

# Lower Thames Crossing

## 5.4.4.1 Statement of Common Ground between (1) National Highways and (2) Basildon Council

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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) Basildon Council.
- 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 Basildon Council is not a host authority in respect of the application and as such is a category 'B' local authority under section 43(2) of the Planning Act 2008. As a borough council, it is the local planning authority and holds responsibilities including developing and implementing a Local Plan, waste management, community and environmental issues within its boundary.

## 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 Basildon Council. As such, those matters can be read as agreed, only to the extent that they are either not of material interest or relevance to Basildon Council. However, if new matters arise Basildon Council 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 Basildon Council 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) Basildon Council 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) Basildon Council.

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	Basildon Council comment	National Highways comment	Document Reference	Status
<b>Need for the Project</b>					
Need for the Project	2.1.1	Basildon Council support the need for the Project.	Noted.	N/A	Matter Agreed
<b>Route selection, modal alternatives &amp; assessment of reasonable alternatives</b>					
Route alignment	2.1.2	Basildon Council agrees with the proposed route alignment.	Noted.	N/A	Matter Agreed
<b>Consultation and engagement</b>					
Adequacy of Consultation	2.1.3	Basildon Council is satisfied with the adequacy of consultation on the Project.	Noted.	N/A	Matter Agreed
<b>Operation and maintenance</b>					
Provision of 24-hour rest stops	2.1.4	Basildon Council would expect the final design of the Project to reflect firm commitments to provide appropriate rest and service areas (RASA)	National Highways have considered the benefits, the environmental impact and the views of consultees, and have concluded that it is not necessary to include the rest	N/A	Matter Agreed

Topic	Item number	Basildon Council comment	National Highways comment	Document Reference	Status
		including provision for electric charging points, at suitable locations. Basildon Council acknowledge the ongoing work National Highways are doing to consider appropriate locations for future facilities and would like to know if National Highways have a list of potential sites. Basildon Council would also like to know whether operational details are available (i.e., 24 hour or 5am – 11pm etc).	and service area in our proposals. However National Highways believe it would be beneficial for a 24-hour RASA to be located in the vicinity of the Project. National Highways do not currently have a list of potential sites; however National Highways will be working with service area operators, the haulage industry and road user groups to consider the most appropriate location for any further service area provision on the Strategic Road Network. Any facility proposed in the future would need planning consent from the local planning authority.		
<b>Charging</b>					
Charging regime	2.1.5	Basildon Council agrees with the proposed toll charging regime for the Project.	Noted	N/A	Matter Agreed
<b>Traffic and economics</b>					
Request for economic assessment	2.1.6	Basildon Council has expressed concern as to the absence of a specific economic assessment. The Council has particular concerns that the Project could change the economic dynamics of the borough's land economy and increase the demand for lower density Storage & Distribution	Appendix D of the Combined Modelling and Appraisal Report (Application Document 7.7) provides an economic appraisal of the Project. This includes a Level 3 Wider Economic Impacts (WEI) Report which includes evidence of wider economic	Section 5.7 of Appendix D of the Combined Modelling and Appraisal Report (Application Document 7.7)	Matter Agreed

Topic	Item number	Basildon Council comment	National Highways comment	Document Reference	Status
		<p>uses due to improved access to Kent, and its connections to the European continent. Basildon is concerned that this shift may contradict the economic strategy being pursued for the Basildon borough.</p> <p>Basildon Council are content with the information provided in appendix D of the Combined Modelling and Appraisal report</p>	<p>impacts that are not included in the Benefit Cost Ratio for the Project. The original document was shared with Basildon Council as part of the initial DCO v1 submission (dated October 2020), a revised version will be available as part of the resubmitted DCO application.</p> <p>The Project could change the economic dynamics of the Lower Thames area, but National Highways does not have any specific evidence about how it may change Basildon’s land economy.</p> <p>The Level 3 WEI report includes a range of evidence about the Project’s potential to generate what Department for Transport (DfT) call ‘Level 3’ wider economic impacts. These impacts are based on a variable land use assumption under which businesses may decide to relocate to more advantageous locations, firms may change the intensity of production and operations at their existing locations and workers may decide to more or less productive jobs.</p>		



Topic	Item number	Basildon Council comment	National Highways comment	Document Reference	Status
			<p>Level 3 wider economic impacts could have significant effects on the local, regional and national economy. However, the modelling and quantification of these impacts is complex. DfT provides advice on various modelling methods in its Transport Analysis Guidance (TAG), but recognises that these methods are new and still developing and are not analytically mature. The modelling challenges include data and methodological uncertainties and the difficulty of validating such models. The Project has trialled various variable land use modelling approaches, but none have been deemed to be sufficiently analytically robust to be included in the Development Consent Order (DCO). A decision was taken to gather evidence about the Project's potential to generate these impacts, focusing on the Lower Thames local authorities areas (Dartford, Gravesham, Medway, Thurrock, Brentwood, Havering). The evidence presented in the Level 3 report is about the Lower Thames area and includes a</p>		

Topic	Item number	Basildon Council comment	National Highways comment	Document Reference	Status
			<p>summary of its historical socio-economic development, data about the area’s current socio-economic context and industrial structure, quantitative and qualitative measures of the presence of existing business clusters in the area and other stakeholder and modelling evidence. Therefore, the report does not specifically assess how the Project may impact on Basildon’s land economy.</p> <p>The Project could increase the demand for land used by Storage &amp; Distribution businesses in the Lower Thames area, but National Highways does not have any specific evidence about the scale or whether this would occur in Basildon. The Level 3 report includes strong evidence about the presence of clusters of transport, logistics and storage businesses in the Lower Thames area and indicates that the Project could strengthen those clusters and produce additional productivity benefits.</p>		
Modelling	2.1.7	The most recent Lower Thames Area Model (LTAM) adopted as the traffic modelling approach for the project, is	The Lower Thames Area Model (LTAM) includes committed developments, in line with TAG.	Section 5.7 of the Transport Assessment	Matter Under Discussion

Topic	Item number	Basildon Council comment	National Highways comment	Document Reference	Status
		<p>welcomed as this includes an expanded area of detailed modelling which now includes the Basildon borough.</p> <p>Only the high growth scenario includes reasonably foreseeable schemes such as those contained within an emerging development plan such as the Revised Publication Local Plan 2018 for the Basildon borough.</p> <p>Basildon Borough Council has withdrawn the Revised Publication Local Plan 2018 and is currently developing a new Local Plan. There is, therefore, no current date on reasonably foreseeable development schemes.</p> <p>Therefore, whilst the low and high growth matrices may have been derived using a proportionate method to represent the uncertainty associated with national growth figures, it should reflect the Government agenda to increase the supply of housing through the completion of local development plans for local authority areas, and as such there is a much greater likelihood that these developments will come forward during the forecast period. Therefore, it is likely that impacts associated with 2041 and 2051 forecasts in the transport modelling may be experienced much sooner if</p>	<p>At the time of producing the most recent traffic forecasts using the LTAM, the growth referred to by the authority did not have the necessary TAG level of certainty for inclusion within the model.</p> <p>The high growth scenario is produced using the methodology set out in Appendix B of TAG Unit M4, which does not mean that the growth contained within the authority's emergent local plan was explicitly included.</p> <p>The LTAM has followed the guidance set out in TAG as would be expected for a major infrastructure scheme funded by Government.</p> <p>Further discussions will be held following the Council's review of the application documents.</p>	<p>(Application Document 7.9)</p>	

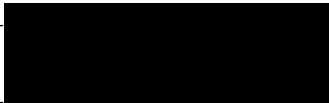
Topic	Item number	Basildon Council comment	National Highways comment	Document Reference	Status
		growth in Local Plans across South Essex are realised.			
<b>Wider Network Impacts</b>					
Wider network impacts	2.1.8	<p>There may be a need to incorporate more localised improvements to the road network including the A127, A13 and A130. In particular, given that the main dis-benefits of the scheme are anticipated to be experienced on the A13 east of the project, it is likely that additional mitigation is going to be required in order to alleviate issues on the strategic road network around the Basildon borough and beyond. Basildon Borough Council would therefore seek a more robust commitment to future road investment programmes to ensure funding is available to effectively mitigate the adverse impact to the local road network generated by the project.</p> <p>There may be a need to incorporate more localised improvements to the road network including the A127, A13 and A130. In particular, given that the main disbenefits of the scheme are anticipated to be experienced on the A13 east of the project, it is likely that additional mitigation is going to be required in order to alleviate issues on the strategic road network around the Basildon borough and beyond.</p>	<p>The Wider Network Impacts Management and Monitoring Plan has been submitted as part of the application which sets out the proposed approach for the monitoring the traffic impacts of the scheme during its operational phase to identify changes in performance on the surrounding Local Road Network (LRN), Major Road Network (MRN) and Strategic road network (SRN). The monitoring data would be made available to all local and highway authorities which may strengthen business case submissions to the standard funding frameworks and allow the appropriate decision making to be made.</p> <p>Further discussions will be held following the Council's review of the application documents.</p>	Wider Network Impacts Management and Monitoring Plan (Application Document 7.12)	Matter Under Discussion

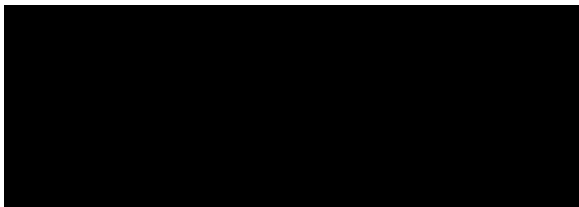
Topic	Item number	Basildon Council comment	National Highways comment	Document Reference	Status
		This remains under discussion together with Essex County Council pending the outcome of additional traffic data and modelling.			
<b>Air quality</b>					
Air quality mitigation	2.1.9	<p>Basildon Council requests that should the results of the full air quality assessment predict significant impacts, National Highways should provide appropriate mitigation, which would likely focus on the management of traffic in the affected areas, together with promote travel via electric vehicles.</p> <p>Basildon Council considers that this project should seek to deliver positive improvement in air quality, the project needs to engage with bus operators and larger businesses about ensuring that the many newly generated trips between north Kent and South Essex can be managed by bus services. Thought should be given to how cyclists can get through the tunnel and all cycling infrastructure must be designed to LTN 1/20 standards.</p> <p>Basildon Council agree to National Highways' general approach to air quality mitigation, subject to review of final documentation upon DCO application submission.</p>	<p>The air quality assessment has been updated and completed for the Environmental Statement and has concluded that there are no significant effects on human health receptors. Furthermore, the Project does not delay compliance with the Air Quality Directive. No mitigation is therefore required in relation to these effects.</p> <p>The air quality assessment of effects on designated habitats will be presented within the Environmental Statement. Where significant effects have been identified, the mitigation and compensation will be described in the Project Air Quality Action Plan. The Environmental Statement will be submitted with the application for Development Consent.</p> <p>Further discussions will be held following the Council's review of the application documents.</p>	Environmental Statement Chapter 5 Air Quality (Application Document 6.1)	Matter Under Discussion

### 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) Basildon Council.**

Name	Charlotte Crake
Position	Statements of Common Ground Manager
Organisation	National Highways
Signature	

Name	Christine Lyons
Position	Head of Planning
Organisation	Basildon Council
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. Consultation materials released by the Project at the following stages of consultation and corresponding responses:
    - i. Route Consultation (Opened January 2016, closed March 2016)
    - ii. Statutory Consultation (Opened October 2018, closed December 2018)
    - iii. Supplementary Consultation (Opened January 2020, closed April 2020)
    - iv. Design Refinement Consultation (Opened July 2020, closed August 2020)
    - v. Community Impacts Consultation (Opened July 2021, closed September 2021)
    - vi. Local Refinement Consultation (Opened May 2022, closed June 2022)
  - b. Scoping Opinion: Proposed Lower Thames Crossing, 2017

## Appendix B Glossary

Term	Acronym	Explanation
A122 Lower Thames Crossing	LTC/the Project	A proposed new crossing of the Thames Estuary linking the county of Kent with the county of Essex, at or east of the existing Dartford Crossing.
Statement of Common Ground	SoCG	A Statement of Common Ground is a written statement containing factual information about the proposal which is the subject of the appeal that the appellant reasonably considers will not be disputed by the local planning authority.
Development Consent Order	DCO	Means of obtaining permission for developments categorised as Nationally Significant Infrastructure Projects (NSIP) under the Planning Act 2008.
Rest and Service Areas	RASA	Rest and Service Area (RASA) are equipped with facilities for highway users and members of the public to use 24 hrs a day.
The Lower Thames Area Model	LTAM	Transport model designed to forecast impacts of providing additional road based capacity across the River Thames at locations at or east of the existing Dartford Crossing.
Transport Analysis Guidance	TAG	National guidance document produced by the Department for Transport.
Local Road Network	LRN	A Local Road Network (LRN) is any road maintained by Local Highway Authority
Major Road Network	MRN	The Major Road Network (MRN) is a classification of local authority roads in England. It incorporates the <u>National Highways-controlled Strategic Road Network (SRN)</u> and the more major <u>local authority controlled A roads</u> .
Strategic Road Network	SRN	The core road network in England managed by National Highways.
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.
Department for Transport	DfT	The government department responsible for the English transport network and a limited number of transport matters in Scotland, Wales and Northern Ireland that have not been devolved.



## 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) Basildon Council in relation to the matters addressed in this SoCG.

**Table C.1 Engagement activities between National Highways and Basildon Council.**

<b>October 2020 – August 2022</b>		
<b>Procedural Matters</b>		
27/10/2020 – 25/07/2022	Meeting 3 occurrences	Sessions to provide Basildon Council with project updates and overview of Statement of Common Ground (SoCG) process and work towards drafting SoCG.
<b>Cross Authority Discussion</b>		
24/11/2020	Meeting	A cross authority meeting to discuss the withdrawal of the Lower Thames Crossing Development consent Order application with stakeholders.
02/08/2022	Meeting	Local Authority Carbon Update
<b>September 2017 – September 2020</b>		
9/05/2017 – 10/08/2019	Meeting - 3 occurrences	Session to provide Basildon Council with project updates.
<b>Consultation Briefing</b>		
08/11/2018 – 18/12/2018	Meeting -2 occurrences	Briefing session on Statutory consultation.

- C.1.3 In addition to the meetings / correspondence listed in the tables, there has also been regular correspondence by email / phone call. This is not reported in the table, but the total number of contact entries in our stakeholder database is 90 emails/letters.

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