



<b>Transboundary screening undertaken by the Planning Inspectorate (the Inspectorate) on behalf of the Secretary of State (SoS) for the purposes of Regulation 32 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the 2017 EIA Regulations)</b>	
<b>Project name:</b>	Lower Thames Crossing
<b>Address/Location:</b>	Essex and Kent
<b>Planning Inspectorate Ref:</b>	TR010032
<b>Date(s) screening undertaken:</b>	First screening – 30 April 2018 following the Applicant’s request for a scoping opinion Second screening – 9 February 2023 following submission of the application documents
<b>EEA States identified for notification</b>	First Screening: None Second Screening: None

<b>FIRST TRANSBOUNDARY SCREENING</b>	
<b>Document(s) used for transboundary Screening:</b>	Lower Thames Crossing Environmental Impact Assessment – Scoping Report (‘the Scoping Report’) - including Chapter 18 ‘Transboundary Screening’ 30 October 2017
<b>Screening Criteria:</b>	<b>The Inspectorate’s Comments:</b>
<b>Characteristics of the Development</b>	Based on the information in the Scoping Report, the Proposed Development will involve construction of a new high speed (speed limit of 120km/h or 70mph ) road system: <ul style="list-style-type: none"> <li>• approximately 31km in length connecting the A2 east of Gravesend, Kent, to the M25 in Essex,</li> <li>• via a new 3.5km crossing under the River Thames by means of two bored tunnels to the east of London,</li> <li>• a new spur road to Tilbury Port on the north side of the Thames,</li> <li>• including a number of new grade separated junctions,</li> <li>• including potentially a new jetty for use during the construction period,</li> <li>• installation of technology assets including electronic message signs, CCTV cameras, and traffic detectors,</li> <li>• other highways structures including drainage infrastructure.</li> </ul>

	<p>The proposals are expected to begin construction in 2020 and to be completed by 2025 or 2027 depending on the chosen funding route.</p>
<p><b>Location of Development (including existing use) and Geographical area</b></p>	<p>The proposals are situated in Kent and Essex, to the east of the city of London.</p> <p>The area in which the Proposed Development is situated is a combination of agricultural land, grasslands, floodplain, woodland, existing infrastructure and buildings, and leisure and recreational facilities (golf courses and a shooting range).</p> <p>A number of other major developments /plans exist within the vicinity of the proposals. The Scoping Report provides a plan and description (Figure 16.1, and Chapter 16) of these developments which broadly include:</p> <ul style="list-style-type: none"> <li>• Tilbury 2 - a proposed new port development at Tilbury (NSIP)</li> <li>• The London Resort – a proposed leisure and entertainment resort including a theme park, on the Swanscombe peninsula (NSIP)</li> <li>• A2 Bean and Ebbsfleet junction improvements – a proposed highways scheme (NSIP)</li> <li>• Ebbsfleet Garden City – framework plan for up to 15,000 homes, Ebbsfleet, Northfleet, and Swanscombe area (Kent).</li> </ul> <p>The Scoping Report states that the nearest EEA state is France, approximately 110km from the Proposed Development.</p> <p>The Scoping Report states in Table 18-1 that the Proposed Development would not require any physical works in any area under the jurisdiction of any other EEA State.</p>
<p><b>Environmental Importance</b></p>	<p>The Proposed Development will affect land to the north and south of the Thames Estuary and will include a tunnel which passes underneath the River Thames.</p> <ul style="list-style-type: none"> <li>• On the southern side of the Thames the proposed tunnel is situated under Thames Estuary and Marshes Ramsar site (and associated functionally linked habitat). The Thames Estuary and Marshes Special Protection Area (SPA) lies adjacent to the proposals, overlapping the Ramsar site at this location. The River Thames is designated as a recommended Marine Conservation Zone. The bird populations associated with the Ramsar site and SPA include European migratory species.</li> <li>• The proposals lie partly within Kent Downs Area of Outstanding Natural Beauty (AONB), an area of high landscape importance. The Greater Thames Estuary National Character Area (NCA81) and Northern Thames Basin (NCA 111) are identified in the Scoping Report as key environmental receptors of medium/regional landscape importance.</li> </ul>

	<ul style="list-style-type: none"> <li>• A large number of designated and non-designated heritage assets have been identified in the Scoping Report as being within the vicinity of the Proposed Development.</li> <li>• The presence of human activity in the River Thames and the Thames Estuary is recognised in the Scoping Report in relation to commercial shipping activities, recreational vessels, and navigation.</li> <li>• The proposals are located partly within floodplain to the north and south of the Thames crossing. Existing tidal flood defences are in place along the Thames.</li> </ul>
<b>Potential impacts and Carrier</b>	<p>The Scoping Report identifies; air, land, and water as potential impact pathways; however no specific impacts are discussed in relation to their transboundary effects. It states that all environmental resources that are identified as potentially experiencing significant environmental effects are all located within the UK.</p> <p>The Inspectorate has considered impacts to estuarine hydrodynamic and geomorphological processes and effects to human activity in the River Thames as potential pathways for effects to other EEA states. In addition, impacts to populations of mobile species associated with designated sites in other EEA States has been considered as a pathway for effects.</p> <p>The information currently provided in the Applicant's Scoping Report indicates that while pathways exist, the impacts that are anticipated to occur would be unlikely to result in significant effects on the environment in other EEA States.</p>
<b>Extent</b>	<p>The Scoping Report states that The Project would not require any physical works in any area under the jurisdiction of any other EEA State. The Scoping Report has identified the 'zone of influence' of the potential effects of the proposals. It states that no significant effects are anticipated, at this stage, to extend to other EEA States.</p>
<b>Magnitude</b>	<p>The Scoping Report has not identified any impacts which would be likely to significantly affect the environment in another EEA State.</p>
<b>Probability</b>	<p>The Scoping Report has not identified any impacts which would be likely to significantly affect the environment in another EEA State.</p>
<b>Duration</b>	<p>The Scoping Report has not identified any impacts which would be likely to significantly affect the environment in another EEA State.</p>

<b>Frequency</b>	The Scoping Report has not identified any impacts which would be likely to significantly affect the environment in another EEA State.
<b>Reversibility</b>	The Scoping Report has not identified any impacts which would be likely to significantly affect the environment in another EEA State.
<b>Cumulative impacts</b>	The Applicant's cumulative impact assessment (CIA) has not yet been undertaken and the Applicant has not identified any likely significant cumulative effects at this stage.

**Transboundary screening undertaken by the Inspectorate on behalf of the SoS**

Under Regulation 32 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the 2017 EIA Regulations) and on the basis of the current information available from the Applicant, the Inspectorate is of the view that the Proposed Development **is not likely** to have a significant effect on the environment in an EEA State.

In reaching this view the Inspectorate has applied the precautionary approach (as explained in its Advice Note Twelve: Transboundary Impacts), and taken into account the information currently supplied by the Applicant.

**Action:**

No further action required at this stage.

**Date:** 30 April 2018

**Note:** The SoS' duty under Regulation 32 of the 2017 EIA Regulations continues throughout the application process.

**SECOND TRANSBOUNDARY SCREENING**

**Document(s) used for transboundary Screening:**

**Environmental Statement (ES), including:**

- Document 6.1 - ES Chapter 1 – Introduction [Examination Library APP-139]
- Document 6.1 - ES Chapter 2 – Project Description [APP-140]
- Document 6.1 - ES Chapter 4 – Methodology [APP-142]
- Document 6.1 - ES Chapter 5 to 15 – ES Topic Chapters [APP-143 to APP-153]
- Document 6.1 - ES Chapter 16 – Cumulative Effects [APP-154]
- Document(s) 6.2 – ES Figures [APP-156 to APP-331]
- Document(s) 6.3 – ES Appendices [APP-332 to APP-485]

**Habitats Regulations Assessment (HRA):**

- Document 6.5 Habitats Regulations Assessment - Screening Report and Statement to Inform an Appropriate Assessment [APP-487] (hereafter referred to as the "Applicant's HRA Report")

**Date screening undertaken:**

Re-screened on 9 February 2023 following receipt of application documents

**Transboundary re-screening undertaken by the Inspectorate on behalf of the SoS**

Following submission of the DCO application, which included the ES and the Applicant's HRA Report, the Inspectorate has reconsidered the transboundary screening decision made in October 2017.

The Inspectorate has identified the following matters that differ from those considered at the time of the previous transboundary screening decision:

- Change in the description of the Proposed Development;
- Environmental importance and potential impacts and carriers;
- Potential additional cumulative effects; and
- Transboundary information provided within the ES.

**Changes in the description of the Proposed Development**

The description of the Proposed Development is set out in the ES, covering the main development and offsite considerations:

- ES Chapter 1 – Introduction [APP-139]; and
- ES Chapter 2 – Project Description [APP-140].

There have been some modifications and further design details provided as part of the Application documents including: refinement of the route alignment; removal of the junction near East Tilbury and section of road towards Tilbury Port; confirmation that no jetties or additional rail sidings are required for the construction or operation of the Proposed Development; specified location and detail of bridges or other crossing infrastructure; utility and public right of way diversions; and environmental mitigation including flood storage/compensation and landscaping/planting (including specific planting to offset nitrogen deposition).

The refinement of the route alignment does not significantly alter the red line boundary of the Proposed Development compared to the Proposed Development subject to the previous transboundary screening.

Confirmed utility diversion works do not list any requirement to divert or otherwise alter internationally shared infrastructure such as telecommunications or electricity interconnector cables.

**Environmental importance, potential impacts and carriers**

The pathways of effects and the potential extent of effects remain consistent with those considered in the Inspectorate's previous transboundary screening decision undertaken on behalf of the Secretary of State, namely pathways through air, land, and water.

The HRA identifies three UK National Site Network European Sites where likely significant effects could occur; Thames Estuary and Marshes SPA; Thames Estuary and Marshes Ramsar site; and Epping Forest SAC. No adverse effects on integrity are concluded by the Applicant across the three UK National Site Network European sites assessed.

Further to the Inspectorate's consideration of these pathways, the Applicant has identified changes to guidance and assessment on human health, together with additional receptors including four UK National Site Network European sites, and provided further documents such as a preliminary Navigational Risk Assessment. The Applicant has not identified any likely significant impacts on EEA States as a result of these changes.

Within the ES, receptor locations and sensitivity have been refined and provided in more detail compared to the information available at the time of the Inspectorate's previous Transboundary Screening. No new or additional receptors which may have the potential to be subject to transboundary impacts from the Proposed Development have been identified.

Additional application documents include a Statement of Statutory Nuisance [APP-489], Transport Assessment [APP-529], Health and Equalities Impact Assessment [APP-539], and Preliminary Navigational Risk Assessment [APP-548] (which details considerations of the international port of Tilbury within the vicinity of the Proposed Development). No new or additional receptors which may have the potential to be subject to transboundary impacts from the Proposed Development have been identified.

### **Cumulative Effects**

The Applicant's cumulative impact assessment is detailed in ES Chapter 16 [APP-154]. The cumulative impacts assessment identified in its short list, additional developments under the Town and Country Planning Act 1990, local development plans, and Nationally Significant Infrastructure Projects (NSIPs) under the Planning Act 2008.

In terms of the list of pathways and carriers of effects considered, the Applicant does not identify the potential for significant cumulative effects on the environment of an EEA state.

The Applicant's HRA report considers in-combination effects and lists the plans and projects that were considered as part of the HRA in-combination assessment. The Applicant's HRA Report concludes that there would be no adverse effect on integrity alone or in combination on the assessed European Sites.

### **Transboundary information provided within the ES**

Further to the information provided at the first screening stage, the Applicant confirms in ES Chapter 4 (ES methodology) [APP-142] and ES Appendix 4.1 (The Inspectorate's Scoping Opinion and National Highways Response) [APP-340] that the nearest EEA state is France, c.110km from the Proposed Development, and that it considers that no transboundary effects could arise from the construction and operation of the Proposed Development.

### **Conclusions**

Under Regulation 32 of the 2017 EIA Regulations and on the basis of the current information available from the Applicant, there is no change to the previous conclusion, and the Inspectorate remains of the view that the Proposed Development **is not likely** to have a significant effect on the environment in an EEA State.

In reaching this view the Inspectorate has applied the precautionary approach (as explained in its Advice Note twelve: Transboundary Impacts); and taken into account the information currently supplied by the Applicant.

#### **Action:**

No further action required at this stage

**Date:** 9 February 2023

**Note:** The SoS' duty under Regulation 32 of the 2017 EIA Regulations continues throughout the application process.

**Note:**

The Inspectorate's screening of transboundary issues is based on the relevant considerations specified in the Annex to its Advice Note Twelve, available on our website at <http://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>