



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

**DEADLINE 2**

Comments on Written  
Representations

on behalf of DPWLG

Interested Party Ref: 20035309

AUGUST 2023

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**1.0 COMMENTS ON WRITTEN REPRESENTATIONS (DEADLINE 2) ..... 2**

## **1.0 Comments on Written Representations (Deadline 2)**

### **1.1 Introduction**

1.1.1 Lambert Smith Hampton ('LSH'), on behalf of DPWLG, have undertaken a targeted review of Written Representations submitted to the Examination Authority ('ExA') at Deadline 1 (18<sup>th</sup> July 2023). Based on our review and focussing on matters of relevance to DPWLG's case, these comments consider Written Representations submitted by the following Interested Parties:

- Thames Enterprise Park Limited ('TEP Ltd');
- Port of Tilbury London Limited ('PoTLL'); and
- Port of London Authority ('PLA').

### **1.2 Thames Enterprise Park Limited**

1.2.1 The Written Representations submitted on behalf of TEP Ltd adopt a similar position to DPWLG. In this respect, TEP Ltd have raised concerns in relation to (amongst other things) potential local highway impacts at the Orsett Cock and Manorway junctions; the lack of traffic information submitted by the Applicant; and the potential consequential economic impacts of the LTC Project (as proposed).

1.2.2 DPWLG note the Written Representations submitted by TEP Ltd. and make no further comments.

### **1.3 Port of Tilbury London Limited**

1.3.1 The Written Representations submitted by PoTLL largely align with those submitted by DPWLG in relation to the following:

- concerns regarding the lack of modelling information submitted by the Applicant;
- recognition of the policy protection afforded to ports in the NPS for Ports (2012) and the nationally significant role ports have to the UK economy;
- ensuring the LTC Project does not adversely impact on existing and future operations of the ports; and
- concerns regarding the insufficient mitigation measures proposed by the Applicant in respect of the local highway network.

1.3.2 In addition to the above, we note and support the following comments by PoTLL:

- **Reference to Tilbury Link Road (TLR) Readiness (para 5.1.1 – 5.1.7)** – DPWLG supports the TLR as a potential form of mitigation (subject to further assessment) that may alleviate our concerns regarding port access.
- **Reference to Impact of Construction delays (para 7.1 – 7.2.4)** – DPWLG support the following statement (Para 7.1.2) in relation to the impact of construction delays:

*'The drafting envisages extensive pre-commencement work, seeking to justify the need for the time limit for the use of compulsory acquisition powers to be extended to 8 years from the expiry of any legal challenge or period for legal challenge to the dDCO to be brought. With any delay for substantial works to start, there are risks that the basis of the Environmental Statement will become out of date and that the Applicant will not be providing adequate mitigation for the Scheme's impacts in changing conditions'.*

- **Reference to the Thanet Offshore Wind Farm DCO (para 8.2.2 – 8.2.6)** – DPWLG supports PoTLL's reference to the Thanet Offshore Wind Farm DCO decision and agree that this sets a precedent for the importance that should attach to impacts on port operations and the considerable weight that should be accorded to the NPS for Ports as a material consideration.
- **Reference to the need for the LTAM to also consider the 08:00 – 09:00 peak hour (Para 4.12 of Appendix 10 - Relevant Representations)** – DPWLG supports the following statement in relation to the LTAM modelling methodology:

*'The Applicant does not assess the peak hour of 08:00 to 09:00 in the LTC application. PoTLL submit that an assessment of this hour must be undertaken, both to ensure that the worst case impacts to local traffic have been properly considered, and to enable consistent consideration and assessment. No reason appears to be given for the omission of this information normally required by National Highways when considering development in the area interacting with the SRN'.*

1.3.3 DPWLG note the Written Representations submitted by PoTLL and have no further comments.

#### **1.4 Port of Tilbury London Limited**

1.4.1 The Written Representations submitted on behalf of the PLA align with DPWLG in relation to the following:

- recognition of the policy protection afforded to ports in the NPS for Ports (2012);
- emphasis on the nationally significant role ports have to the UK economy;
- ensuring that the existing and future capacity and operation of the ports are not compromised as a result of proposed LTC Project.

1.4.2 In addition to the above, DPWLG note that PLA refers to UK Marine Policy Statement (the MPS) and the South-East Inshore Marine Plan (SEIMP) (para 3.2 – 3.4). DPWLG note their relevance, in particular Policy SE-PS-1 of the SEIMP which states that proposals that may have a significant adverse impact upon future opportunity for sustainable expansion of port and harbour activities, must demonstrate that they will avoid; minimise; or mitigate adverse impacts so they are no longer significant.

1.4.3 DPWLG have no comments in relation to other matters raised in PLA's Written Representations in relation to tunnelling considerations, general construction, and the Draft DCO.