comment	National Highways comment	Document Reference	Status
			<p><i>extent to which that could be moderated.</i></p> <p>Paragraph 5.152 of the NSPNN also states that: <i>“There is a strong presumption against any significant road widening or the building of new roads ... [in an] AONB unless it can be shown there are compelling reasons for the new or enhanced capacity and with any benefits outweighing the costs very significantly”</i></p>		
Route selection, model alternatives & assessment of reasonable alternatives					
Route location	2.1.3	The AONB Unit is strongly opposed to the route selection because of significant detrimental impacts to the Kent Downs AONB.	<p>A robust and appropriate assessment of the route selection has been undertaken and is detailed in ES Chapter 3: Assessment of Reasonable Alternatives (Application Document 6.1).</p> <p>A Non-statutory public consultation was held in 2016 which included a detailed appraisal of the routes. Route 3 was progressed as it best met the scheme objectives and had the least environmental impact. A further</p>	<p>Environmental Statement Chapter 3: Assessment of Reasonable Alternatives (Application Document 6.1)</p> <p>Planning Statement (Application Document 7.2)</p>	Matter Not Agreed

Topic	Item number	Kent Downs AONB Unit comment	National Highways comment	Document Reference	Status
			<p>assessment was undertaken in 2020 which assessed the balance of the environmental impacts of the Eastern Southern Link against the Western Southern link, including an assessment of Landscape Character Areas and impacts to the AONB. The impacts of the Western Southern Link remain less significant than the overall balance of impacts of the Eastern Southern Link. Full details of the route selection process can be found in ES Chapter 3: Assessment of Reasonable Alternatives (Application document 6.1). Impacts to the Kent Downs AONB are assessed within the Planning Statement (Application Document 7.2) as it is a NPSNN test (as detailed in item 2.1.2). As stated above, it is National Highways' view that the NPSNN test has been met, and that the benefits of the Project clearly outweigh the impact on the Kent Downs AONB.</p>		

Topic	Item number	Kent Downs AONB Unit comment	National Highways comment	Document Reference	Status
Landscape & Visual					
Methodology	2.1.4	Viewpoints and photomontage locations and methodology have been agreed with the AONB Unit.	Methodology agreed.	ES Chapter 7: Landscape and Visual (Application Document 6.1)	Matter Agreed
Methodology	2.1.5	The tranquillity baseline noise monitoring locations have been agreed with the AONB Unit.	Baseline locations agreed.	ES Chapter 7: Landscape and Visual (Application Document 6.1)	Matter Agreed
Methodology	2.1.6	The methodology for assessing indirect effects on the Kent Downs AONB has been agreed with the AONB Unit.	Methodology agreed.	ES Chapter 7: Landscape and Visual (Application Document 6.1)	Matter Agreed
Impacts	2.1.7	The construction of a highway and junction in the immediate setting of the Kent Downs AONB will create a significant visual impact resulting in substantial harm to Kent Downs AONB that could not be satisfactorily mitigated.	National Highways agrees that there is a significant impact on local landscape character within the Kent Downs AONB as detailed within ES Chapter 7: Landscape and Visual (Application Document 6.1). Measures have been taken to minimise the impact to the Kent Downs AONB where practicable. The impact on the Kent Downs AONB is assessed within the Planning Statement (Application Document 7.2) as it is a	ES Chapter 7: Landscape and Visual (Application Document 6.1) Planning Statement (Application Document 7.2)	Matter Agreed

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			NPSNN test. National Highways' view is that the project meets the NPSNN test.		
Impacts	2.1.8	<p>The removal of existing vegetation along the A2, including the central reservation, loss of mature trees from both sides of the highway and removal of mitigation for High Speed 1 will open up views of the transport corridor and reduce the current wooded context within which it sits, negatively impacting landscape character.</p> <p>The AONB Unit acknowledges that discussions with Statutory Undertakers have reduced impacts since the Supplementary Consultation, although remain greater than National Highways originally consulted on in 2016 and 2018.</p>	<p>National Highways agrees that there is a localised significant impact on local landscape character within the Kent Downs AONB as detailed within ES Chapter 7: Landscape and Visual (Application Document 6.1). Measures have been taken to minimise impact to the Kent Downs AONB where practicable.</p> <p>Discussions with Statutory Undertakers have resulted in a reduction in woodland loss, including High Speed 1 mitigation, and ancient woodland loss since impacts were first presented to the AONB Unit in 2019.</p> <p>The Project will result in the loss of vegetation within the central reservation, which is assessed in the views from the road assessment (ES Appendix 7.13, Application Document 6.3). The minimum areas of retained vegetation are detailed in the</p>	<p>ES Chapter 7: Landscape and Visual (Application Document 6.1)</p> <p>Environmental Masterplan (Application Document 6.2, Figure 2.4).</p> <p>Views from the road assessment (ES Appendix 7.13, Application Document 6.3).</p> <p>Design Principles (Application Document 6.5)</p> <p>Code of Construction Practice (ES Appendix 2.2, Application Document 6.3)</p>	Matter Agreed

Topic	Item number	Kent Downs AONB Unit comment	National Highways comment	Document Reference	Status
			<p>Environmental Masterplan (Application Document 6.2, Figure 2.4).</p> <p>Several securing mechanisms have been included to further reduce the impact on the Kent Downs AONB, including:</p> <p>Design Principle LSP.01 'Retention of existing vegetation',</p> <p>Register of Environmental Actions and Commitments (REAC) Commitment LV013 'Designated/protected trees and hedgerows, utilities'</p> <p>REAC commitment LV028 'Protection of retained woodland, trees and hedges'</p> <p>REAC Commitment LV029 'Landscape planting'</p> <p>REAC commitment LV030 'Veteran and ancient tree fencing'</p>		
Impacts	2.1.9	Physical and visual severance of the Kent Downs AONB to the north of the A2 will further isolate Shorne Woods from Cobham Parklands and Ashenbank Wood to the south.	Although the Project would increase the width of the transport corridor, in the longer-term, Brewers Road green bridge and Thong Lane green bridge south would reduce the severance by providing dedicated	ES Chapter 7: Landscape and Visual (Application Document 6.1)	Matter Not Agreed

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			walkers, cyclists and horse riders (WCH) routes and soft landscape features providing visual screening of the corridor with improved ecological connectivity.		
Impacts	2.1.10	The cumulative visual impacts of the widened A2 corridor should be considered in combination with High Speed 1.	High Speed 1 is considered as part of the baseline for ES Chapter 7: Landscape and Visual (Application Document 6.1) and is also considered within the visual assessment, which includes the increased visibility of High Speed 1.	ES Chapter 7: Landscape and Visual (Application Document 6.1)	Matter Agreed
Impacts	2.1.11	There will be a reduction in tranquillity during construction and following completion of the Project from both noise and increased lighting.	National Highways' landscape and visual assessment (ES Chapter 7: Landscape and Visual (Application Document 6.1)) confirms that there would be localised impacts on tranquillity during construction and following completion of the Project, along the A2/M2 Corridor. As detailed in REAC Commitment NV013 'Road Surfacing', (Code of Construction Practice (ES Appendix 2.2, Application Document 6.3)) low-noise	ES Chapter 7: Landscape and Visual (Application Document 6.1) Code of Construction Practice (ES Appendix 2.2, Application Document 6.3)	Matter Agreed

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			road surfacing would be installed on all new and affected roads, including all new sections of the A2/M2 and the A2/LTC junction as part of the upgrade works to reduce road traffic noise by up to -3.5 decibels (dB). Low noise road surfacing is also proposed for the local roads crossing the A2, this will reduce road traffic noise by up to -2.5 decibels (dB).		
Impacts	2.1.12	Increased use of traffic at A229 Blue Bell Hill could create future pressure for this route to be widened. This is also likely to have impacts on the road links between Dover and Folkestone which would impact on the landscape of the Kent Downs AONB. The AONB Unit would expect the proposed works to be assessed in the Lower Thames Crossing ES.	National Highways acknowledges the concern raised by the AONB Unit. The Traffic Forecasts Non-Technical Summary (Application Document 7.8) presents the forecast percentage change in flow as a result of the Project, and an increase is predicted along the A229. Improvements to the A229 at the intersections with the M2 and M20 are not part of the proposed Lower Thames Crossing project and are therefore assessed in ES Chapter 16: Cumulative Effects Assessment (Application Document 6.1).	Traffic Forecasts Non-Technical Summary (Application Document 7.8) Wider network impacts management and monitoring plan (Application Document 7.13) ES Chapter 16: Cumulative Effects Assessment (Application Documents 6.1)	Matter Under Discussion

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			<p>Any future development of the A229, as proposed by Kent County Council, would be subject to the requirements of the National Planning Policy Framework which only allows for development in exceptional circumstances and where it can be demonstrated that it is in the public interest.</p> <p>National Highways is currently in joint discussions with relevant authorities about the proposed improvement works at this location in accordance with its license obligations to work with others to align national and local plans and investments, balance national and local needs and support better end-to-end journeys for road users.</p> <p>This matter will be discussed further at a joint meeting with the AONB Unit and Natural England.</p>		
Impacts	2.1.13	Any diversions of routes should not degrade the experience of users and the connectivity of the WCH network.	Any WCH routes severed during construction would be re-linked across the Project unless better quality routes can be provided in the	ES Chapter 7: Landscape and Visual (Application Document 6.1)	Matter Agreed

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			<p>vicinity, for example where a route can be rationalised to better link communities with destinations, or re-alignment of routes to provide better connectivity into the existing WCH network.</p> <p>Consideration has been given to the experience of users and maintaining connectivity with the creation of pleasant routes between Shorne Woods Country Park, Ashenbank Wood and Jeskyns Community Woodland, linked with existing routes from Gravesend (as detailed in Design Principle PEO.09 'WCHs south of the Thames' (Application Document 6.5)).</p> <p>Public Rights of Way (PRoW) NS167 and NS169 would be integrated into a new circular WCH route connecting around the A2/Lower Thames Crossing junction. Between Claylane Wood and Shorne Woods Country Park, this would be via a new green bridge at Thong Lane.</p>	<p>Design Principles (Application Document 7.5)</p>	

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Impacts	2.1.14	<p>The revised access to the Harlex Haulage Depot presented in the Community Impacts Consultation would result in further encroachment into a currently undeveloped part of the AONB which has high landscape character and value. This would result in urbanising effects on the AONB. The revisions also omit previously proposed woodland planting.</p> <p>Any access to the Harlex Haulage Depot should be located as close to the A2 as possible to minimise encroachment into this undeveloped part of the AONB.</p>	<p>The access to the Harlex Haulage Depot is located as close to the A2 corridor as possible while maintaining a safe design and junction. The access has been designed with stakeholder feedback from the haulage operator to ensure the design facilitates their operations.</p> <p>The proposed woodland planting adjacent to the Harlex Haulage Depot is in line with that proposed in December 2020 and as detailed in the Environmental Masterplan (Application Document 6.2)</p>	Environmental Masterplan (Application Document 6.2)	Matter Not Agreed
Impacts	2.1.15	<p>The AONB Unit has concerns about the proposed location of the construction compound directly adjacent to the AONB, which would result in the loss of Gravelhill Wood. This mature woodland is consistent with local landscape character and shares the characteristics of the</p>	<p>The Construction of the new A2/M2 junction and associated utilities diversions would result in the loss of Gravelhill Wood.</p> <p>A block of woodland planting is proposed on the embankment to the east of the junction which would provide some screening, in conjunction with the false cutting along the Lower</p>	ES Chapter 7: Landscape and Visual (Application Document 6.1)	Matter Under Discussion

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		<p>adjacent AONB, comprising part of the wooded ridgeline. Removal of the woodland would also open up views of the complicated, multi-level junction with the A2 to the adjacent AONB. The AONB Unit opposes the loss of this woodland.</p> <p>Notwithstanding their objection to the removal of the woodland, the AONB Unit considers that the most appropriate restoration would be to replace the removed woodland.</p> <p>The AONB Unit welcomes continued constructive discussions on this matter.</p>	<p>Thames Crossing to A2 eastbound slip road, to help mitigate the visual impact on the AONB.</p> <p>National Highways welcomes continued constructive discussions on this matter.</p>		
Mitigation	2.1.16	<p>The proposed mitigation south of the Thames is inadequate in view of the scale of impact and significant residual harm that would result to the Kent Downs AONB.</p>	<p>National Highways has followed the mitigation hierarchy of Avoid, Mitigate, Compensate to minimise the impact to the Kent Downs AONB. In accordance with this, impacts to ancient woodland and veteran trees have been avoided wherever practicable, and have significantly reduced since the Supplementary Consultation in 2020, for example through</p>	<p>ES Chapter 7: Landscape and Visual (Application Document 6.1)</p> <p>Code of Construction Practice, ES Appendix 2.2, Application Document 6.3</p>	Matter Not Agreed

Topic	Item number	Kent Downs AONB Unit comment	National Highways comment	Document Reference	Status
			<p>engagement with Statutory Undertakers on utilities proposals. For example, REAC item LV013 ‘Designated/protected trees and hedgerows, utilities’ commits to using trenchless installation methods to avoid the removal of ancient woodland where reasonably practicable (Code of Construction Practice, ES Appendix 2.2, Application Document 6.3).</p> <p>National Highways has included a robust and appropriate package of mitigation, including substantial areas of land for woodland planting (including ancient woodland mitigation planting), Nitrogen Deposition compensation planting and other ecological habitats, which support improved habitat connectivity within the wider landscape. The landscape scale approach taken by the Project is based on guidance received from the Defra family at Statutory Consultation in the document ‘Defra Family</p>		

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			<p>Potential Environmental Legacy Projects’.</p> <p>The potential for mitigation alongside the A2/M2 is limited due to restricted space for planting and the constraints of the utility corridors within vicinity of the A2/M2 corridor.</p> <p>Residual significant effects are reported within ES Chapter 7: Landscape and Visual (Application Document 6.1).</p>		
Mitigation	2.1.17	It is disappointing more replacement planting is not proposed within the Kent Downs AONB. Mitigation further afield within the boundary of the Kent Downs AONB could help to further mitigate impacts to the Kent Downs AONB.	National Highways has proposed areas of planting both within and adjacent to the Kent Downs AONB with the aim of planting as close as possible to where the impact is and to reduce impacts to the setting of the Kent Downs AONB. There are additional constraints within the Kent Downs AONB, for example heritage considerations and conservation areas where the setting could be negatively impacted by woodland planting. Areas of replacement planting have	<p>ES Chapter 7: Landscape and Visual (Application Document 6.1)</p> <p>ES Chapter 8: Terrestrial Biodiversity (Application Document 6.1)</p>	Matter Not Agreed

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			<p>therefore been designed within these constraints.</p> <p>An additional 70ha site and a 5.5ha site have also been included within the Kent Downs AONB near Blue Bell Hill as part of the proposed nitrogen deposition compensation package. The 70ha site will comprise of woodland planting and open mosaic habitat and aligns with an area which was historically wooded. The 5.5ha site will be chalk grassland. National Highways has consulted with Kent Downs AONB to ensure these habitat types align with the AONB's aspirations and management plan objectives.</p> <p>The detailed design of the Nitrogen Deposition compensation sites will be developed through the outline Landscape and Ecology Management Plan (oLEMP) advisory group, which the AONB Unit will be a member of.</p>		

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Mitigation	2.1.18	The AONB Unit initially requested further detail on the design of the proposed Park Pale acoustic barrier and expressed concerns about its potential urbanising effect. The AONB Unit now welcomes the removal of the Park Pale acoustic barrier from the design.	Following engagement with the AONB Unit and Natural England, and in response to their concerns about the potential urbanising effect of the Park Pale acoustic barrier, it has now been removed from the design.	N/A	Matter Agreed
Mitigation	2.1.19	Advanced planting should be established, ideally before the impact had occurred.	Advanced woodland planting would be undertaken as early in the programme as practicable, as set out in REAC commitments LV029 'Landscape Planting' and TB001 'Hedgerow Replacement' (Code of Construction Practice (ES Appendix 2.2, Application Document 6.3)).	Code of Construction Practice (ES Appendix 2.2, Application Document 6.3)	Matter Agreed
Mitigation	2.1.20	The AONB Unit supports the upgrading of WCH routes and the proposal to reinstate any PRoW that would be affected by the Project.	The Project Design Report (Application Document 7.4) incorporates a WCH strategy that seeks to reconnect severed links by way of overbridges or underpasses as close to their original alignment as practicably possible.	Project Design Report (Application Document 7.4)	Matter Agreed

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Mitigation	2.1.21	The Kent Downs AONB Unit would like early sight of the Environmental Masterplan.	The draft Environmental Masterplan (Figures 2.4 and 2.5, Application document 6.2) was issued to the AONB Unit on 05/06/2020 and 01/12/2020. The updated GIS layer containing the environmental design was also issued to the AONB Unit on 28/04/2022.	Environmental Masterplan (Figures 2.4 and 2.5, Application document 6.2)	Matter Agreed
Mitigation	2.1.22	The AONB Unit supports the creation of green bridges. Their initial view was that the design should focus on WCH experience, which should be through the 'green' area. However, the AONB Unit now accepts that the WCH route is located at the edge of the 'green' to provide ecological connectivity. The AONB Unit would like the green bridges to be wider than those proposed. Discussions are ongoing regarding green bridge designs.	Discussions are ongoing regarding green bridge designs, most recently at the meeting with the AONB Unit and Natural England in May 2022, and a site visit in July 2022. National Highways has presented their rationale for locating the WCH route at the edge of the 'green', to provide a robust vegetated area for the movement of animals.	ES Chapter 7: Landscape and Visual (Application Document 6.1) Design Principles (Application Document 7.5)	Matter Under Discussion
Mitigation	2.1.23	The AONB Unit's colour design guide should be consulted in the design of	National Highways has included reference to the AONB Unit's colour design guide in Design Principle	Design Principles (Application Document 7.5)	Matter Agreed

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		structures located within the AONB.	STR.06 'Project enhanced structures: consistent design approach' (Application Document 6.5)		
Mitigation	2.1.24	Green bridge designs should be sensitive to the landscape within which they are located, for example use of flint and ragstone cladding.	National Highways has committed to Design Principle STR.06 'Project enhanced structures: consistent design approach' (Application Document 6.5) which states that "within and close to the Kent Downs AONB, materials will be self-finished, minimising maintenance while being consistent and appropriate to the colour palette required in the Kent Downs AONB."	Design Principles (Application Document 7.5)	Matter Agreed
Mitigation	2.1.25	The ongoing maintenance of compensation and mitigation will be important.	Noted. Following construction, monitoring of newly created habitats would be undertaken in accordance with the oLEMP (Application Document 6.7). This would outline the required maintenance operations, control measures and frequency of monitoring surveys to ensure the successful establishment of habitats. This will be monitored by the oLEMP	oLEMP (Application Document 6.7)	Matter Agreed

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			advisory group which the AONB Unit will be a member of.		
Compensation	2.1.26	<p>As the significant impacts to the Kent Downs AONB cannot be fully mitigated, the AONB Unit initially requested that monetary compensation in the form of a grant scheme should be provided.</p> <p>The AONB Unit now acknowledge that a 70ha and a 5.5ha site located near Blue Bell Hill have been included as part of the nitrogen deposition compensation, which will also provide compensatory enhancements for the AONB Unit.</p> <p>The AONB Unit has requested that additional compensatory enhancement measures are considered, and a meeting was held on 10/08/2022 to discuss this further.</p>	<p>National Highways has agreed to include a 70ha and a 5.5ha nitrogen deposition compensation site near to Blue Bell Hill, which would also provide compensatory enhancements for the AONB Unit, as detailed in item 2.1.17.</p> <p>National Highways is continuing to work collaboratively with the AONB Unit to consider their suggestions for additional compensatory enhancement measures, which are subject to ongoing discussion.</p>	ES Chapter 8: Terrestrial Biodiversity (Application Document 6.1)	Matter Under Discussion
Terrestrial Biodiversity					
Impacts	2.1.27	The loss of Ancient Woodland and Sites of Special Scientific Interest	National Highways recognises the level of protection given to SSSIs	Planning Statement (Application Document 7.2)	Matter Not Agreed

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		<p>(SSSI) is considered wholly unacceptable and the AONB Unit maintains its objection in the strongest possible terms.</p> <p>The AONB Unit does however acknowledge that discussions with Statutory Undertakers have reduced impacts since the Supplementary Consultation in 2020 although remain greater than the Project originally consulted on in 2016 and 2018.</p>	<p>and ancient woodland in the NPSNN (paragraphs 5.28, 5.29, and 5.32) and their view is that the project meets the NPSNN test.</p> <p>The project has been designed to minimise adverse effects on these habitats.</p> <p>National Highways is working with Statutory Undertakers to further reduce encroachment into ancient woodland wherever practicable. Significant improvements have been made since the Supplementary Consultation in 2020.</p> <p>Where adverse effects are unavoidable, National Highways' strategy to offset these is considered to be in line with the approach agreed with Natural England. Ancient woodland compensation planting has been proposed as part of the mitigation strategy and supports improved habitat connectivity within the wider landscape.</p>	<p>ES Chapter 8:Terrestrial Biodiversity (Application Document 6.1)</p>	

Topic	Item number	Kent Downs AONB Unit comment	National Highways comment	Document Reference	Status
Impacts	2.1.28	The AONB Unit would like to understand the exact area of ancient woodland loss resulting from the Project.	National Highways shared a breakdown of ancient woodland loss with the AONB Unit on 01/12/2020. Updates have subsequently been provided at technical meetings held between the AONB Unit and Natural England. ES Chapter 8:Terrestrial Biodiversity (Application Document 6.1) is being updated, and final loss gain figures will be shared with the AONB Unit when they are available.	ES Chapter 8:Terrestrial Biodiversity (Application Document 6.1)	Matter Under Discussion
Mitigation	2.1.29	It is not possible to replace Ancient Woodland as it takes hundreds of years to establish and is defined as an irreplaceable habitat.	National Highways acknowledges that it is not possible to replace ancient woodland and recognises the level of protection afforded to it (as detailed in item 2.1.27). The landscape strategy for new areas of woodland planting aims to link areas of retained ancient woodland to improve connectivity and reduce fragmentation effects, which would provide wider biodiversity benefits (further details are available in ES Chapter 7: Landscape and	ES Chapter 7: Landscape and Visual (Application Document 6.1) Code of Construction Practice (ES Appendix 2.2, Application Document 6.3)	Matter Agreed

Topic	Item number	Kent Downs AONB Unit comment	National Highways comment	Document Reference	Status
			Visual (Application Document 6.1)). REAC Commitment TB028 also commits to ancient woodland soil translocation (Code of Construction Practice (ES Appendix 2.2, Application Document 6.3))		
Nitrogen Deposition					
Impacts	2.1.30	Woodland is particularly susceptible to and could be affected by changes in the nitrogen deposition as a result of changing traffic flows. The AONB Unit welcomes the inclusion of an assessment of potential impacts from nitrogen deposition on designated sites as a result of changes to traffic flows arising from the Lower Thames Crossing.	The effect of nitrogen deposition changes from the Project on woodlands has been fully assessed in ES Chapter 8: Terrestrial Biodiversity (Application Document 6.1) and the Habitats Regulations Assessment (Application Document 6.5).	ES Chapter 8: Terrestrial Biodiversity (Application Document 6.1) Habitats Regulations Assessment (Application Document 6.5)	Matter Agreed
Compensation	2.1.31	The AONB Unit supports the general approach to nitrogen deposition compensation, which is proposed, to use a landscape scale approach rather than creating multiple, small new sites	The approach to nitrogen deposition compensation, and the site selection methodology has been agreed with the AONB Unit.	ES Chapter 8: Terrestrial Biodiversity (Application Document 6.1) Habitats Regulations Assessment (Application Document 6.5)	Matter Agreed

Topic	Item number	Kent Downs AONB Unit comment	National Highways comment	Document Reference	Status
		<p>and agree that this is likely to provide wider ecological benefits as well as potential improvements both visually and ecologically at a landscape scale.</p> <p>The AONB Unit also agrees with the habitat site selection methodology that was devised to select appropriate sites.</p>			
Compensation	2.1.32	<p>The AONB Unit notes that the majority of sites likely to be affected by increased nitrogen deposition are located within the Kent Downs AONB and many of these are located on the actual escarpment of the North Downs, the main target of the original AONB designation.</p> <p>The AONB Unit is disappointed that less than half of the total proposed compensation area is proposed in the Kent Downs AONB, which does not appear to provide for equivalent compensation to potential assessed harm to the biodiversity rich habitats of the AONB itself.</p>	<p>National Highways has taken a landscape scale approach to nitrogen deposition compensation, to enable predominantly wooded enhanced ecological connectivity.</p> <p>Nitrogen deposition compensation sites were selected using a robust site selection methodology agreed with the Kent Downs AONB Unit and Natural England.</p> <p>The methodology included an assessment of the ecological suitability of land parcels using a proximity analysis. This considered proximity and therefore connectivity to other important existing ecological</p>	<p>ES Chapter 8: Terrestrial Biodiversity (Application Document 6.1)</p> <p>ES Chapter 5: Air Quality, Appendix 5.6: Project Air Quality Action Plan (Application Document 6.1)</p>	Matter Not Agreed

Topic	Item number	Kent Downs AONB Unit comment	National Highways comment	Document Reference	Status
			<p>features (located both inside and outside of the AONB), planting provided by the Project as part of the landscape design and the area affected by potentially significant nitrogen deposition changes. The size of the land parcel was also considered, with larger land parcels being categorised as more suitable than smaller ones.</p> <p>The land parcels were then reviewed by a multi-disciplinary group of specialists, to assess the potential opportunities and constraints for each site to refine the site selection. Factors considered include cultural heritage, landscape (including the AONB management plan), utilities, land referencing and planning. The sites were further refined following the Local Refinement Consultation held in 2022.</p> <p>Suitable sites identified through this process which are located entirely within the AONB are the Blue Bell</p>		

Topic	Item number	Kent Downs AONB Unit comment	National Highways comment	Document Reference	Status
			Hill and Burham sites. Additionally, the site to the south of Shorne lies partially within the AONB.		
Compensation	2.1.33	The AONB Unit supports the proposed nitrogen deposition compensation site at Blue Bell Hill and agrees that the site offers the opportunity to enhance ecological links as well as secure landscape enhancements in this area.	It is agreed that the Blue Bell Hill nitrogen compensation site will provide enhanced landscape scale connectivity.	ES Chapter 8: Terrestrial Biodiversity (Application Document 6.1) Habitats Regulations Assessment (Application Document 6.5)	Matter Agreed
Compensation	2.1.34	The AONB Unit provided comments on the oLEMP design principles relating to the Blue Bell Hill nitrogen deposition compensation site. The AONB Unit agrees that their requested changes have been incorporated, and the AONB Unit is now satisfied with the oLEMP design principles for this site. The AONB Unit is also satisfied that the development of the design would be undertaken through the oLEMP Advisory Group, which they would be a member of.	National Highways has consulted the AONB Unit and Natural England on proposed oLEMP Design Principles for the Blue Bell Hill nitrogen deposition mitigation site and has updated these to reflect stakeholder feedback (Application Document 6.7) . National Highways has proposed to develop the design of the site through the oLEMP Advisory Group, which the AONB Unit would be a member of.	oLEMP (Application Document 6.7)	Matter Agreed


Topic	Item number	Kent Downs AONB Unit comment	National Highways comment	Document Reference	Status
Compensation	2.1.35	The AONB Unit is disappointed that following the Local Refinement consultation, the site at Blue Bell Hill has been reduced by 30ha.	<p>National Highways has considered stakeholder and landowner feedback from the 2022 Local Refinement Consultation and has taken the decision to reduce the land take in the large Blue Bell Hill compensation field by 30ha.</p> <p>The 70ha Blue Bell Hill site, in addition to the 5.5ha Burham site continue to provide a robust ecological connection to existing woodland (as detailed in items 2.1.32 and 2.1.33) and therefore its nitrogen deposition compensation function. National Highways has also included additional landscape focussed oLEMP Design Principles as detailed in item 2.1.34. The site therefore offers a substantial enhancement for the AONB at a landscape scale.</p>	<p>ES Chapter 8: Terrestrial Biodiversity (Application Document 6.1)</p> <p>Habitats Regulations Assessment (Application Document 6.5)</p>	Matter Not Agreed

3 Agreement on this Statement of Common Ground

STATEMENT OF COMMON GROUND

This Statement of Common Ground has been prepared and agreed by (1) National Highways Limited and (2) Kent Downs AONB Unit.

Name	Sam Ireland
Position	Environment and Industry Stakeholder Engagement Lead
Organisation	National Highways
Signature	

Name	Katie Miller
Position	Planning Manager
Organisation	Kent Downs AONB Unit
Signature	

Appendix A Documents considered within this Statement of Common Ground

- A.1.1 A summary of the documents which have been considered in the development on this SoCG outside of the DCO application documents are provided below, such as emails, meeting notes, etc.
- a. Kent Downs AONB Unit Statutory Consultation Response
 - b. Kent Downs AONB Unit Supplementary Consultation Response
 - c. Kent Downs AONB Unit Design Refinement Consultation Response
 - d. Kent Downs AONB Unit Community Impact Consultation Response
 - e. Kent Downs AONB Unit Local Refinement Consultation Response

Appendix B Glossary

Term	Abbreviation	Explanation
Area of Outstanding Natural Beauty	AONB	Statutory designation intended to conserve and enhance the ecology, natural heritage and landscape value of an area of countryside.
Decibels	dB	The unit of measurement used for sound pressure levels and noise levels.
Environmental Statement	ES	A document produced to support an application for development consent that is subject to Environmental Impact Assessment (EIA), which sets out the likely impacts on the environment arising from the proposed development.
Geographic Information System	GIS	An integrated collection of computer software and data used to view and manage information about geographic places, analyse spatial relationships and model spatial processes.
National Policy Statement for National Networks	NPSNN	The NPSNN sets out the need for, and Government's policies to deliver, development of Nationally Significant Infrastructure Projects on the national road and rail networks in England. It provides planning guidance for promoters of Nationally Significant Infrastructure Projects on the road and rail networks, and the basis for the examination by the Examining Authority and decisions by the Secretary of State.
Outline Landscape and Ecology Management Plan	oLEMP	A document which provides details on the delivery and management of the landscape and ecology elements identified in the Environmental Masterplan for the Project, including their success criteria.
Public Rights of Way	PROW	A right possessed by the public to pass along routes over land at all times. Although the land may be owned by a private individual, the public may still gain access across that land along a specific route. The mode of transport allowed differs according to the type of Public Right of Way, which can consist of footpaths, bridleways and open and restricted byways.
Register of Environmental Actions and Commitments	REAC	The REAC identifies the environmental commitments that would be implemented during the construction and operational phases of the Project if the Development Consent Order is granted, and forms part of the Code of Construction Practice (Application Document 6.3, ES Appendix 2.2).
Site of Special Scientific Interest	SSSI	A conservation designation denoting an area of particular ecological or geological importance.
Walkers, cyclists and horse riders	WCH	Walkers, cyclists and horse riders

Appendix C List of engagement activities

- C.1.1 A summary of the meetings and correspondence undertaken between the two parties in relation to the Project is outlined in Table C.1 below.
- C.1.2 It is agreed that this is an accurate record of the key meetings and correspondence undertaken between (1) National Highways and (2) Kent Downs AONB Unit in relation to the matters addressed in this SoCG.
- C.1.3 A detailed record of all engagement between (1) National Highways and (2) Kent Downs AONB in relation to the issues addressed in this SoCG is available at Appendix D.

Table C.1 Engagement activities between National Highways Kent Downs AONB Unit.

Date	Form of contact/ correspondence	Key topics discussed and key outcomes
2019-2022	Monthly Update Meetings	Monthly meetings to discuss programme, SoCG topics and compensatory enhancements.
2017-2022	Joint meetings between National Highways, Kent Downs AONB Unit & Natural England	Technical meetings to discuss the landscape environmental chapter as required, typically quarterly.
2019-2022	Joint workshops with SEBs & Local Authorities	Workshops to provide a project update, as required, typically bi-annually.
2016-2022	Public consultations	Kent Downs AONB Unit has been consulted on all of LTC's public consultations

Appendix D Detailed record of all engagement

Table D.1 Detailed record of engagement

Date	Form of contact/ correspondence	Key topics discussed and key outcomes
January – March 2016	2016 Options Phase Consultation	Public consultation on option locations for the Project.
14 June 2017	Bilateral meeting with Kent Downs AONB Unit	Meeting to update on the Project
6 November 2017	Joint meeting between Kent Downs AONB Unit & Natural England	Meeting to update on the Project, Order Limits, Environmental Impact Assessment (EIA) and landscape surveys and to discuss the Zone of Theoretical Visibility (ZTV). It was agreed an additional viewpoint on local road, Ifield Lane (to the south of Harts Hill) in Shorne would be added. Site visit undertaken post meeting to discuss viewpoints.
12 December 2017	Environmental Impact Assessment Scoping Report	The Scoping Report was issued to all Statutory Environmental Bodies for comment.
7 August 2018	Joint meeting between Kent Downs AONB Unit & Natural England	Meeting to provide an update on the Project development, potential impacts to Kent Downs AONB, mitigation options and next steps. It was also to explain the potential changes and challenges of the Project before statutory consultation.
5 September 2018	Project Identification Workshop	Meeting to provide an update on the Project to date and to roughly map stakeholder projects within or adjacent to the Order Limits to better understand interfaces. Project opportunities, key targets and impacts were also discussed.
25 September 2018	Statutory Environmental Bodies joint meeting	Meeting to provide an overview to the information, which was presented at Statutory Consultation, including highways alignment design, the Preliminary Environmental Information Report, key public facing and technical materials, and to provide an opportunity for the Statutory Environmental Bodies to ask questions.
October – December 2018	Statutory Consultation	Consultation on the latest designs for the Project
12 March 2019	Meeting with Kent Downs AONB Unit	Meeting to discuss potential mitigation and compensation for the Kent Downs AONB. Kent Downs AONB Unit expressed concern about encroachment into Kent Downs AONB and wanted to understand more about the extent of the encroachment. Kent Downs AONB Unit also requested to talk about compensation at future meetings.
25 April 2019	Design Development	Meeting to update key stakeholders on the latest thinking on the Project's design development and

Date	Form of contact/ correspondence	Key topics discussed and key outcomes
	Workshop, South of the River Thames	seek initial feedback and further suggestions for improving the design.
19 June 2019	Landscape Photomontage Viewpoints Site Visit, South of the Thames	Meeting to discuss and agree the locations of Representative Viewpoints to have photomontages prepared. Feedback on the selection, their location and methodology for compiling was requested.
9 October 2019	Meeting with NE & AONB	Meeting to discuss the indirect effects on the Kent Downs AONB
7 November 2019	Design Development Workshop, South of the Thames	Design Development Workshop with key local authorities and Statutory Environmental Bodies to update on supplementary consultation delivery, pre-enabling works, design refinement and Order Limits.
3 December 2019	Utilities Diversion Workshop, south of the Thames (NE, AONB & FC)	Utility Diversion Workshop to update on utilities design and its potential impact on environmental designations and Order Limits.
January 2020 – March 2020	Supplementary Consultation	Consultation on the latest designs for the Project.
6 February 2020	Construction Impacts Workshop	Second Construction Impacts Workshop with local authorities and Statutory Environmental Bodies to provide an update of likely construction impacts (as a follow up to the workshop on 4 December 2019) and updates on construction traffic modelling and potential utility diversions.
6 February 2020	Environmental impacts technical meeting	Meeting to discuss indirect effects on Kent Downs AONB including traffic assessment. Action to hold a meeting with Project traffic modellers.
31 March 2020	Traffic modelling meeting	Meeting to provide an overview of the traffic modelling methodology.
22 April 2020	Environmental Impacts & Mitigation Workshop	<p>This workshop was to discuss EIA impacts and mitigation, for local authorities and Statutory Environmental Bodies including:</p> <ul style="list-style-type: none"> An update to the Project’s approach to assessing potential effects, significance of effects and mitigation Introducing the control plan Providing an update on the progress of Environmental Masterplan and the technical chapters of the Environmental Statement (ES) Providing a forum for open discussion and ideas around mitigation
21 May 2020	Key Elements of the DCO Workshop	<p>Workshop to discuss key elements of the draft DCO including:</p> <ul style="list-style-type: none"> Order Limits update Further consultation (Design Refinement consultation Lower Thames Crossing ‘Digital First’ Consultation and Electronic Submission

Date	Form of contact/ correspondence	Key topics discussed and key outcomes
		<p>DCO process – Key Stages DCO application documentation Control Plan Draft Development Consent Order and Schedules Requirement, Secondary Consents and Permit schemes Book of Plans SoCGs – Purpose, Content, Principles and Preparation</p>
1 June 2020	Teams meeting	Teams meeting to discuss the proposed timescales and process for SoCG submission and issue of draft documentation.
12 June 2020	Issue of draft landscape reports	<p>Draft Environmental Masterplan – South of River Thames Draft Representative Viewpoints and Photomontages – South of River Thames Draft Indirect Effects Figures Draft Landscape and Visual Assessment</p>
17 June 2020	Meeting to discuss effects on Kent Downs AONB	<p>A meeting to discuss: Avoidance of impacts Effects on Kent Downs AONB Proposed mitigation measures Green bridge designs</p>
23 June 2020	Environmental Impacts and Mitigation and Code of Construction Practice (CoCP) Review Workshop – Part 1	Meeting to provide an update on the Project, recap and discussion on approach to environmental assessment and mitigation as well as review the Register of Environmental Actions and Commitments (REAC) and receive feedback from stakeholders on items discussed at workshop.
29 June 2020	Issue of draft Development Consent Order	Issue of draft Development Consent Order
July 2020 – August 2020	Design Refinement Consultation	Consultation on the design refinements for the Project
24 November 2020	Joint meeting with LTC, SEBS & LAs	Meeting to provide an update on the LTC DCO application withdrawal
1 December 2020	Correspondence	DCO V1 application documents shared with the AONB.
19 January 2021	Teams Meeting	Catch up meeting with Kent Downs AONB to provide a project update on timescales for re-submission including a potential additional public consultation and a revised road opening year.

Date	Form of contact/ correspondence	Key topics discussed and key outcomes
15 February 2021	Teams Meeting	Monthly meeting to discuss the updated SoCG template, a likely public consultation, and to provide an update on legacy discussions.
22 February 2021	Correspondence	Draft oLEMP shared with the AONB Unit for review.
22 February 2021	Correspondence	Draft oSWMP shared with the AONB Unit for review
22 February 2021	Correspondence	Draft outline Traffic Management plan shared with AONB Unit for review
19 April 2021	Teams Meeting	Monthly meeting to review the schedule of engagement and provide an overview of the consultation materials.
10 May 2021	Joint Teams Meeting between LAs and SEBs	Briefing on updates to Order Limits
18 May 2021	Teams Meeting	Meeting to discuss Gravesham Council's adequacy of consultation report. The AONB Unit agreed that the frequency of engagement was adequate.
2 June 2021	Joint meeting with AONB Unit & Natural England	Meeting to discuss green bridges, acoustic barriers and impacts on the AONB
21 June 2021	Correspondence	A shapefile of the revised Order Limits was issued to the AONB Unit.
23 June 2021	Teams Meeting	Meeting to discuss a potential package of compensatory enhancements with the AONB Unit.
28 June 2021	Correspondence	Pre-release of consultation materials, including: CoCP & REAC DCO Schedule 2 & Explanatory Note Design Principles Framework Construction Travel Plan Outline Traffic Management Plan for Construction Wider Network Impacts Management and Monitoring Plan
30 June 2021	Correspondence	Pre-release of additional consultation materials, including: oLEMP Outline Site Waste Management Plan
14 July 2021- 8 September 2021	Public consultation	Community Impacts Consultation
21 July 2021	Teams Meeting	Meeting to discuss the proposed compensatory enhancement objectives

Date	Form of contact/ correspondence	Key topics discussed and key outcomes
4 October 2021	Teams Meeting	Follow-up meeting to discuss compensatory enhancement objectives
26 November 2021	Teams Meeting	Meeting to discuss a potential 'Plan B' for compensatory enhancement measures.
12 January 2022	Teams Meeting	Meeting to receive feedback on the draft compensatory enhancement objectives and to provide an update on the nitrogen deposition work
28 January 2022	Teams Meeting	Monthly meeting to provide a project update including changes to the Tilbury Fields design and the NDep compensation land.
2 March 2022	Teams Meeting	LTC provided an update on the public consultation. The AONB provided feedback on the proposals for the NDep compensation land MAOI4. It was agreed that a joint meeting would be set up with NE to discuss the proposals.
25 March 2022	Teams Meeting	Monthly meeting to provide a project update and to update SoCG issues
11 April 2022	Joint meeting with AONB & NE	Meeting to discuss the proposed NDep compensation sites
27 April 2022	Teams Meeting	Meeting to discuss the proposed compensatory enhancement package and potential for the Blue Bell Hill site to provide a compensatory enhancement function for the AONB.
12 May 2022 – 20 June 2022	Public consultation	Local Refinement Consultation
16 May 2022	Teams Meeting	Joint meeting with NE and AONB to discuss outstanding landscape issues, including draft design principles.
21 May 2022	Correspondence	Shapefile of updated landscape design sent to AONB
30 May 2022	Teams Meeting	Meeting to provide any points of clarification on the consultation material, discuss the oLEMP design principles, and to provide an update on planting on green bridges.
22 June 2022	Joint meeting with AONB & NE	Meeting to provide an update on noise and traffic effects on the AONB
28 June 2022	Teams Meeting	Meeting to provide an update on the proposed changes at the NDep compensation changes at Blue Bell Hill.
19 July 2022	Teams Meeting	Meeting to provide an update on the NDep compensation sites following the Local Refinement Consultation.
10 August 2022	Teams Meeting	Meeting to discuss the proposed NDep compensation at Blue Bell Hill and for the AONB to suggest potential additional enhancements for the site.

Date	Form of contact/ correspondence	Key topics discussed and key outcomes
23 August 2022	Teams Meeting	Monthly meeting to provide a project update and to update SoCG issues
27 September 2022	Teams Meeting	Monthly meeting for the AONB Unit to provide feedback on their SoCG review.

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