

Lower Thames Crossing

Notification of Proposed Changes to the Planning Inspectorate

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Lower Thames Crossing

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1 Introduction

1.1 Introduction

- 1.1.1 National Highways (the Applicant) has submitted an application under section 37 of the Planning Act 2008 for an order to grant development consent (the Application) for the A122 Lower Thames Crossing (the Project). The DCO Application was submitted on 31 October 2022 and accepted for Examination on 28 November 2022.
- 1.1.2 Since the submission of the DCO Application, the Applicant has continued to engage with Interested Parties with a view to addressing their comments and agreeing common ground, while also continuing with detailed Project development. This work has identified a small number of minor changes, which the Applicant considers would enhance the Project.
- 1.1.3 This document therefore constitutes Step 1 of Figure 1 of Advice Note Sixteen: How to Request a Change Which May Be Material (version 2) (“Advice Note Sixteen”) in which “the Applicant informs the Examining Authority in writing of its intention to request a change to the accepted application”. These changes are described in Section 2 and the accompanying figures.
- 1.1.4 The proposed changes stem from ongoing landowner engagement during which the Applicant has identified an opportunity to make modifications to temporary works near East Tilbury and nitrogen deposition compensation areas at Bluebell Hill and Burham, reducing the land required within the Order Limits.
- 1.1.5 The Applicant is also proposing a change to the northern portal headwall limits of deviation and is providing a clarification on the construction methodology options for the tunnel drive.
- 1.1.6 The Applicant considers that the proposed changes to the DCO Application are, individually and collectively, non-material. None of the changes would involve the inclusion of any additional land within the order limits, nor would any of them give rise to any materially new or materially different adverse environmental effects in comparison with those assessed and reported in the Environmental Statement. Refer to Section 2.3 for more information.
- 1.1.7 The Applicant is notifying the Examining Authority of its intention to formally request a change to the DCO Application and seeking advice from the Examining Authority on the procedural implications. More information on the formal change request can be found in Section 5.
- 1.1.8 The Applicant intends to carry out a targeted non-statutory consultation on the changes prior to making the formal change request. More information can be found in Section 4.
- 1.1.9 The consultation will be undertaken having regard to the principles and process set out in the Planning Inspectorate’s (2018) Advice Note Sixteen: How to Request a Change Which May Be Material, as described in Section 4 of this document.

1.2 Indicative programme

- 1.2.1 The indicative programme for the relevant steps for submitting the formal change request to the Examining Authority are set out in Table 1.1

Table 1.1 Indicative programme for formal change request

Step	Indicative programme
Notification to the Examining Authority on the proposed changes	16 March 2023
Non-statutory consultation	April to May 2023 for a minimum period of 30 days
Formal change request to be submitted to the Examining Authority	June 2023
Examining Authority decision on whether to accept the changes and how they should be examined	At the Examining Authority's discretion

1.3 Structure of this document

- 1.3.1 The structure of the remainder of this document is as follows:
- a. Section 2: Proposed changes – providing a description of, and justification for, the proposed changes.
 - b. Section 3: Single tunnel boring machine (TBM) approach – providing further clarity in relation to the TBM approach.
 - c. Section 4: Proposed consultation – providing details of the proposed approach to the non-statutory consultation and engagement.
 - d. Section 5: Proposed change request submission – provides information which will be contained within the proposed change request report.
 - e. Section 6: Compliance with the Infrastructure Planning (Compulsory Acquisition Powers) Regulations 2010.

2 Proposed changes

2.1 Overview of proposed changes

2.1.1 Table 2.1 provides a summary of the proposed changes and materiality of the changes based on the Applicant’s assessment against the Environmental Statement and other relevant factors such as the land required to accommodate the change.

Table 2.1 Summary of proposed changes

Change code	Title of change	Brief summary	Materiality assessment
MRC01	Blue Bell Hill and Burham nitrogen deposition compensation sites	Removal of farmland from the Order Limits (Work No. E2 and part of Work No. E1) to retain agricultural land whilst still providing sufficient nitrogen deposition compensation.	Non-material
MRC02	Limits of deviation on bored tunnel headwall (north on alignment)	<ul style="list-style-type: none"> Increase in North Portal headwall limits of deviation from 125m to 275m (associated with Works No. 4A and referenced on Sheet 2 of Application Document APP-046) 	Non-material
MRC03	East Tilbury utilities relocations and Order Limits reduction	<ul style="list-style-type: none"> Reduction in Order Limits, west of East Tilbury Relocation of Linford bore pipeline (Works No. MUT6) west of East Tilbury Relocation of Muckingford Road and Low Street Lane Utility Logistics Hubs (ULH 11 and 12 respectively) Land designation change for Plot 23-96 	Non-material

2.1.2 The Applicant is also using this opportunity to provide a clarification on the construction methodology options for the tunnel drive. Further details on this are provided in Section 3.

2.2 Need for and description of proposed changes

MRC01 - Blue Bell Hill and Burham nitrogen deposition compensation sites

2.2.1 During ongoing landowner engagement, the Applicant identified an opportunity to make modifications to the Burham (Works No. E2) and Blue Bell Hill (Works No. E1) nitrogen deposition compensation sites following the provision of further information about the sites from the landowner.

2.2.2 The Applicant now understands that the two fields (Cossington and Reservoir fields) within Harp Farm, near Blue Bell Hill (collectively referred to as the Blue Bell Hill nitrogen deposition compensation site and known as Works No. E1 in Schedule 1 to the draft Development Consent Order) [**Application Document AS-038**] and the southwestern field of the land at Burham (known as Works No. E2) fall within the Countryside Stewardship (higher tier) scheme.

- 2.2.3 The Countryside Stewardship was awarded after the site was selected as a nitrogen deposition compensation site and was unknown at the time of making the DCO Application.
- 2.2.4 The landowner has also provided further information indicating that the use of 80 ha of Harp Farm’s arable acreage for compensation could present the landowner with a significant risk of business impact.
- 2.2.5 The Applicant has reviewed the new information provided by the landowner and has revisited the process set out in the Project Air Quality Action Plan [**Application Document [APP-350](#)**].
- 2.2.6 The Applicant has concluded that, taking into account the need for an overall comparable area, sufficient compensation can be provided within Cossington Field alone and that Reservoir Field and the Burham site would not now be required to achieve the ecological objectives of additional connectivity and comparable area of compensation to affected habitat.
- 2.2.7 The Applicant is in discussion with the landowner and is hopeful that an agreement can be reached to purchase the remaining 43 ha at Cossington Field for the nitrogen deposition compensation site and avoid the need for compulsory acquisition.

MRC02 - Limits of deviation of bored tunnel headwall (north on alignment)

- 2.2.8 The Applicant proposes to seek further flexibility over the placement of the headwall that provides the interface between the cut and cover tunnel and the bored tunnel. The Applicant is seeking the flexibility to move this headwall to the north, which would result in a reduction in the length of the cut and cover tunnel Work No. 5A(ii) and an equal increase in the length of the bored tunnel Work No. 4A(i).
- 2.2.9 The Applicant anticipates that through introducing this flexibility there will be an opportunity to reduce the construction material requirements, leading to an associated reduction in both the embodied carbon emissions associated with those materials and the cost.
- 2.2.10 This change can be delivered by increasing the limits of deviation, described as the "Limit of deviation on bored tunnel headwall" on Bored Tunnel Sheet 2 of 2.15 Tunnel Limits of Deviation Plans [**Application Document [APP-046](#)**] from 125m North on alignment to 275m North on alignment.
- 2.2.11 Flexibility is sought, rather than a change to a new and fixed design, as the final design in this area, including the location of the headwall, will be determined by the Contractor during the detailed design process based on the ground conditions in the area.

MRC03 - East Tilbury utilities relocations and Order Limit reduction

- 2.2.12 During ongoing landowner engagement the Applicant identified that there was an opportunity to make modifications to the proposed temporary works in the Tilbury area. By changing the location of the two Utility Logistics Hubs, and modifying the alignment of the temporary Linford bore pipeline, it would be

possible to reduce the temporary land requirements in the area, reducing the Order Limits and impacts on land as a result. This change would also move construction works further away from residential properties in East Tilbury, reducing the potential environmental impacts associated with those works.

Description of the changes

Relocation of the temporary Linford pipeline (Works No. MUT6)

2.2.13 It is proposed to relocate the temporary Linford bore pipeline (Works No. MUT6) 250m further west of the residents at East Tilbury. The realigned pipeline would remain within the existing Order Limits and the redesign has considered the working room needed for National Grid Electricity Transmission (NGET) to construct, operate and maintain Work No. OH4 (the ZJ Route) in its proposed alignment.

2.2.14 Movement of the pipeline would require the movement of the Muckingford Road Utility Logistics Hub (ULH 11).

Relocation of Muckingford Road and Low Street Lane Utility Logistics Hubs

2.2.15 It is proposed to consolidate the Muckingford Road and Low Street Lane Utility Logistic Hubs (ULH) at a single location on both sides of Coal Road, Tilbury adjacent to Low Street, Tilbury (within the existing Order Limits). The Muckingford Road ULH will be moved approximately 350m west and the Low Street Lane ULH move approximately 550m north of the locations shown in the DCO Application.

2.2.16 There is no change to the proposed construction traffic access for the hubs which will remain off Muckingford Road using the construction access road.

East Tilbury Order Limits reduction

2.2.17 The relocation of the Works No. MUT6 pipeline and ULH 11 provides the major benefit of enabling a reduction of approximately 17ha of land from the Order Limits by moving the boundary further west to align with the relocated Works No. MUT6 pipeline.

Plot 23-96 land designation change

2.2.18 The proposed relocation of Works No. MUT6 requires a change to the land designation of a portion of Plot 23-96 from temporary use (shaded green in the land plans [**Application Document APP-008**]) to temporary use and permanent acquisition of rights (shaded blue in the land plans).

2.2.19 NGET has also requested an amendment to the land designation for a further portion of Plot 23-96 from temporary use to temporary use and permanent acquisition of rights. The request relates to their infrastructure on the ZJ network, Works No. OH4.

2.2.20 The proposed change to the land designation secures the rights for Statutory Undertakers to attend, maintain and operate their infrastructure. Refer to Section 6 for further details in relation to the proposed compulsory acquisition of rights in respect of this plot.

2.3 Environmental appraisal

- 2.3.1 The Applicant has undertaken a review and appraisal of the proposed changes in the context of all topics within the Environmental Impact Assessment to see if any of the proposed changes, either individually or cumulatively, would give rise to any materially new or materially different adverse environmental effects beyond those already reported in the Environmental Statement [**Application Document APP-139 to APP-485**].

MRC01 - Blue Bell Hill nitrogen deposition compensation site

The Applicant has developed a compensation package to mitigate nitrogen deposition effects on ecologically-designated sites across the air quality study area. The Blue Bell Hill (Works No. E1) and Burham (Works No. E2) compensation sites form part of this compensation package.

- 2.3.2 The proposed change represents a reduction in the size of the compensation area on the basis of new information on the viability of the farm business and a newly agreed Countryside Stewardship scheme (in place across much of the farm). This reduction is not expected to result in any new or different significant air quality effects compared to those reported in the Environmental Statement for construction or operation. The reasons why the Applicant considers a reduction of the Order Limits at this location are appropriate are as follows:
- a. The landowner has provided details of the impact of the proposals on the viability of their farm business.
 - b. The receipt of new information regarding the implementation of a Countryside Stewardship (Higher Level) means that an increased ecological connectivity would be realised by the Stewardship scheme (as the Stewardship scheme focuses on strengthening hedgerow planting and providing greater borders to field margins) beyond that assumed in the assessment and so the additional connectivity benefits of the proposals in Reservoir field would be much reduced.
 - c. A reduction in the Reservoir field would only marginally reduce the ecological benefit associated with the Project's increased connectivity (particularly with reference to point a) as the majority of the ecological connectivity is provided by Cossington Fields.

The overall area of compensation provided to address the nitrogen deposition effect is considered comparable and therefore appropriate, even with the reduction in area proposed.

- 2.3.3 The removal of the Burham nitrogen deposition compensation site would remove the moderate adverse impact and effect on a medium value non-designated archaeological asset: the below-ground remains of Great Culand, a former Medieval to Modern manor and farmstead (Asset 4745), removing a significant effect. No other change is anticipated in relation to heritage assets.

- 2.3.4 The removal of the Burham nitrogen deposition compensation site would also remove the need to use approximately 30 hectares of best and most versatile land as compensation habitat.
- 2.3.5 The significant beneficial visual effect of new woodland habitat at the Blue Bell Hill would be reduced at Representative Viewpoint N-Dep-RV-08 by the reduction in planting caused by the removal of the Reservoir field site. There would be a reduction from a significant beneficial effect to a non-significant beneficial effect (moderate beneficial to slight beneficial). The significant beneficial landscape effect on the Mid Kent Downs (sub area Bredhurst) Local Landscape Character Area (LLCA) would be retained due to the substantial area of proposed new woodland habitat at Cossington Field remaining within the reduced Order Limits.

MRC02 - Limits of deviation for the bored tunnel (north on alignment)

- 2.3.6 The proposed increase in the limits of deviation for the North Portal headwall would affect the location in which the bored tunnel transitions to the cut and cover structure within the tunnel itself.
- 2.3.7 With the exception of a reduction in the extent of the cut and cover structure, which is constructed from the ground surface, all other changes associated with the option are restricted to the tunnel itself, below ground level.
- 2.3.8 The change in potential impacts, such as a reduction in construction material requirements or duration of construction timeframes associated with a reduction in cut and cover structure length, were considered negligible and consistent with those impacts already assessed in the Environmental Statement.
- 2.3.9 On this basis, the environmental appraisal of the proposed change to the limits of deviation for the bored tunnel headwall has not identified any materially new or different adverse environmental effects to those reported in the Environmental Statement.

MRC03 - East Tilbury utilities relocations and Order Limits reduction

- 2.3.10 The relocation of Work Nos. MUT6, ULH11 and ULH12 and the associated reduction in Order Limits would move the alignment or the position of underground utilities works and Utility Logistics Hubs further away from the existing locations of residential dwellings located within East Tilbury. This would therefore increase the distance between those receptors and potential environmental effects such as dust emissions and noise impacts.
- 2.3.11 The change in the Order Limits would result in the Project no longer affecting approximately 17ha of grade 3a and 3b soils compared to the original Order Limit boundary. Although beneficial, in the context of the overall impact on soil it is not considered that the reduction in impact would change the reported effects in the Environmental Statement.

- 2.3.12 The relocation of the Low Street Lane Utility Logistics Hub would result in a temporary impact to approximately 0.84 ha of grade 2/3a soils. The Low Street Lane Utility Logistics Hub previously affected grade 3b soils. Although this represents an increase to the temporary impact on best and most versatile land, the overall impact is not considered to change the reported effects in the Environmental Statement.

2.4 Non-materiality or materiality of the proposed changes

- 2.4.1 The Applicant understands that the question of whether the proposed changes are material or non-material is a matter of planning judgement for the Examining Authority.
- 2.4.2 In the absence of any definition in relevant legislation of the terms ‘material’ and ‘non-material’, the Applicant has considered characteristics that indicate that a change may be more likely to be regarded as a material change, examples of which are provided in the Planning Inspectorate’s Advice Note Sixteen and in Planning Act 2008: Guidance on Changes to Development Consent Orders (Department for Communities and Local Government, 2015) (albeit, the latter is concerned with applications to change a made DCO, so is not directly relevant in this case) to provide a starting point for assessing the materiality of a change.
- 2.4.3 In relation to the categories of changes, the Applicant considers there to be:
- a. no change to the land required for construction
 - b. a negligible change to the land required for operation (changes to land are being discussed with the relevant landowners)
 - c. no new or different likely significant adverse environmental effects compared to those reported in the Environmental Statement
 - d. limited public/stakeholder interest due to the localised nature which affects a small number of landowners (who will be consulted in relation to impacts on their land)
- 2.4.4 Having considered the proposed changes both individually and collectively, and in light of the characteristic outlined in the guidance, the Applicant is of the view of the changes being proposed are not material (refer to the summary provided in Table 2.1).

3 Tunnel construction methodology clarification

Single tunnel boring machine (TBM) approach

- 3.1.1 The Applicant's DCO Application set out an assessment assuming works would be undertaken using two TBMs. The Applicant does not consider this to be a change to the DCO Application. The clarification is being set out here and included within the proposed consultation in order to ensure understanding of our proposed flexibility. This clarification sets out how the works would be undertaken if a single TBM was to be used.
- 3.1.2 Using a single TBM, starting and finishing at the north portal, could deliver several efficiencies, particularly in terms of significant cost savings and a reduction in material use. Using a single TBM would result in a saving of approximately 38,000 tonnes of carbon (CO₂e) by using less machinery.
- 3.1.3 The implications of adopting a single TBM approach to the tunnelling works have therefore been kept under review following the submission of the DCO Application. The Applicant has undertaken a review to understanding in further detail the implications of a single TBM approach. This review has concluded that, while there are a small number of differences in the logistics, construction programme and impacts associated with a single TBM approach, there would be no materially new or different adverse environmental effects arising compared with those presented in the DCO Application.
- 3.1.4 The single TBM approach to tunnel construction would involve no physical changes to the Project presented in the DCO Application and the plans which form part of it, nor would it require the Applicant to seek new powers over land to deliver those works.
- 3.1.5 The single TBM approach provides an opportunity to bring the start of the tunnel drive forward in the programme as the quantum of temporary works required to construct the launch portal is reduced under a single TBM approach. The duration of tunnelling under a single TBM approach is longer than a two TBM approach, however, the opportunity to start the tunnel drive earlier means there is no change to the overall programme of works.
- 3.1.6 The single TBM approach is therefore deliverable as part of the Project design and DCO Application as submitted.
- 3.1.7 The Applicant would however like to provide clarity to Interested Parties and the Examining Authority that the tunnel construction works could proceed by means of either a single or two TBM approach and that the assessments reported in the Environmental Statement are, in effect, representative of both approaches.

Description of the single TBM construction methodology

- 3.1.8 The single TBM approach would reduce the number of TBMs driving from the North Portal from two to one. The TBM would need to be turned around at the South Portal so that it could complete the second tunnel drive back to the North Portal where the TBM would be decommissioned. All servicing of the south to north tunnel drive would be provided from the northern compound through the earlier constructed tunnel.

- 3.1.9 The size of the permanent North and South Portals would remain unchanged and all activities servicing the tunnel construction (e.g. temporary power, muck removal, slurry treatment) would remain in the northern tunnel entrance compound.
- 3.1.10 If only a single TBM is used it would be driven from the north and turned around at the southern tunnel entrance to drive the second tunnel back to the north. The spoil from the second drive back north would be taken back through the tunnel.
- 3.1.11 There may be a reduction in the size of the temporary North Portal structure used to launch the single TBM as less space would be needed to launch and then receive the single TBM. The slurry plant in the northern tunnel entrance compound may also be smaller in size but would operate for a longer duration while muck is being removed from the tunnel.
- 3.1.12 There is no change required to the south portal compound beyond the temporary works needed to turn the TBM around, which will be done within the footprint of the southern portal.
- 3.1.13 The single TBM approach does not change the traffic management measures required for the Project. The single TBM approach does introduce a small variation in the number of construction compound vehicles however these numbers are consistent with those numbers already assessed in the Environmental Statement. Further details are provided in the environmental appraisal below.

Single TBM approach environmental appraisal

- 3.1.14 An environmental appraisal of the single TBM option has identified the potential for changes to the air quality, noise and traffic impacts associated with bringing the commencement of the tunnel drive forward in the programme and an overlap of utilities works proposed within the Tilbury area.
- 3.1.15 The change in programme is associated with an earlier start to the tunnel drive under a single TBM approach as the quantum of temporary works within the tunnel portal where the tunnel drive is commenced is less than that required under a two TBM approach. Although the overall tunnel drive duration is longer under a single TBM approach, the earlier start to the tunnel drive means that there is no change to the overall programme of the works associated with the tunnel construction. Our review shows that the longer duration of works does not introduce any materially new or materially different adverse environmental effects.
- 3.1.16 The introduction of an earlier start to the tunnel drive under a single TBM approach results in a small number of utilities works (Works No. OH3, OH4 and MU33) being undertaken adjacent to the North Portal compound at the same time as the tunnel drive. An assessment of these cumulative activities indicates that there is sufficient distance between the utility and tunnel works and sensitive receptors so as to not introduce significant cumulative effects during the period of these overlapping works.

- 3.1.17 While there would be some changes to the numbers of staff vehicles over the construction period, there would be an overall reduction in the number of journeys made to both the northern and southern tunnel portal compounds. The traffic management measures we have assumed in our transport assessment would not change.
- 3.1.18 As some works would be starting sooner at the north portal compound, there would be an increase in journeys in the second year of construction. However even with this increase they would remain lower than during the most intensive construction phase. Traffic during the most intensive construction phase would be slightly lower than compared with using two TBMs.

4 Proposed consultation

4.1 Introduction

- 4.1.1 The Applicant intends to carry out a non-statutory consultation to ensure that all parties with a potential interest in the changes are made aware of the proposed changes and have the opportunity to provide comments in advance of the submission of the formal change request to the Examining Authority.
- 4.1.2 The Applicant seeks the views of the Examining Authority on the scope and nature of the proposed consultation. This is outlined in Section 4.2.

4.2 Proposed consultation activities

Scope of consultation

- 4.2.1 The Minor Refinement Consultation will include changes made since submission of the DCO Application. There will be explanation of how and why changes are being made at this stage. There will be a summary description of each proposed change, what it is, why it is needed and what the impacts would be. This will be supplemented by a breakdown of the change by environmental topic areas. There will be a single consultation document and response form.

Consultation activities

- 4.2.2 Advice Note Sixteen (Planning Inspectorate, 2018) sets out the following (emphasis added):

*'Before making a written request (Step 4 of Figure 1) it is recommended that applicants consult all those persons prescribed in the PA2008 under section 42 (a) to (d) who would be affected by the proposed change (giving a minimum of 28 days). It is advised that **if a targeted approach** to the identification of those affected by the request to materially change the application is adopted then **detailed justification should be provided why it is deemed unnecessary to consult all of the prescribed persons** (For example, in the case of Statutory Undertakers, by confirming that the proposed material change would not affect their functions).'*

- 4.2.3 The Applicant is taking a targeted approach to consultation. Unlike our previous consultations that have included Order limit changes scheme wide, this consultation only proposes Order Limit changes in two discreet areas. There are no material changes to impacts previously identified in our DCO as a result of these changes. Consequently, we are proposing a targeted approach of only writing to landowners and persons with an interest in land directly affected by these changes. We are proposing a 'minor refinement consultation' which focuses on a shortlist of changes to our proposals following on from the DCO Application
- 4.2.4 The consultation activities are proposed to include the following:
- prescribed consultees and those landowners and persons with an interest in land directly affected by the changes presented in this report will be written to informing them of the consultation and how they can provide feedback.

- b. There will be a single consultation document and response form. Responses to the consultation can be submitted via the citizen space website: [REDACTED]
- c. A digital first approach, a small number of physical copies will be produced and issued on request.
- d. Interested Parties (that is, those who submitted a Relevant Representation) will also have an opportunity to participate in the consultation.
- e. Publication of non-statutory notices in the national and local press, namely, The Times, Essex Chronicle, Kent Messenger, London Gazette, Romford Recorder, Thurrock Gazette, Lloyd's List and the Fishing News.
- f. Promotional activity will include an email to those who have previously requested to be kept informed of Project related information (circa 43k). Local authorities will be briefed on the consultation shortly before launch. National Highways social media channels will also be used.

4.3 Summary of consultation responses

- 4.3.1 A summary of the consultation responses will be submitted with the formal change submission confirming who has been consulted in relation to the proposed changes and how they have been consulted in accordance with Advice Note Sixteen (Planning Inspectorate, 2018). The summary of consultation responses will also set out the feedback received and how the Applicant has considered this feedback.

5 Proposed change submission

- 5.1.1 The formal change request will include the following:
- a. Information on the proposed change, including the following:
 - i. Description and reason for the proposed change
 - ii. 'Before' and 'after' excerpts of the relevant plans/drawings
 - iii. Information about any new/altered works
 - iv. Implications for compulsory acquisition/temporary possession of land
 - v. Explanations on how the Applicant considers the proposed changes to be non-material.
 - b. Justification for making the change
 - c. Full schedule of all DCO Application Documents and plans listing reviews to each document/plan or a no change statement
 - d. Identifying if there is any impediment to securing any consents/licences required (alongside the draft DCO [**Application Document [AS-038](#)**]).
 - e. Environmental appraisal of the proposed changes including the assessment individually and cumulatively
 - f. Details of the engagement and consultation on the proposed changes and a summary of the responses received.

6 Compliance with the Infrastructure Planning (Compulsory Acquisition Powers) Regulations 2010

6.1.1 As explained earlier in this document, the Applicant is proposing to make some changes to the Order Limits as a result of the proposed changes. Although the majority of change relates to a reduction in the Order Limits, two of the proposed changes (the realignment of Works No. MUT6 (impacting land plots listed in Table 6.1 below) and the land designation change to a section of Plot 23-96) include a change to the land designation of land parcels from temporary possession (green land) to temporary possession of the land and permanent acquisition of rights (blue land for Statutory Undertakers to build, access, maintain and operate their infrastructure).

Table 6.1 Changes to land plot designation

Land Plot	New land designation
23-103	Temporary Possession of Land
23-109	Temporary Possession of Land and Permanent Acquisition of Rights
23-121	Temporary Possession of Land and Permanent Acquisition of Rights
23-72	Temporary Possession of Land and Permanent Acquisition of Rights
23-76	Temporary Possession of Land and Permanent Acquisition of Rights
23-88	Temporary Possession of Land and Permanent Acquisition of Rights
23-90	Temporary Possession of Land and Permanent Acquisition of Rights
23-96	Temporary Possession of Land
23-98	Temporary Possession of Land
23-99	Temporary Possession of Land
24-116	Temporary Possession of Land and Permanent Acquisition of Rights
24-124	Temporary Possession of Land and Permanent Acquisition of Rights
24-127	Temporary Possession of Land
24-131	Temporary Possession of Land
24-142	Temporary Possession of Land
24-144	Temporary Possession of Land
24-151	Temporary Possession of Land
24-154	Temporary Possession of Land
24-157	Temporary Possession of Land
24-174	Temporary Possession of Land and Permanent Acquisition of Rights

- 6.1.2 The Applicant will be seeking to obtain consent from all persons with an interest in the land affected by the land designation change, to include such powers within the DCO Application. If consent cannot be obtained, the Applicant will comply with the procedural requirements set out in the 'The Infrastructure Planning (Compulsory Acquisition) Regulations 2010'.
- 6.1.3 This involves submitting details of the land subject to a land designation change to the Examining Authority, which then has 28 days to decide whether to accept the proposed inclusion of the land subject to the land designation change as part of the DCO Application. If accepted, the Applicant would issue notices confirming when and where information about the land subject to a designation change can be inspected and the deadline for submitting Relevant Representations about the land.
- 6.1.4 This process would, if required, be separate to and would be subsequent to the consultation on the proposed changes set out in Section 5.

References

Department for Communities and Local Government (2015). Planning Act 2008: Guidance on Changes to Development Consent Orders.

Planning Inspectorate (2018). Advice Note Sixteen: How to Request a Change Which May Be Material. Version 2. Accessed February 2023.

<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/advice-note-16/>.

Glossary

Term	Abbreviation	Explanation
A122		The new A122 trunk road to be constructed as part of the Lower Thames Crossing project, including links, as defined in Part 2, Schedule 5 (Classification of Roads) in the draft DCO [Application Document AS-038].
A122 Lower Thames Crossing	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.
Application Document		In the context of the Project, a document submitted to the Planning Inspectorate as part of the DCO Application for development consent.
Applicant		The Applicant is National Highways, a UK government-owned company with responsibility for managing the motorways and major roads in England. Formerly known as Highways England.
Construction		Activity on and/or offsite required to implement the Project. The construction phase is considered to commence with the first activity on site (e.g. creation of site access), and ends with demobilisation.
Development Consent Order	DCO	Means of obtaining permission for developments categorised as Nationally Significant Infrastructure Projects (NSIP) under the Planning Act 2008.
Development Consent Order Application	DCO Application	The Project Application Documents, collectively known as the 'DCO Application'.
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.
National Highways		A UK government-owned company with responsibility for managing the motorways and major roads in England. Formerly known as Highways England.
North Portal		The North Portal (northern tunnel entrance) would be located to the west of East Tilbury. Emergency access and vehicle turn-around facilities would be provided at the tunnel portal. The tunnel portal structures would accommodate service buildings for control operations, mechanical and electrical equipment, drainage and maintenance operations.
Operation		Describes the operational phase of a completed development and is considered to commence at the end of the construction phase, after demobilisation.
Order Limits		The outermost extent of the Project, indicated on the Plans by a red line. This is the Limit of Land to be Acquired or Used (LLAU) by the Project. This is the area in which the DCO would apply.
Planning Act 2008		The primary legislation that establishes the legal framework for applying for, examining and determining Development Consent Order applications for Nationally Significant Infrastructure Projects.

Term	Abbreviation	Explanation
South Portal		The South Portal of the Project (southern tunnel entrance) would be located to the south-east of the village of Chalk. Emergency access and vehicle turn-around facilities would be provided at the tunnel portal. The tunnel portal structures would accommodate service buildings for control operations, mechanical and electrical equipment, drainage and maintenance operations.
The tunnel		Proposed 4.25km (2.5 miles) road tunnel beneath the River Thames, comprising two bores, one for northbound traffic and one for southbound traffic. Cross-passages connecting each bore would be provided for emergency incident response and tunnel user evacuation. Tunnel portal structures would accommodate service buildings for control operations, mechanical and electrical equipment, drainage and maintenance operations. Emergency access and vehicle turn-around facilities would also be provided at the tunnel portals.

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