

The Planning Inspectorate  
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**Our ref:** KT/2023/130955/01-L01  
**Your ref:** 20035862  
**Date:** 23 August 2023

Dear Examining Authority

### **Lower Thames Crossing (TR010032) Development Consent Order Application**

Please find below our response on behalf of the Environment Agency to the Environmental Statement Addendum 9.8 published at Deadline 2 in relation to the application for a Development Consent Order for the Lower Thames Crossing made by National Highways (NH).

### **Appendix C Review of a single Tunnel Boring Machine tunnelling methodology**

We agree there are no significant effects with regard to material and waste handling beyond those already assessed. The assumptions remain the same in terms of landfill capacity and treated tunnel materials. The volumes of materials and waste remain the same, so there is little change to the materials/ waste balance.

We do not have any further comments to make.

### **Appendix D Appraisal of effects from the two-year rephasing of construction**

#### Flood Risk

With reference to this comment on page 144:

*“The delay in the start of the construction of the Project would not change the assessment or the outcome of the assessment. The extension in the road opening date to the end of 2032 would add a very small additional increment to the climate change allowances applied to fluvial and tidal flood levels assessed in the Flood Risk Assessment. However, given the resilience and freeboard built into the design (e.g. flood protection of the north portal, provision for flood compensation), it is not considered that this small increment would have any significant implications.”*

Whilst the implications may not be significant, the Environmental Statement should still qualify what is meant by this statement, but without having to re-run a model, by referring to what the change in climate change sea level allowances would be relative to those two years and how this relates to their design “Freeboard” margin. Please can the applicant clarify what this rise means?

Please can the applicant state what the freeboard is – and for context, how much freeboard is there above the calculated flood levels used for year 2130?

Please can the applicant clarify what is the additional inundation volume into the compartment relative to the two years climate change uplift to the estuary levels?

The applicant could also consider stating that the additional height of tide compared to the 2130 tides would only allow for "y" minutes additional inundation duration to that previously assessed for the year 2130 estuary level, or "z" additional volume through their assumed breach locations for the year 2130 estuary levels used in the Flood Risk Assessment. The applicant could perhaps qualify this additional volume as a percentage of the overall inundation volume through the breach for the year 2130 assessed breach.

For management of surface water (pluvial) volumes, the Lead Local Flood Authority are the statutory consultee to the planning process for major development with surface water drainage.

#### Groundwater and Contaminated Land

We agree there would be no material change to the significance of construction effects for geology and soils as a result of the proposed change in timeline.

#### Road drainage and water environment

We agree this would not result in any additional impacts to the groundwater environment and no change to the assessments already undertaken and approved.

The principles outlined in the Environmental Statement remain satisfactory. The applicant will apply for permits at the necessary locations and they will utilise pollution prevention and mitigation infrastructure for any surface water discharges that fall outside of the Environmental Permitting Regulations regime in order to protect controlled waters. They should be relevant to the existing environment at the time of the application, so we don't foresee any issues arising from the two year delay.

#### Fisheries, Biodiversity and Geomorphology

The two year rephasing is unlikely to change the aquatic aspects within our remit significantly but if it slips further to three- five years then we may need resurveys. The applicant includes provisions for the protected species surveys before construction, which is essential.

#### Waste

The amendment to the timeline is unlikely to materially change any conclusions beyond those already assessed. The assumptions remain the same and are not influenced by the construction start date. There are no implications that would concern us.

Please do not hesitate to contact us should you require any further information.

Yours sincerely

**Richard Penn**

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