

TR10032-004580 " ISH10

My response to the Applicant's opinion on the lack of necessity for mitigation of the impact of congestion to wider areas of local network echoes the words of several speakers for Local Authorities and Statutory Parties in that there is in fact a profound need to address, in depth, the various impacts of this project on the wider road network and local communities and provide mitigation for these impacts.

Yes, we live in an age of congestion and delays, BUT surely the original purpose of the LTC was to RELIEVE CONGESTION at the Dartford Crossing. What is the point of that if it causes widespread congestion elsewhere. The resultant increase in pollution levels over a wide area would be disastrous. There would undoubtedly be an increase in pollution levels during Construction which is in itself unacceptable. For the Applicant to suggest that there is no need for mitigation and that it is acceptable to endure increased congestion and pollution post project completion is outrageous. I would have thought the primary reason for any new road project would be to provide routes to relieve congestion and delay and thereby decrease pollution levels.

I cannot believe the Applicant will not be putting forward new air quality assessments in the light of new modelling: see extracts from ISH10 Transcript:

Ms Laver for Ex A

Page 27

I just wanted to just inquire about if there would be any additional air quality assessments done in light of new modelling because, obviously, the modelling informs the air quality outputs.

Dr Wright, for the applicant.

Pages 27/28 - In response to Ms Laver

So, no, we're not proposing to put forward new air quality modelling. Our position remains that the information we've provided at LTAM is a robust basis for the decision informing the environmental statement

I could not believe what I was reading in the following passages from Mr. John Rhodes' statement Pages 35/36 of the ISH10 Transcript

John Rhodes for the applicant

Mr Rhodes stated in Pages 35/36

I think, a number of people may aspire to free flow traffic conditions, but that's not a policy requirement, even in relation to ports, but it's not a policy requirement of the NPS. And the reason for that is set out very clearly in the NPS, that we live in a world that suffers significant congestion. The NPS tells us that, I think, a quarter of travel time will be spent delayed in traffic. It's not desirable, but it's something that we live with, and it isn't government policy to predict and provide, to arrive at a state where we have free flow traffic conditions.

And paragraph 2.24 tells us that the government policy is not that of predicting traffic growth and then providing for growth, regardless, "individual schemes will be brought forward to tackle specific issues, including those of safety, rather than to meet unconstrained traffic growths by predict and provide.'

So congestion, or increased delay, in my judgment, is not the test that applies to what requires a need for mitigation. If there is an impact in relation to congestion or delay, then something must

be taken into account. It's clearly an important consideration. But of course, in doing that, one has to look at the cumulative effect of the project and, overall, the cumulative effect of the project is seriously positive in relation to travel times across every sector of the network. So the particular tests that are required are the ones that you took me to, 2.15 and 2.16. And we know, I think we know, that they don't mean that we have to predict and provide and provide free flow conditions.

The following are also extracts from statements within the ISH10 Transcript which I fully support.:

Ms Laver for Ex A: Page 45

I guess what I'm hearing is there is no policy requirement for you to mitigate other impacts from this national strategic scheme because the RIS is there to take care of such things. That's what I think I'm hearing. Forgive me if I'm wrong, but I've heard a lot of reference back to, 'Things need to go in the RIS. Secretary of state and DfT will resolve things through that process.' My concern around that is not every impact will become a RIS scheme. Orsett Cock might never become a RIS scheme. But if the LTC has such impact that it then falls to the local authority to invest further funds from their budgets to rely upon statements that the RIS is there to pick up subsequent impacts, I'm just very concerned about that.

Shamal Ratnayaka, Transport for London  
Pages 47/48 - Reponse to Mr John Rhodes

You made the point that 'which surprises us' congestion is not fundamentally an impact which is addressed by the NPS. I think a scheme like this, which clearly is designed to deliver benefits to free-flowing the road network, acts on the rest of the network, and I think it's quite unfair to suggest that the other parties are looking for mitigation to address 'I think your exact words' unconstrained traffic growth. This is clearly not about the growth. It's about recognising that the implementation of the scheme will have impacts.

And of course the other point to be made is that congestion isn't just about congestion. It has a number of other impacts because of the delays in junctions, whether that is around the safety, the carbon, air quality, noise; these are all proven impacts when you get backlogs at junctions which, again, a lot of the modelling is baring out, in addition to the free-flowing operational network. So I do think 'and those are all things which very clearly, as you clearly pointed out, especially flagged in national policy.

Douglas Edwards for Thurrock Council  
Page 52 'Response to Mr. John Rhodes

When referring to local network impacts, and when referring to impacts on the wider network, in the context of this scheme, I am not referring to 'and shouldn't be taken as referring to 'impacts on Orsett Cock. As we've made clear, we consider Orsett Cock to be part of this scheme and not a wider network impact, and certainly we understand that to be essentially the position of the applicant.

Daniel Douglas, the London Borough of Havering  
Page 60

the applicant appears to be of the view that mitigating local network impacts isn't a requirement on national policy. Mr Edwards has already articulated some of the references within the national policy statement for national networks, as to why that's not the case, and I'd just point the panel in the direction to Havering's submission at deadline 3, which is REP3-186, where we've gone into some detail as to the references within the NPS that we feel require wider network impacts to be mitigated. In particular, I'll just point out two. NPSNN paragraph 3.2, which states 'and mitigate environmental and social impacts', and also further down, in paragraph 5.202, 'The

consideration and mitigation of transport impacts is an essential part of the government's wider policy objectives for sustainable development.

Ms Lynn Basford, London Borough of Havering  
Page 62

I'd like to echo the sentiments of Ms Laver in having deep concern over the applicant only considering the impacts on the SRN and not on the local roads, and as we've heard from Daniel Douglas that in Havering itself, the host borough, there is no specific local roads being monitored.

Michael Bedford, Gravesham Borough Council  
Page 66

There are funding decisions made by the department for transport, both on RIS schemes, and on large local major schemes, and those decisions are not intended to prejudice planning merit decisions, which are decisions made through, in this instance, a development consent order process, the 2008 act, and we think it is inappropriate for the applicant to suggest to you that because of those separate funding decisions, you somehow should not engage with what are the planning policy impacts of the proposals, and that you should leave it to a different process. We think that is a misapplication of relevant guidance and we don't see any support for it in the national networks national policy statement

Paul Shadarevian KC for DP World  
Page 67

consider the extent to which the mitigation elements of national policy in relation to networks deals with that, and in so doing, take into account this very fundamental factor touched upon by Mr Edwards earlier on, which is the Orsett Cock is a fundamental component of the scheme before you. It is not part of the broader highway network, although, Manor Way may come into that assessment.

What the ports are proposing, and hopefully Thurrock as well, in terms of the addition to schedule 2 of the order, is not actually mitigation. It's a means of curing a fundamental design defect of the scheme.

the latest information from the applicants shows a far worse situation than the p.m. peak eastbound than even we anticipated.

I believe that there is definitely a fundamental design defect with the Orsett Cock Junction.

It seems also that the design of the M2/A2 LTC junction is far from satisfactory.

NMU

Whilst I can understand, and sympathise with, where certain parties are coming from with regard to access to private land by undesirables, I believe there is a need to maintain and promote walking paths, cycle paths and bridleways for fitness and recreation. As areas become more densely populated it is essential to have these facilities available for health and well being and pleasure.