

Gravesham Borough Council

(IP ref: 20035747)

Lower Thames Crossing

Deadline 5 submissions

1. Introduction- at deadline 5 the ExA has asked for:
 - Updated SoCGs (if updated)
 - Updated PADSs (if updated)
 - Applicant's submission of documents requested
 - Comments on Applicant's submissions at D4
 - Comments on any information requested by the ExA and received by D4
2. The Council's response to these is set out below. In view of the volume of documents submitted at D4, plus other information received direct from National Highways, it has not proved possible to produce fully detailed comments at this deadline. This is partly an issue of resources, consultant availability and the need to consider the overall position being arrived at. In this the Council is mindful of the fact that is no point in simply repeating statements that have already been made, but equally the ExA will need to be clear about whether the Council's position has changed on any matter.

Statement of Common Ground (SoCG)

3. The Council is in discussions with the applicant on updating the SoCG in line with the release of amended documents and new information that has been released over the course of the Examination, ideally for submission at Deadline 6.

Principle Areas of Disagreement Summary (PADS)

4. The PADS will be updated at the same time as the SoCG for consistency.

Section 106

5. The Council has received a draft section 106 agreement from the applicant and further meetings are to be held on this. A response has also been received to the document [[AS-070](#)] submitted by the Council along with its initial PADS in March 2023 which set out a very wide set of asks for consideration as section 106 provisions. It was appreciated at the time that this covered matters that might be covered by the dDCO, control documents and matters where primary responsibility rests with other bodies, but which are of material interest to Gravesham residents.
6. The Council is analysing these with a view to identifying areas where agreement can potentially be reached and where further changes are needed to the dDCO, control documents or via the s.106 agreement to ensure that the impacts on local residents, the environment and businesses are properly dealt with.
7. A key overall concern is to ensure that monitoring takes place (for both construction and operation) in an appropriate form and that there are some identified actions that could be taken by the applicant if the impacts are found to be outside the bounds set out in the Environmental Statement. The Council only seeks the normal security that

it would achieve from planning conditions and the s.106 agreement from any major developer where it was the determining authority. It also conscious that given the timescales involved in the delivery of the project that the people involved from both the Council and National Highways (and its contractors who have not been involved in the DCO process) will in all likelihood have changed, so that the current collective knowledge will have been lost, and so it needs to be a fundamental part of the DCO.

Compulsory purchase

8. The Council is waiting for a proposal from the applicant on the land at the rear of the Cascades Leisure site in Thong Lane. A report on the options, funded by National Highways, has been prepared by consultants which will form the basis for discussions. There are a number of different options involving the land south of Cascades from the Southern Valley Golf Course and how various facilities may be moved round. This is in the context of the rebuilding of the centre which the Council is proposing to carry out in any case following the recent grant of planning permission.

Draft DCO matters

9. Attached are further responses on:
 - Appendix 1, in two parts:
 - Part A is a list of comments on the changes made by the Applicant in the most recent version of the DCO
 - Part B is a response to the points made by National Highways to the D3 points made by the Council.
 - Appendix 2: A revised version of Schedule 2 with the local planning and highway authorities as discharging authority, rather than the Secretary of State.
10. There are largely matters that now rest with the Examining Authority to determine.

Comment on responses to ExQ1 questions

11. There are 18 documents submitted by National Highways as document 9.89 Responses to the Examining Authority's First Written Questions REP4-185 to REP4-202. Other submissions from the applicant are also helpful in this regard, including REP4-203 9.90 Mitigation Route Map. REP4-185 is a signpost document and therefore subject to no further comment.
12. Other Interested Parties have also responded to questions relevant to them and these need further consideration.
13. Appendix A Carbon tool kit (REP4-186, 187 & 188) – this is not an area in which the Council has technical expertise and it is therefore not in a position to make detailed comments on the model built by National Highways. It is however noted that other Interested Parties have expressed concerns (e.g. Thurrock Council REP4-253 p.6) about the work that has been done.
14. Appendix B Traffic and transportation (REP4-189). This is a complex area and will be subject to further discussion at ISH10. The Council has had a useful meeting with National Highways on some of the technical issues, with Kent CC in attendance as Highway Authority. Some errors in the modelling process and presentation of results, since corrected, were discussed. Shapefiles of the latest model runs have just been made available though there has not been time to analyse them, which is a resource

consuming process. It is understood that the meetings requested by the ExA on both Blue Bell Hill and Orsett Cock have taken place.

15. It seems clear that the ExA's consideration of the Lower Thames Crossing will have to be on the basis of there being no upgrade to Blue Bell Hill included as a work within the DCO (meaning M2 J3, M20 J6 and the A229 between them). The modelling shows that congestion on this link pushes traffic onto the A228, and to a lesser extent A227, as it seeks to avoid congestion. Any congestion on the M2 results in possible rat running via Cuxton and Cobham. The Council proposed a Grampian style condition in its D4 responses in a list of proposed amendments [REP4-302]. KCC have also proposed similar amendments.
16. Orsett Cock junction is of relevance from the point of view of access to the Tilbury area due to the U turns that need to be done to access the A13 west or A1089. There is however a more fundamental point that if the microsimulation work shows that that junction is suffering significant congestion, this must throw doubt on the operation of other major junctions modelled within LTAM.
17. The Tilbury Link Road is clearly stated to be in the list of possible schemes for RIS3, so it is not simply something on a wish list of Thurrock or Port of Tilbury (see deadline 4 submission (REP4-347)). The Port is concerned that there is no mechanism to ensure the delivery of a junction in a suitable form. At the same time National Highways says it is just for emergency and maintenance access. As has already been pointed out by the Council it results in a significant change in access to the Port of Tilbury and the wider area from the south, which could then have significant impact on flows on the crossing and A2, being quicker than via Dartford or Orsett Cock. Without some modelling of this it is not possible to say whether this is a significant matter or not.
18. Appendix C Air Quality (REP4-190) - no comment at this time but will be followed up, if necessary, at Deadline 6.
19. Appendix D Geology and Soils (REP4-191) – no comment at this time on UXO but will be followed up, if necessary, at Deadline 6.
20. Appendix E Noise (REP4-192) Noise - no comment at this time but will be followed up, if necessary, at Deadline 6.
21. Appendix F (REP4-193) Road Drainage ExQ1_Q10.2.4 The cross section of the Park Pale infiltration ponds is referred to below.
22. ExQ1. 10.2.9 EFR1 – as the documentation highlights the area south of the river south of Lower Higham Road is chalk, but with some perched water tables in the Cobham/Shorne area, with related ponds. The Repton Ponds (just in Cobham Park but next to HS1) were not impacted by building the railway but such features could be. A stream does drain north from Shorne Woods Country Park which occasionally causes flooding along Shorne Ifield Road after periods of prolonged and heavy rainfall. The concern would be over what might happen from run off from the construction site. The marshes are another system, with concern over operation of the Denton outfall and any impacts from the passage of the tunnel boring machines under the Thames & Medway Canal (and North Kent railway) and flood defences on the Thames.
23. Appendix G (REP4-194 to 199) Biodiversity – this will be subject to further comment at Deadline 6. Much of the detail of the material falls outside the Council's technical competence. Appendices K & L (REP4-195 starting at p.105) provide some very

useful additional information on the tunnelling process and possible issues that may arise.

24. Appendix H (REP4-200) Physical effects of Development & Operation – further detailed comments will be submitted at Deadline 6, however some specific comments are made below.
25. ExQ1.12.1.11 &12 Archaeological field work: the Council remains concerned that the necessary field work has not been carried out, accepting that access to the Southern Valley Golf Course has not been possible but that was subject to earlier study when the course was being planned. Without this information for the wider area it is not possible for the applicant to know whether the scheme design may need to be altered. During the consultation process significant changes were made as a result of earlier archaeological field work. For example, the three proposed infiltration ponds were moved up the hill from adjacent to the A226 to where they are now shown in the application. An area of woodland north of Shorne Ifield Road has been moved to the south as it is the location of a medieval settlement. Given this track record it is reasonable to suggest that the area is rich in archaeology, so further studies could produce significant finds that might have implications for the project design.
26. ExQ1.12.1.17 is about the undesignated heritage assets of the homes for Heroes. The Council has already set out detailed information as part of the Local Impact Report (see Appendix 6 – REP1-232). It is strongly felt that the LCC Cottages have value as a group and cannot just be treated as individual properties as the applicant wishes to do. Further submission will be made at Deadline 6 on this.
27. ExQ1.12.2.6 response and appendix B provides a comparison of the differences between the 2020 and 2022 landscape assessments, but fails to provide any justification for the changes, be they from a review of the 2020 assessment or as a result of the changes to the scheme design before resubmission.
28. It is noted that the applicant has not addressed the question of the use of an incorrect boundary between the Cobham and Shorne sub areas (along HS1 rather than the A2). A fuller response on landscape matters will be provided at Deadline 6.
29. EXQ1.12.3.6 Construction compounds and the impact of the height of the various facilities that may be required. The Council notes that a series of cross sections is proposed. The example that is given is from the northern end of Thong Lane, which does also show the proposed operational ground level. This is the kind of information the Council has requested from the applicant to understand the Chalk Park proposals. In the case of Chalk Park, the existing plans and engineering drawings and sections do not show the potential height of the works comprising the raised ground levels, despite those works (Works OSC4(a) and (b)) being given vertical limits of deviation in article 6(2)(b) and (c) of the DCO. Further comment will await receipt of the rest of the cross sections but it is noted that in the example (as in the infiltration pond at Park Pale (ExQ1.10.2.4)) there is a lack of a vertical scale.
30. On this and the A2/A122 junction the Council is just asking for 3D plans that enable everyone to see how the proposals look in the round, which is not at all clear from the current application or subsequent submissions. The technical issues with using the CAD drawings are understood.
31. Appendix I (REP4-201) Socio Economic – fuller comments will be provided at Deadline 6, however two matters are covered below.

32. ExQ1.13.1.8 Thong Lane car park – the applicant notes that any facilities at the car park would have to be the subject to a separate planning application, though the basic car park is covered by the DCO and it is not part of the mitigation or compensation, but an enhancement opportunity. The Council remains concerned about the impact of this proposal on the openness of the Green Belt and the traffic implications for Thong.
33. ExQ1.13.1.17 Workforce accommodation – the updated information from the 2021 Census is useful, though that took place during COVID. The Council's concerns are based on its detailed knowledge of the operation of the local rented sector and the difficulties (and costs) that it has in accommodating homeless households. Further comment on this will be provided at Deadline 6.
34. Appendix J (REP4-202) 14,15 &16 – a review is being conducted of the Design Principles document in its current form (REP3-110) in relation to responses on s.106 matters. It is noted that progress has been made on those involved in the design of the area east of Shorne Woods and the inclusion of the Emergency Services in the relevant design Issues.
35. The applicant has submitted numerous changes to the Control documents , but it is not clear how much has changed without a detailed review of the tracked changes versions of each. The Council is reviewing these documents and will be making comment at Deadline 6.