

Lower Thames Crossing

Planning Inspectorate Reference: TR010032

Deadline 4 - Response to the Examining Authority's Written Questions by CPRE Kent

Unique Reference Number: 20035769

<p>Q3.1.1</p> <p>Carbon and Climate Considerations: R (oao) Boswell v Secretary of State for Transport</p>	<p>Whilst CPRE Kent is not in a position to comment in detail as to the implications of <i>R (oao) Boswell v Secretary of State for Transport</i>, clearly there is a significant disparity in scale. Whilst <i>R (oao) Boswell v Secretary of State for Transport</i> considered the cumulative impact of three separate but relatively modest road building schemes, here we are considering a scheme where the official estimate of the total carbon emissions from the scheme would be at least 6.6 million tonnes over its operational lifetime.</p> <p>Whilst this alone would make the LTC the biggest emitting scheme ever propose, as set out within our written representation, the official estimate does not account for the substantial amount of construction and induced traffic which is to occur from the extensive road construction outside the order limits which would be required as a consequence of the LTC being approved.</p> <p>As was made clear within the judgement, whilst there is no single prescribed approach to the assessment of cumulative carbon impacts or to gauging the significance of the climate impacts of a development project in the context of Environmental Impact Assessment, this remains a matter of judgement for the decision-maker. It is therefore our view that the Examining Authority as decision maker could legitimately and rightly come to the view that the cumulative carbon emissions of the LTC project are such that the requirements of the EIA are not met.</p>
<p>Q3.1.1</p> <p>EIA Regulations 2017: Consideration of Reasonable Alternatives</p>	<p>Whilst we recognise and acknowledge the steps taken by the applicant to date as set out within APP-141, it remains our view that the applicant has failed in their duty to consider alternatives in terms of technology. Specifically, and for reasons set out below in response to Q3.2.1, we do not consider that there has ever been a proper consideration of alternative modes of transport such as rail. Rather, the LTC consultation process from the start has singularly focused upon roadbuilding only solutions being the only options available.</p> <p>Further, it remains that the EIA process is an iterative process which should respond to new environmental evidence as it emerges. In this respect, we would again point to the Committee on Climate Change 2023 Progress Report which recommends a ‘systematic review of current and future road-building projects to assess their consistency with the Government’s environmental goals’ which ‘should ensure that decisions do not lock in unsustainable levels of traffic growth and develop conditions. This concludes that Government should only permit new road schemes if they meaningfully support cost-effective delivery of Net Zero.</p> <p>As a minimum, we consider there should be an addendum to the EIA which robustly considers alternatives in terms of technology/modes of transport with the focus being upon the need to meet the countries Net Zero commitments.</p>

<p>Q3.2.1 Consideration of Alternatives: Other Modes/ Solutions</p>	<p>As detailed within our written representation, CPRE Kent firmly believe that we need to be managing our existing road network better rather than expanding it and that it is not possible to build our way to free-flowing roads. Key to this is prioritising alternative modes of transport to reduce overall private vehicle dependency.</p> <p>However, the details and justifications set out within ES Chapter 3 [APP-141] only serve to reinforce our view that rail alternatives were prematurely dismissed during the project's initial phases, without a thorough consideration of their capacity to mitigate congestion at the Dartford Crossing.</p> <p>Specifically, the 2009 Dartford River Crossing study seems to cite the absence of demand for a cross river rail system during the study period as the main reason for ruling out rail. With no existing infrastructure and therefore a rail commute that required traveling into and out of London, it is hardly surprising that there was no existing demand for such a journey. Likewise, this study gave no consideration as to the likelihood for increased cross river rail demand from planned development along the River Thames. No further reasons appear to have been given at this time as to why non-road building or rail alternatives were not considered further at this time.</p> <p>Rather, it seems that only after respondents to the 2016 non-statutory consultation raised concerns that there was a lack of consideration for public transport options did the applicant reluctantly consider, but reject, a few possible non-road building alternatives as part of a post consultation report. This was seemingly on the basis that they did not meet the scheme objectives in that they would not provide additional adequate capacity for the Dartford Crossing.</p> <p>It therefore remains CPRE Kents firm view that there has never been a genuine consideration of alternative modes and solutions as a means of increasing capacity to mitigate congestion at the Dartford Crossing. Rather, this crucial issue was firstly dismissed outright and then has been treated as a box-ticking exercise to be dismissed when raised within subsequent consultations, in line with this predetermined stance.</p>
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