

**LOWER THAMES CROSSING
DEVELOPMENT CONSENT ORDER EXAMINATION**

WRITTEN SUBMISSIONS at DEADLINE 6

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 6. 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 5, responding to ExQ(2) 9.1.9, and providing their Post Hearing Submissions following ISH8 on Construction and Operational Effects (Non-traffic) held on 19 October 2023.

Comments on The Whitecroft Care Home Cross Sections [REP5-092]

2. Section A of REP5-092 shows an approximately east-west cross section, both during construction and post-construction. The former shows the relationship to the haul road (Haul Road 4), with no intervening features across the 65 m separation distance to Whitecroft (and parts of Whitecroft’s western curtilage are used as outdoor recreation space by its residents as shown in the annotated site plan submitted as REP4-381). The latter shows the proposed planted bund, including the extent of the limits of deviation, with the planting shown in a mature condition at an unspecified date post-construction.

3. It is noted that the haul road is shown in what is said to be an 'approximate location' as a route which 'is illustrative and a snapshot in time during the works' (para 1.1.2 of REP5-092). It is not made clear in REP5-092 whether what is shown in Section A is the worst case position.
4. Even making that assumption, it is clear that construction traffic on the haul road will be visible and audible throughout the period of operations (and separate comments have already been made by the Objectors in relation to the 5+ years duration of the use of Haul Road 4 from Phase 2 to Phase 11, the quantum of daily traffic, with a peak of 121 movements for a five months period, set within a 17 months period of over 50 daily movements, the 'normal' hours of construction from 07:00 to 19:00, and the periods of extended working, which may include 24 hour and weekend working: see paras 22-25 of REP1-373).
5. In addition, it is clear that the construction of the bund (to a height of 9.4 m) will be a substantial earthmoving operation, with no specified duration, involving plant and machinery operating in the intervening space, including the excavation of a 5 m wide drainage ditch on the western boundary of Whitecroft. The construction of the bund will dominate the western outlook from Whitecroft.
6. Once constructed, the bund will permanently remove the open aspect in views westwards from Whitecroft and replace it with a substantial artificial feature which will retain its engineered appearance for many years until the new planting matures. Even when that planting is mature it will serve to further foreclose westwards views. There will also be permanent changes to the setting of the listed farmhouse, severing it from the rural farmland with which it has had historic associations (as set out in REP1-371).
7. Section B of REP5-092 shows an approximate north-south cross-section post-construction, with the benefit of mature planting. It is apparent that there will be substantial earthmoving operations required to achieve the proposed changes in levels, both for the excavation of the cutting that will accommodate the A13 westbound to the A122 LTC southbound and for the creation of the

embankment that will accommodate the A13 westbound to the A122 LTC northbound. In addition, the construction of the overbridge to house the A13 westbound to the A1089 southbound will require major works at an elevated level relative to Whitecroft. The deck of that overbridge would appear to be at the ridge height of the older listed farmhouse at Whitecroft. Post-construction, traffic, and in particular high-sided vehicles, on the A13 westbound to A1089 southbound will be visible from Whitecroft for many years until the proposed new planting matures. Highway lighting will be visible even above that planting once mature.

8. The Objectors regard the information provided in REP5-092, both for construction and post-construction, as reinforcing their concerns about the unacceptable impacts of the LTC on the residents of Whitecroft.

Response to ExQ(2) 9.1.9: Whitecroft Care Home: construction vibration

9. ExQ(2) 9.1.9 asked the Applicant and the Objectors to *“liaise together to provide details of additional information that could/should be provided to inform vibration mitigation and how this could/would be secured in the Code of Construction Practice (or other control document)?”*
10. A joint meeting attended by representatives of the Applicant and the Objectors, including their respective noise/vibration consultants, took place on Monday 23 October 2023. It was confirmed by the Applicant that the only vibration assessment that had been undertaken related to vibration from piling and that there had been no vibration assessment of other construction activities such as earthmoving operations to construct the new bund, or its compaction to ensure stability, or construction vehicles using Haul Road 4 or any other construction activity. NB there is separation information provided in relation to the vibration effects of use of the Tunnel Boring Machine(s) but this is not relevant to Whitecroft.

11. The Objectors provided information on the construction of Whitecroft but, given the age of the buildings, this was limited to the floor plans already submitted to the Examination (REP4-383, REP4-384, and REP4-385). The Objectors were unable to provide details of the foundation design but expressed the view that the older parts of Whitecroft would have more limited foundations than the more modern parts.
12. The Objectors remain of the view that the Applicant's vibration assessment as regards Whitecroft is inadequate for the reasons previously expressed (in particular in section 7 of REP1-367).
13. The Objectors note that further questions have been put to the Applicant as regards Whitecroft in the ExQ2s and will reserve any comments on those matters until it has seen and considered the Applicant's responses.
14. At the meeting on 23 October 2023 the parties did engage in wider discussions (as the Applicant had requested) but no resolution was achieved and the Objectors await receipt of written proposals from the Applicant which, it was suggested at the meeting, would follow but which (at the date of writing) have not yet been received.

Post Hearing Submissions following ISH8 on Construction and Operational Effects

15. In relation to Agenda Item 3(a)(ii) on the effect of noise, vibration, and other disturbance on the local community, the Objectors made the following general submissions.
16. The Objectors noted the earlier comments from Thurrock Council under this Agenda Item on the shortcomings of the Applicant's noise assessment, which made some of the points that the Objectors have made. The Objectors referred to the fact that they have set out, in quite close detail, in the reports

from BY Acoustics in REP 1-367, REP 3-177, and in REP 16 4-382 (which includes within it a further report from BY Acoustics).

17. The Objectors referred to the fact that the ExA have asked the applicant to respond to those points in the EXQ 2s. The Objectors also noted that the Applicant has referred, in some of their earlier responses, to undertaking some further noise assessment work at Whitecroft. But nothing has either been shared with the Objectors formally, through the examination, or indeed informally, as yet. So there's nothing that the Objectors can comment on in terms of any further noise assessment.
18. The Objectors also referred to the fact that the ExQ2s have also asked further questions about the noise assessment that has been undertaken, particularly the issue of whether or not the façades that have been chosen are the appropriate façades and, if not, what one is to do about that. The Objectors noted that the ExA has asked them to liaise with the applicant, particularly on the vibration issue. And a meeting has been set up for the early part of next week to explore that issue.
19. The point which the Objectors would want to emphasise, in the context of all of that background, is a key point on a mismatch, as the Objectors see it – and it is a point rehearsed in some of those earlier representations – a mismatch between the approach in the health and equalities impact assessment, which rightly recognises that there is guidance available, in particular from the World Health Organisation, that there is a different sensitivity amongst persons who are, particularly persons who are elderly, infirm, or with cognitive impairments, in terms of their perception of noise and their sensitivity to noise. That is recognised by the applicant in the health and equalities impact assessment, but it is not reflected or recognised anywhere in the noise assessments which have so far been carried out.
20. So that, on the one hand, they tell you they've taken that factor into account; but on the other hand, when you look at the actual assessments, it has not been taken into account. That the Objectors see as being an inexplicable, and

an internally inconsistent approach by the applicant, which needs to be addressed.

21. The Objectors also made the point, which is obvious from the physical circumstances at Whitecroft that it sits close to the Stanford Road works compound, but it also sits not too distant from the Brentwood Road compound, which is also a utilities hub. And obviously, any assessment of noise and vibration impacts needs to consider not only what's happening at the compounds, but also at the associated haul roads and the associated construction works areas themselves. But obviously, in a sense, that goes with the territory of the activity which is all-embracing, rather than focusing simply on what happens within the compounds themselves. So those are the points to make on behalf of Whitecroft.

22. In relation to Agenda Items 5(a)(i)(ii) on operational noise assessment, and mitigation, the Objectors made the following general submissions.

23. The Objectors take a very similar position to the position outlined in relation to the construction noise concerns. Effectively in relation to Agenda items 5(a)(i) and 5(a)(ii), the answers are 'no' and 'no' respectively. The reasons for that the Objectors have rehearsed in full in the same documents from BY Acoustics that set out in the earlier remarks, already referenced above. The Objectors are aware that there might be some further information coming from the Applicant, but as matters stand, the Objectors consider that the operational noise assessment is not adequate, nor the mitigation fit for purpose.

31 October 2023