



PORT OF  
**TILBURY**  
LONDON

**Section 56(2) Planning Act 2008**

**Application by National Highways for an Order Granting Development Consent for  
Lower Thames Crossing**

**Planning Inspectorate Reference: TR010032**

**RESPONSE TO THE EXA'S REQUEST FOR FURTHER JUSTIFICATION FOR AN  
ACCOMPANIED SITE INSPECTION TO THE PORT OF TILBURY**

**Deadline 1: 18 July 2023**

## 1. INTRODUCTION

- 1.1 The Port of Tilbury and Tilbury2, located on the northern bank of the river Thames, is very significantly impacted by LTC, particularly during the construction phase. This is in terms of access through the Tilbury2 operational areas, the use of Port facilities generally, and extensive areas of land held by Port of Tilbury London Limited (PoTLL) for the purpose of its statutory undertaking, including land comprising the Thames Freeport. It is for this reason that LTC has recently leased approximately 125 acres of land from PoTLL in order to facilitate the construction of the Scheme.
- 1.2 Following the Preliminary Meeting, PoTLL has had productive discussions with the Applicant around the potential for a site visit at locations within the operational Port of Tilbury. PoTLL understand that the Applicant is keen that a full day should be allocated to visiting the affected Ports, and that London Gateway would be keen for a boat trip in order to view the land and infrastructure affected by the Scheme. PoTLL maintain its submissions in [PDC-031] detailing three locations within Tilbury2, and offering to facilitate river transport to view the area more generally.
- 1.3 This document has been provided in response to the ExA's request for a clear justification for making a more detailed site visit to the Port of Tilbury. The ExA's comments provided useful clarification as to the type of detail that they are seeking as justification for an Accompanied Site Inspection (ASI) to the Port.
- 1.4 PoTLL note the ExA's general point 12 that there are locations, including within a controlled or secure facility, where a limited access approach would be suitable. With this in mind, PoTLL has taken the opportunity to include additional viewpoints that were omitted from its previous submission on the basis that public knowledge of the location of protected species is preferably avoided.
- 1.5 PoTLL are mindful of the degree of interaction between LTC and the Port and large areas of Port development land, with related issues ranging from broad ranging general matters to specific and localised issues. This note aims to provide the ExA with all relevant locations that PoTLL consider would assist the ExA in understanding the degree of interaction and the basis for concerns, setting out the justification for a visit to these locations by reference to existing Port activity, the intentions of the Applicant, and the reasons for concerns in that location that the interaction of LTC with the Port will not be suitably managed in the present Application.

## 2. PROPOSED LOCATIONS FOR INSPECTION

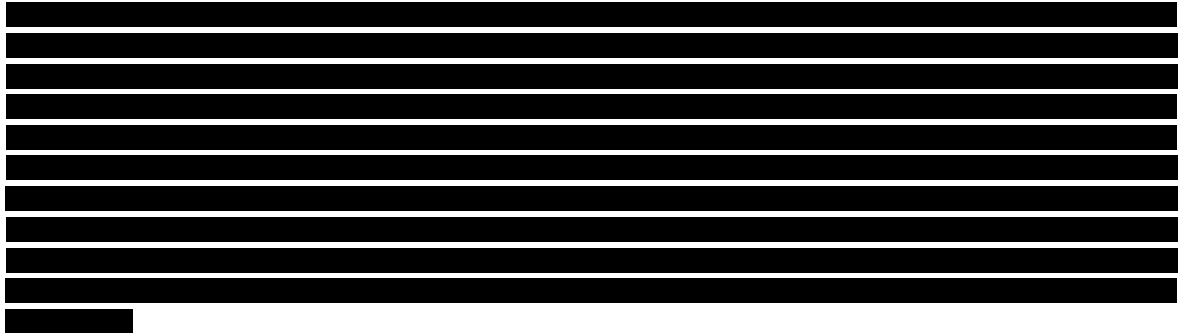
- 2.1 **Port Security Features:** The LTC proposals plan for large quantities of construction HGVs to enter the restricted area of Tilbury2 in order to travel to the construction compound CA5. In addition, any imports to the original Port of Tilbury facilities will need to be transported by road into Tilbury2 and onto the compound. The Applicant has not advised how they see this operating in practice, and PoTLL is therefore unaware if the Applicant considers that its vehicles will be subject to this security procedure, or anticipates passing through without being subject to the Port Byelaws by virtue of a sign in the windscreen of each HGV. As set out in PoTLL's written representation, as drafted, PoTLL's statutory authority is subject to the draft DCO, and PoTLL would not be able to enforce the security barriers against LTC traffic.
- 2.2 PoTLL consider that it would be beneficial for the Examining Authority to understand the current measures for security at the Port, in order to properly assess any clarification or proposals for this interaction that are put forward by the Applicant.
- 2.3 **Land Plot 21/10:** This area of land is intended to be let by PoTLL as soon as possible, and PoTLL has potential tenants ready to take leases for this land. LTC consider that these plots are required to facilitate Abnormal Indivisible Load (AIL) movements delivered to the Port of Tilbury and transported by road through Tilbury2 and on to the construction compound. PoTLL do not consider that these plots are necessary to facilitate these movements, noting that AILs form a part of the Thurrock Flexible Generation Plant DCO. AILs for both TFGP and LTC follow the same route, and it is not clear why the Applicant feels that this additional land is necessary.

- 2.4 This matter has been raised with the Applicant in meetings on 22 March 2023 and 20 April 2023, but has yet to receive confirmation that these plots are not needed. Whilst this matter is outstanding, PoTLL is unable to let these plots to tenants.
- 2.5 This plot is also to be viewed in conjunction with the viewpoint on Substation Road next to the old power station, where the road takes tighter turns and is more challenging to manoeuvre by AILs, but where the Order Limits and proposals do not anticipate any additional land take.
- 2.6 **CMAT Facility on Tilbury2:** This is the existing Construction Material Aggregates Terminal on Tilbury2. The LTC application enables the undertaker to use this CMAT, including constructing a conveyor across the Water Vole Mitigation Area. An alternative way to use the CMAT would be to construct a new access in the south-eastern corner of the CMAT, enabling vehicular access onto Substation Road to a point further east than the majority of Port traffic. The CMAT is itself served by conveyor from the river Thames.
- 2.7 PoTLL has requested a commitment to use the CMAT facility at Tilbury2 within the DCO, as this would greatly reduce LTC construction traffic on the A1089 and within Tilbury2. The outline materials handling plan (OMHP) [APP-338] refers to port facilities being used for at least 80% by weight of the bulk aggregates imported to the north portal construction area. Critically, however, this is a broad general commitment to use port facilities, rather than the existing CMAT facility adjacent to the construction compound, and the OMHP states that the use of the port is to be “*with onward transport via the road network*”. There is therefore no commitment within the OMHP that would reduce the quantity of construction traffic on the road network between and within the Ports.
- 2.8 The Examining Authority would be able to view the volume of Port-related traffic on the roads within Tilbury2, to gain a better overview of the current levels of site use that the LTC construction traffic will need to interact with although it should be noted that the current traffic levels (totalling around 17,000 movements per day) do not represent the full operations of both terminals, which are continuing to increase on an annual basis. The Applicant has not been able to advise of the volume of construction traffic that will be travelling through the Port, however a figure of one lorry every 30 seconds has been mentioned historically.
- 2.9 This will also enable the ExA to understand the benefits of committing to the CMAT to other environmental factors, such as the carbon emissions from vehicles, air quality factors, and more in-keeping interaction with the Port operations.
- 2.10 **Substation Road opposite CMAT Facility:** This is the location where the Applicant proposes to divert multi-utilities beneath Substation Road; PoTLL are concerned this proposal is not physically possible, and ‘going around’ would similarly pose significant challenges, albeit there is no land within the Order limits to accommodate this. PoTLL are also unsure why multi-utilities need to be laid below Substation Road at all, having installed ducting at LTC’s request and agreed wayleave for the same, to the north of the CMAT facility. A visit to this location will enable the ExA to review the constrained nature of Port infrastructure and the Order limits in this area. As advised in ISH1, the ducting in this area is at capacity and is not available for use by the Applicant. The conveyor serving the CMAT travels beneath Substation Road in this location, and the railway level crossing and nearby pylons present further elements of infrastructure to be considered. Finally, there are significant volumes of Port traffic that the Applicant must consider in identifying a solution to divert these multi utilities. PoTLL consider it would be useful for the Examining Authority to understand the practical difficulties in implementing the Applicant’s proposals in this location, and the need for the Applicant to find a solution whilst there is sufficient time to amend the Order limits, as required. A visit to this location will also enable the ExA to understand the difficulties that would arise for LTC and PoTLL where a train is in place across the rail crossing

2.11

[REDACTED]

[REDACTED]



- 2.12 At present, the only consideration within the draft DCO for the potential interaction with the water vole mitigation area is at section 55(5), in that that a breach of the Tilbury Expansion Order requirements as part of LTC would not constitute a breach that is enforceable against the Port of Tilbury. Submissions have been included in PoTLL's Written Representation about the inadequacy of this drafting.
- 2.13 As advised, much of LTC's ecological baseline predates the construction of Tilbury2, and does not account for mitigation. PoTLL consider it would be useful to view this area in order to understand the opportunity here for efficient movement of construction aggregates, and the ecological impacts this would have and why this option warrants regularisation during Examination and should not be left to detailed design.
- 2.14 In addition, PoTLL consider that the wider ecological value of the area of the construction compound (Work CA5) should be reviewed by the ExA. The best location for this would be within Work No. CA5. This area is not accessible from publicly accessible land, but has significant ecological value. This is relevant to the Applicant's assessment of ecological impacts and identification of mitigation requirements and areas. With aging and/or incorrect baseline data used, PoTLL consider it would be beneficial for the ExA to view this area to confirm the ecological value present and the reasons PoTLL and others feel strongly that the assessment of ecological impacts is currently flawed.
- 2.15 **Substation Road & Existing Traffic Flows:** PoTLL is concerned about the interaction of the (unspecified) volumes of construction traffic within the Port of Tilbury. The Applicant has previously mentioned 'one HGV per 30 seconds' at peak to PoTLL but recently has not been able to confirm the anticipated volumes of construction traffic. 120 HGVs per hour represents a significant volume of traffic that is likely to back up within the Port. This may be for unforeseen reasons, but is certain to occur where the level crossing is in use and closed to road traffic for periods of around 10 minutes a day for train crossings
- 2.16 PoTLL feel it would be beneficial for the ExA to gain an understanding of the existing traffic baseline within the Port that LTC construction traffic will need to interface in, as no assessment of this volume has been undertaken by the Applicant.
- 2.17 Of particular concern are areas of narrow roadway and tight bends. Noting the potential for Substation Road to be blocked by approximately 10 minutes at a time, and the likely increase in rail freight impacting the level crossing as Tilbury2 expands, this would see (as best estimate), 20 HGVs stacking on Substation Road, in addition to current Port traffic. Substation Road is approximately 850m in length from the Fort Road overbridge to the level crossing, with no queuing areas for HGVs to stack other than Substation Road itself.
- 2.18 The Applicant currently has not made any provision to delay construction traffic outside of the Port in the event of closure of the level crossing, and PoTLL are concerned that the knock-on congestion will gridlock the roads within the Port.
- 2.19 PoTLL consider it would be beneficial for the ExA to inspect Substation Road, in order to fully understand the scale of existing operations and traffic volumes, and the physical layout of roads that are integral to the LTC proposals and the Port. With the designation of the Freeport, the delays to

construction, the construction of Thurrock Flexible Generation Park, and the future NGET projects<sup>2</sup>, the potential for additional traffic on these roads is also something to keep in mind and, in PoTLL's view this has not been adequately assessed by the Applicant. PoTLL feel it would be beneficial for the ExA to visit the roads within the Port, to appreciate the scale of the existing operations.

- 2.20 **Area of Construction Compound – Work CA5 / view of North Portal from the West:** Work No. CA5 is the main LTC construction compound and covers an extensive area, with numerous existing drainage ditches and ecological areas of significance. Much of this compound is on land owned by PoTLL for the purpose of its statutory undertaking. Access to these areas can be obtained from the eastern limit of Tilbury2, and can be facilitated by PoTLL.
- 2.21 PoTLL notes that the ExA has accepted Thurrock's suggestion to view the potential route of the Tilbury Link Road, contrasted with the proposed haul road through the Port of Tilbury to Compound 5/5A. This will necessitate access into Tilbury2 in order to view the route from Substation Road and enter the land to the east over which the haul road / TLR will be routed.
- 2.22 PoTLL consider that a site visit of this wider area, in addition to the proposed route of the haul road, will assist in understanding the general scale and diversity of this area. In the alternative, PoTLL is proposing to submit drone footage into the Examination, to demonstrate the scale and layout of this area, but notes that whilst this would provide useful clarity as to the scale of the compound, it would not include ecological matters.
- 2.23 PoTLL therefore propose that the ExA take this opportunity to additionally review the ecology of this area, noting the age of the baseline and the changes associated with the Tilbury Expansion Order.
- 2.24 The ExA will also be able to obtain a clear view of the North Portal from land located to the West, noting that the PRow over which the ExA is conducting USIs are located to the East of the North Portal.
- 2.25 **River Transport to View Affected Areas**
- 2.26 PoTLL proposed the use of river transport in its submission [PDC-031]. PoTLL consider that this would be beneficial to enable the ExA to gain a full appreciation of the scale of the Port operations, the size of the construction compound, the close proximity of LTC to the Port, and the scale of the area impacted by the Scheme. Viewed from the river, the ExA would be able to obtain a fully contextualised view of the Port, compound, and location of LTC.
- 2.27 In addition to these locations, the ExA would be able to obtain a similar overview of the location of the south portal, and proximity of the Scheme to London Gateway port.
- 2.28 A river based journey to view these locations will help to place each of the interactions with the existing environment into a wider context, commensurate with both the scale of the Scheme and the scale of the existing operations with which the Scheme seeks to coexist.

