LTC Examination – Written Response REP1-298 Applicant Response:

TDSC Comments on Applicants response in red.

Registration Identification number 20035375

Order limits reduction

1.1.1 The Applicant has continued to constructively engage with Thurrock District Scout Council (TDSC) following submission of the DCO Application. Concerns were raised by TDSC about the proposed temporary possession and permanent rights proposed by the Applicant in the south-east corner of the Condovers site for utility works associated with a temporary foul water connection (Works No. MUT8) for the northern tunnel entrance compound (Works No. CA5).

1.1.2 The Applicant has reviewed the utility works proposed in this location in consultation with Anglian Water and has identified the opportunity to remove approximately 79m2 of land from the Order Limits to address TDSC's concerns. TDSC could continue to use the area removed from the Order Limits as a result. Plot 23-31 will be superseded and given a new plot number on Sheet 23 of the Land Plans [AS-010] which will be updated to reflect this. Further information on this update, including its proposed timing in the context of the DCO examination, can be found in the Second Notification of Proposed Changes to the Planning Inspectorate [PD-024].

Noted.

Travel time

Chapter 8 of the Transport Assessment [APP-529] sets out the forecast impacts on journey times during the construction period on routes including Station Road/Fort Road/A1089, which would be relevant for people travelling to the Condovers Scout Activity Centre. The Transport Assessment identifies negative impacts on journey time only during the AM peak, for six out of the 11 phases of construction; no change in journey time has been assessed as being greater than 2.3 minutes (this is during Phase 3, for all other phases, increase in journey time is likely to be less than two minutes). The Traffic Management Forum, established and secured under the outline Traffic Management Plan for Construction (oTMPfC), will ensure ongoing monitoring and engagement on these impacts during the construction period [REP1-174].

You state that "Assumptions about the amount of traffic likely to use the construction access routes proposed are set out in Chapter 8 of the Transport Assessment [APP-529]. These would be refined as contractors are appointed and the detailed design for the Project is developed". Plate 8.7 on page 219 clearly states that other planned haul roads are not included in the model. Does this include the secondary routes?

Walking, cycling and horse-riding routes (Local Public Rights of Way (PRoW) and Permissive access)

PRoWs within the immediate vicinity of the Condovers Scout Camp would not be affected by construction activities and would remain open during the construction period. Section 4.3 of Project Design Report Part E: Design for Walkers, Cyclists and Horse Riders [APP-512] shows the WCH proposals close to the Condovers site. The effects on PRoWs are identified in Table 13.66 of ES Chapter 13: Population and Human Health [APP-151]. Regarding the permanent closure and diversion of BR58 and FP61, the Project includes provision for two temporary diversions of these routes, one along the proposed Muckingford Road (temp diversion 1) and one under the proposed Tilbury viaduct (temporary diversion 2). These are described at Table B.1 of the oTMPfC [REP1-174] and illustrated on Plate B.6 of the same document. Temporary diversion 1 is subject to Muckingford road being built and temporary diversion 2 is subject to construction and utility works in the Tilbury Viaduct area to ensure a safe access across the works. In the event that the works both temporary diversions are subject to occur concurrently, the existing route could be severed, with no diversion available, for up to 2.5 years.

Temporary diversion routes are subject to the detailed construction phasing developed by the Contractor. In developing those plans the Contractor will develop temporary diversion routes, where required, seeking to reduce the period of time existing WCH routes are severed where no diversion is available. Temporary diversion routes will be subject to engagement with the relevant highway authority during development of the TMP, which is secured under Schedule 2 Requirement 10 of the draft DCO [REP1-042].

A summary of the Project's effects on BR58 and FP61 once operational is provided at paragraph 13.6.173 of ES Chapter 13: Population and Human Health [APP-151], which concludes the Project would have a moderate beneficial and significant impact on BR58 and FP61.

With respect to the WCH route along Low Street Lane, paragraph 4.3.18 of Project Design Report Part E: Design for Walkers, Cyclists and Horse Riders [APP-512] states that '…to provide safe WCH access between these PRoWs there will be a WCH route behind the existing hedgerow on the northern side of Station Road'. This would avoid any potential conflict between WCH and construction traffic using the secondary access route along Station Road.

Paragraph 4.3.18 of Project Design Report Part E: Design for Walkers, Cyclists and Horse Riders [APP-512] this document doesn't show the latest positioning of the proposed Low Street Lane and Muckingford Road Utility hubs consulted in May/June 2023. With the co-location of these 2 utility hubs, will there be safe WCH access between these PRoW,s in the vicinity of Utility hubs, and Station road?

This picture was taken on 15th August 2023. It was taken at the proposed junction, where the haul road from Church Road joins the local access road at Low Street Lane, looking north towards the new proposed location of Utility hubs. Are you planning to use this local access road, which is mainly used by WCH, if so, how do you plan to segregate construction vehicles and WCH?

Construction access route (Haul Road north of Church Road and south of Muckingford Road)

A secondary construction access route is proposed north off Church Road to join Low Street Lane (shown on Plate 4.2 of the oTMPfC [REP1-174]) for access to the Low Street Lane ULH and Muckingford Road ULH. Assumptions about the amount of traffic likely to use the construction access routes proposed are set out in Chapter 8 of the Transport Assessment [APP-529]. These would be refined as contractors are appointed and the detailed design for the Project is developed.

'Secondary' construction access routes would be used by HGV traffic throughout construction but would be used far less frequently than the other routes. Given this secondary access route is principally intended for vehicles transiting between nearby worksites, the type of vehicles using it are envisaged to be limited to vans, minibuses and pickup trucks. It is anticipated that HGVs and other plant would be transported via the other routes promoted as shown on Plate 1.16 of Transport

Assessment Appendix E: Construction Traffic Assessment Supporting Information [APP534]. The secondary access route would remain in place for the entire construction period.

1.1.3 The hours of operation for the route would be in accordance with Table 6.1 of ES Appendix 2.2: Code of Construction Practice (CoCP) [REP1-157], with works outside of the standard working hours limited to the operations associated with the erection and removal of the overhead power lines (Work No OH3, OH4 and OHT2) and the trenchless installation of electricity networks (Work No MU28) as listed in Table 6.4.

1.1.4 A full preliminary list of traffic management measures (excluding hard shoulder closures and associated localised traffic management for highway gantries) that may be required to construct the Project can be found in Appendix A of the oTMPfC.

Table 2.3 of the oTMPfC [REP1-174] identifies stakeholder considerations that would be addressed as a minimum by the TMP, which is secured under Schedule 2 Requirement 10 'Traffic Management' of the draft DCO [REP1-042]. This includes impacts on community facilities such as the Condovers site, and states that activities such as advance warning/particular sensitivity around significant events, particularly evenings and weekends would be incorporated into the TMP and engagement with relevant stakeholders would take place as appropriate.

This picture was taken on 15th August 2023. It was taken on Church Road, looking west towards Condovers and West Tilbury village. Is it safe to build a new junction on the north side of this stretch of the road for a minor haul road?

oTMPfC [REP1-174]) – this document doesn't show the latest positioning of the proposed Low Street Lane and Muckingford Road Utility hubs consulted in May/June 2023.

With the co-location of these 2 utility hubs, north of the position on Plate 4.6, surely there must be a safer option for a secondary access route, principally intended for vehicles transiting between nearby worksites, the type of vehicles using it are envisaged to be limited to vans, minibuses and pickup trucks. Have you considered other options for the secondary access route, if so, what were they and why were they dismissed?

You state that "Assumptions about the amount of traffic likely to use the construction access routes proposed are set out in Chapter 8 of the Transport Assessment [APP-529]. These would be refined as contractors are appointed and the detailed design for the Project is developed". Plate 8.7 on page 219 clearly states that other planned haul roads are not included in the model.

Noise (Construction and Operation)

Noise monitoring was carried out by the Applicant for the Project 200m east of the Condovers site south of Station Road at ST-NML 04. The monitoring location is show in ES Figure 12.5: Baseline Noise Monitoring Locations [APP313]. The results are presented in ES Appendix 12.5: Baseline Noise Survey Information (Section 2.4) [APP-445].

While construction phase noise impacts were not modelled at the Condovers site specifically, two sensitive receptors at nearby properties off Coopers Shaw Road (CN 46) and Church Road (CN 50) were assessed. This is presented in ES Figure 12.1: Construction Noise and Vibration Study Area [APP-309] and ES Chapter 12: Noise and Vibration [APP-150]. With the inclusion of the mitigation measures in the CoCP and Register of Environmental Actions and Commitments (REAC) [REP1-157], construction noise impacts on the site (when considered in accordance with the guidance contained within the Design Manual for Roads and Bridges (DMRB) LA 111 (Highways England, 2020) and BS 5228-1:2009 Code of practice for noise and vibration control on construction and open sites4) would not constitute a significant effect.

Furthermore, the REAC, contained within the CoCP [REP1-157], presents good practice and essential mitigation commitments secured under Schedule 2 Requirement 4 of the draft Development Consent Order (DCO) [REP1- 042]. Specific commitments with regard to construction noise include commitments NV001, NV002, NV004, NV006, NV007 and NV009. These would be implemented to actively control the impacts of the construction of the Project.

Will the proposed mitigation measure, stated for properties, be suitable for a campsite where young people sleep in tents?

Are there any maximum noise levels that young people should be exposed to overnight, when sleeping in tents?

NV008 'Community Engagement' specifically sets out a mechanism for the open and ongoing communication with the local community relating to the construction activities and programming, and the control of potential impacts. Following on from the consultation under NV008, with regard to the request for baseline to be established, commitment NV005 'Baseline noise levels' provides a mechanism for this to be considered prior to construction.

During operation of the Project, the mitigated road traffic noise impacts (when considered in accordance with the guidance contained within DMRB LA 111) are predicted to be minor to moderate adverse across the Condovers site. Within ES Chapter 12: Noise and Vibration [APP-150] the specifics of the mitigation options proposed are presented in section 12.5 which covers the provision of Low noise surfacing, earthworks measures and acoustic fencing in order to control road traffic noise. ES Figure 12.6: Operational Road Traffic Noise Mitigation [APP-314] presents the locations of mitigation provision. ES Appendix 2.2: CoCP [REP1-157] and within it, the REAC, sets out how these measures are secured under Schedule 2 Requirement 4 of the draft DCO [REP1-042].

What further mitigations can be implemented for Condovers if, when operational, the noise levels are at an unacceptable level?

As detailed on ES Figure 12.6: Operational Road Traffic Noise Mitigation [APP-314] there is provision for an acoustic barrier over the Tilbury viaduct structure within the proposed design for the Project. This is secured under Schedule 2 Requirement 3 'Detailed design' of the draft DCO [REP1-042].

It is noted that the Environmental Statement Ch 12 Table 12.29 gives details of the proposed acoustic barrier dimensions and locations. At the Tilbury Viaduct it is noted that the acoustic barrier type is the concrete bridge parapet, primarily for safety reasons but with some acoustic properties. It is also noted that at all other locations where acoustic barriers are provided, apart from the Mardyke Viaduct, these are both greater in height and have a greater noise reduction effect. All those using Condovers use tents for sleeping accommodation and it is not possible to provide any noise mitigation at the site, it is only possible to provide it at source. What is proposed is effectively a consequence of the requirement to provide parapets for the viaduct. We need to understand what the consequences are for people using tents as sleeping accommodation at Condovers.

The acoustic barrier location reference AB2 & AB3 states that the height of barrier is controlled by engineering constraints and to prevent the introduction of new landscape and visual impacts. Is this really an engineering constraint or a cost issue?

Air quality (Construction and Operation)

Air quality effects during construction and operation have been considered in accordance with DMRB LA 105 Air Quality (Highways England, 2015) and are described in ES Chapter 5: Air Quality [APP-143].

Project specific baseline monitoring was carried out by the Applicant 150m east of the Condovers site on Church Lane at site LTC12 (presented on page 23 of Figure 5.4 in ES Figure 5.3: Operational Study Area (2 of 3) [APP173]. The results indicated that during 2016 the annual mean nitrogen dioxide (NO2) concentration was 24.9µg/m3 which is well below the relevant annual mean Air Quality Strategy (AQS) objective of 40µg/m3 .

While construction phase impacts from vehicle emissions were not modelled at the Condovers site, two sensitive receptors at nearby residential properties on Church Road approximately 150m east were assessed (LTC_Con_040 and LTC_Con_041) and can be used as a proxy for impacts at the Condovers site as these receptors are located closer to the construction traffic using Church Road. The modelled change in air pollutant concentrations was predicted to be imperceptible at LTC_Con_040 and LTC_Con_041 in each year of construction (this is presented in ES Figure 5.5: Construction Traffic Receptors and Results (1 of 2) (pages 14, 16, 37, 39, 60 and 62) [APP-178]; ES

Figure 5.5: Construction Traffic Receptors and Results (2 of 2) (pages 83, 85, 106, 108, 129 and 131) [APP-179]; and ES Appendix 5.3: Air Quality Construction Phase Results (Tables 1.1 to 1.6) [REP1-161]).

Construction phase air quality impacts also have the potential to arise at the Condovers site because of construction dust and emissions from non-road mobile machinery. With the implementation of the mitigation measures outlined in the REAC within ES Appendix 2.2: CoCP [REP1-157], which are considered appropriate for the nature of likely impacts generally and the Condovers site specifically, there are anticipated to be no significant air quality effects at the site during construction, which is consistent with the overall conclusions of the Project-wide air quality effects during the construction phase reported in ES Chapter 5: Air Quality [APP-143].

During the operational phase, the Condovers site falls outside of the air quality study area as it is located beyond 200m of any road and therefore meeting the traffic scoping criteria for air quality assessment as stipulated by DMRB LA 105 (Highways England, 2019). For this reason, the potential for air quality impacts during the operational phase has been scoped out at this location and it can be reasonably assumed that the operational phase impacts of the Project at the Condovers site would be negligible. Therefore, no monitoring of operational air quality effects at the Condovers site is considered necessary.

Proposals for the Tilbury area (Tilbury area Redesign of tunnel maintenance access)

The Project must be designed in detail and constructed in accordance with the preliminary scheme design included in the DCO application, should it be granted by the Secretary of State. This is secured under Schedule 2 Requirement 3 'Detailed design' of the draft DCO [REP1-042]. Other developments promoted in the Tilbury area would be subject to a separate consenting and decision-making process.

Noted.

Tilbury Fields

On completion of construction in the opening year, the sculptural landscape mounding in Tilbury Fields would be just about discernible in mid-range views south-east from the Condovers site, filtered by existing vegetation. The proposed landforms at Tilbury Fields would be 24m AOD at their tallest point as set out in the Engineering Drawings at Sheet 4 of Engineering Drawings and Sections (Volume A) (A122 LTC Plan and Profiles) [APP-030]. This is repeated at Design Principle S9.02 [APP-516] which states 'The design of the new recreational site shall incorporate sculptural earthworks up to a maximum +24.0m AOD…'. This is secured under Schedule 2 Requirement 3 'Detailed design' of the draft DCO [REP1-042].

The Project provides for accessible permissive routes through Tilbury Fields, instead of Public Rights of Way, to retain some flexibility because the design of the landforms would be refined during the detailed design stage once a contractor is appointed within the constraints of the limits of deviation and relevant DCO controls.

I accept that some flexibility of routes through Tilbury Fields will be required during the design and construction of the public facility. I cannot see why, prior to opening of the facility, the public routes can't be registered as Public Rights of Ways. Please explain?

The Applicant provided clarification about the proposed tunnel construction methodology for the Project in the Notification of Proposed Changes to the Planning Inspectorate [AS-083]. The Applicant has provided further information on the proposed tunnel construction methodology, including the flexibility sought with regard to the use of one or two TBMs alongside this document at Deadline 2, as Appendix C of Environmental Addendum [Document Reference 9.8 (2)]. Tilbury Fields would be open to the public at the earliest practicable time following the completion of the Project subject to construction requirements and the establishment of new habitats. This is independent of the TBM strategy.

We are keen to understand how many months/years will elapse, after the opening of the road, before Tilbury Fields will be open for the public. We are keen to understand the length of time, after the opening of the road, that there will be a potential Environmental impact on Condovers whilst Tilbury Fields will be created. Also, it would be good to know when we can include Tilbury Fields in our development programmes for young people.