

**LOWER THAMES CROSSING  
DEVELOPMENT CONSENT ORDER EXAMINATION**

**WRITTEN SUBMISSIONS at DEADLINE 3**

on behalf of

**KATHRYN HOMES LTD: Unique Reference 20035583**

**RUNWOOD HOMES LTD: Unique Reference 20035580**

**RUNWOOD PROPERTIES LTD: Unique Reference 20035582**

1. These Written Submissions are made on behalf of Kathryn Homes Ltd, Runwood Homes Ltd and Runwood Properties Ltd (“the Objectors”) at Deadline 3. Each of the Objectors is a registered Interested Party and has separately made Relevant Representations but they share common interests and so have combined together to make these joint Written Submissions setting out their comments (as at the present time) on the material submitted by the Applicant at Deadline 2.

**Comments on the Applicant’s Comments on Written Representations  
Appendix F – Landowners [REP2-051]**

2. The Applicant has purported to respond to the Objectors’ Written Representations [REP1-373] at pp.35 to 42 of REP2-051. Whilst the Applicant has listed the supporting technical reports that the Objectors submitted with their Written Representations, the Applicant has chosen not to respond to the detailed points in those technical reports. The content of those reports is, however, material that is before the Examination and the Objectors commend it to the ExA. It is particularly striking that the Applicant has provided no response or challenge whatsoever to the conclusions of the expert clinical psychiatrist in REP1-370. The Objectors would invite the ExA to re-read the Written Representations [REP1-373] and note how much of their contents are *not* addressed or answered by REP2-051.
3. Under the initial heading ‘Applicant’s Response’, the Applicant refers to certain compensation matters. The Objectors do not agree with what is said but do not see land compensation matters as an issue for the Examination so will not comment further.
4. Under the heading ‘Whitecroft Nursing Home’ (NB Whitecroft is a Care Home), the Applicant contends that the Objectors’ *“desire to work with the [Thurrock] Council to allocate a site... for a relocation and sale of the existing*

*site for housing*". The Applicant then suggests that this is a "*commercial aspiration*" by the Objectors and not a matter for the DCO application.

5. The Objectors do not recognise the Applicant's description of their position. The Objectors have certainly raised the question of the relocation of Whitecroft to a new site both with the Applicant and with Thurrock Council (which is both the local planning authority and a regular user of the placements available at Whitecroft). However, the impetus for relocation is the impacts that the LTC will have on the residents of Whitecroft. As the Objectors have made quite clear in their Written Representations, they regard the site as unable to continue as a care home if the LTC is approved (because of the nature, scale, and duration of those impacts). Since it is the LTC which creates the need to relocate the Care Home, it is the Applicant that should take on the primary responsibility of ensuring that a site for the relocation is available. This is a matter that the Objectors have been raising in their discussions with the Applicant and in their responses to the Applicant's consultations since at least September 2019. If there were to be no LTC, there would be no need for a relocation and the Objectors could continue with their successful Care Home use, providing specialised care for the local community, and that would be the Objector's preference. The future of the existing site, if the Care Home is relocated, is not a matter that the Objectors have discussed with the Applicants or with Thurrock Council.
6. The Applicant's suggestion that it will "*consider*" providing one or more landscape cross-sections at some future point is noted. The Objectors have already set out the information they consider is needed in the Written Representations.
7. The Objectors are unpersuaded by what the Applicant says about the two year delay. The Objectors have noted the information in Appendix D of the Environmental Statement Addendum [REP2-040]. The Applicant claims that its assessment remains a reasonable worst case but this is not borne out by what is said.
8. Taking the example of construction traffic impacts, the original assessment assumed that the construction period would begin in 2025 (preliminary works in 2024) and end in 2030. The baseline traffic was taken to be that on the 'do minimum' network in 2030. The delay in construction means that the construction period will now be 2027 to 2032. However, the baseline traffic remains capped at the 'do minimum' traffic in 2030. Thus, baseline traffic growth from 2030 to 2032 has not been included in the assessment of construction traffic impacts. The predicted effects cannot therefore be described as a reasonable worst-case because they do not include two years of traffic growth that will arise during the now delayed construction period.
9. The Objectors also note the remarkable proposition in Table D.2 of REP2-040 (p141) with regard to population and human health effects during construction

that *“Delay of the Project for a further two years may have an adverse effect on the mental wellbeing of vulnerable populations in terms of ongoing anxiety and uncertainty; however this is balanced by potential job creation and skills development resulting from enabling works taking place.”* In lay terms, this seems to be a case of balancing ‘apples with pears’ and/or double-counting of benefits. Whatever the job creation skills benefits are, they will not have changed because (as para D.3.2 makes clear) no works are to be brought forward. The greater anxiety and uncertainty for vulnerable populations (which will especially include the residents of Whitecroft) caused by the delay is a new and additional adverse impact which the Applicant cannot say is subsumed within its existing assessment of the reasonable worst case.

10. In its response to para 22 of the Objectors’ WR [REP1-373], the Applicant maintains it has carried out an assessment of the reasonable worst case scenario but this has been done without *“granular information”* being available. The Objectors do not accept that the information they (in the respective technical reports) have suggested is needed to undertake a proper assessment of the effects of the proposals on the vulnerable residents of Whitecroft amounts to an excessive or unreasonable level of information. It is needed to allow properly informed judgments to be made about the full impacts of the proposals. Its omission means that the Applicant’s assessment is not a reasonable worst case, because it is unable to capture the full impacts. Thus, if there are peaks in the daily predicted flows of HGVs using the haul routes, or a concentration of large or noisy HGVs, those effects will not be reflected in the Applicant’s assessment.
11. In its response to para 26 of the Objectors’ WR the Applicant states that *“There are no proposed works within close proximity to Whitecroft that would require vibratory or percussive piling”* and that box jacking to enable the LTC to pass under the A13 would involve hydraulic jacks. It is therefore contended that a vibration assessment is unnecessary.
12. In contrast, the Construction Supporting Information [AS-050] stated (at p.50) in relation to the section of the A1013/Stanford Road between Orsett Cock (to the east) and Gammonfields Way (to the east), and so concerns the section of the A1013 that provides the frontage to Whitecroft and which is to be realigned and raised, *“Stanford Road is proposed to be realigned as part of the works which include the construction of three new structures. The works around the area, particularly between the A1013 and A13 are substantial. As a result, there would be significant construction activity within the area, from piling activities and earthworks to road construction.”*
13. The Objectors are not aware that the Applicant has precluded the use of vibratory or percussive piling techniques in the construction of any of the (many) structures to be constructed in the vicinity of Whitecroft, and it remains to be persuaded that a continuous three month 24 hr 7 day box jacking

exercise can be conducted a short distance away without discernible impacts on Whitecroft.

14. The identification of major earthworks in close proximity to Whitecroft (c.20m) is specifically addressed in the BY Acoustics report [REP1-367], as is the need to construct and use haul roads in close proximity to the site. That report identifies the risk of vibration resulting from construction activities in section 7 and that it would be reasonable to expect a vibration assessment to have been undertaken.
15. Further comments on the deficiencies of the Applicant's response on noise and vibration matters are set out in the further report from BY Acoustics dated 18 August 2023 which is Appendix A to these Submissions.
16. In its response on noise and vibration to para 29 of the Objectors' WR the Applicant acknowledges that all receptors have been given the same sensitivity in the noise and vibration assessment, despite the criticisms of this approach in the BY Acoustics report [REP1-367]. The Applicant goes on to suggest that the population and human health chapter of the ES [APP-151] has addressed the matter further. However, the only assessment of Whitecroft in APP-151 is as regard the change to its access arrangements by reason of the realignment of Stanford Road (see para 13.6.75 of APP-151).
17. Even in the Health and Equalities Impact Assessment [APP-539], the Applicant does no more than note that there is WHO guidance on the greater susceptibility of certain persons to noise impacts, including older people, the chronically ill, and people with dementia (para 7.9.6) and that the residents of Whitecroft are "*likely to have very different sensitivities to changes in noise level*" (para 7.9.21), but then entirely fails to follow through this recognition by changing in any way its assessment of the noise impacts on the residents of Whitecroft. Its reliance on what can be achieved by (untested and unidentified) BPM is rooted in the benchmarks for SOAEL and LOAEL set for the general population. Thus, even putting to one side the Objectors' criticisms of this reliance on unproven BPM, there is no evidence from the Applicant that it has actually addressed, in either its proposals or the suggested mitigation measures, the greater sensitivities of the residents.
18. In addition, the Applicant has entirely failed to address whether its noise assessments have been in any way infected by the errors in the application material (now corrected but still not explained) about the FRL heights of the overbridges carrying the A13 slip roads to the A1089 and the LTC north over the slip road to the LTC south. The relative height between a road traffic noise source and a receptor is a component part of the methodology that the Applicant says it has followed ('Calculation of Road Traffic Noise') and the Applicant cannot continue to leave this matter unexplained.

19. In its response on cultural heritage to para 29 of the Objectors' WR, the Applicant fails to address the very clear criticism that the Applicant's assessment does not evaluate where in the scale of 'less than substantial harm' the adverse impacts on Whitecroft lie. This remains an important omission for the reasons set out in REP1-371.
20. In its response on air quality to paras 29 and 33 of the Objectors' WR, the Applicant has revealed for the first time that all of its air quality modelling assumes a constant level for all terrain (i.e. an entirely flat environment). This is, of course, not at all representative of the existing terrain or the baseline highway network. Nor is it representative of future conditions with the LTC in place. The Applicant then asserts, without any evidence, that if it had used the levels of the road network (existing and proposed) this would not be the worst case. Given that the A1019, the A13, and various slip roads are elevated relative to the level of Whitecroft, this assertion cannot be accepted without supporting evidence.
21. The Applicant's responses on landscape and on population and human health are not understood because the references given are generic and do not address the Objectors' concerns.
22. The Applicant's response on cumulative impacts fails to address the Objectors' criticisms of the assessment. Assessment at ward level is insufficient and whilst combined effects during the construction and operational assessments for Whitecroft are identified, the significance of these combined effects, when taken together, is not evaluated and so they are not properly assessed. The Applicant has been stuck in its 'silo' approach looking at the individual effects and not the composite whole.
23. The Applicant's comments on the effectiveness of mitigation are undermined by the deficiencies in its assessments. The Objectors will comment further on the topic of mitigation when responding to Q13.1.13 of ExQ1s at Deadline 4.
24. The Applicant's comments on the PSED suffer from the same deficiencies.
25. The Applicant's comments on the need for relocation are not accepted by the Objectors. The Applicant has failed to assess, adequately, accurately, or comprehensively, the impacts that the LTC will cause for the residents of Whitecroft.

24 August 2023