

Application by National Highways  
for Order Granting Development  
Consent for the Lower Thames  
Crossing

**DEADLINE 7**

**Comments on Applicant's  
Submissions at D6**

on behalf of DPWLG

Interested Party Ref: 20035309

NOVEMBER 2023

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## 1.0 9.135 Applicant's Response to the Joint Statement on Policy Compliance of the Lower Thames Crossing Scheme with Ports Policy Made on the dDCO at D3

1.1.1 This Statement is submitted on behalf of DP World London Gateway (DPWLG) in response to Document 9.135 submitted by the Applicant at Deadline 6.

1.1.2 We wish to make the following observations:

### **1) The Document does not provide any meaningful assessment of port-related policy.**

1.1.3 Document 9.135 does not provide a sufficient or meaningful assessment of the Project against NPS for Ports ('NPSP') or the Draft NPSP, and largely reiterates the Applicant's previously stated position set out within the following documents:

- 7.1 Need for the Project [APP-494];
- 7.2 Planning Statement [APP-495]; and
- 9.53 Comments on WR Appendix E – Ports [REP2-050].

1.1.4 Within Table 2.1 (response to paragraph 5.5) the Applicant refers to the consideration of the strategic importance of ports in the overall planning balance. In this regard, the Applicant states:

1.1.5 *'The Applicant has not sought to give undue weight to any single policy or consideration other than in terms of where this is mandated in section 104(2) of the 2008 Act. Chapter 8 of the Planning Statement [APP-495] provides the Applicant's assessment of the planning balance and sets out what the Applicant considers to be the correct degree of weight to be applied to each relevant policy consideration'.*

1.1.6 Whilst the Applicant's Planning Statement [APP-495] provides a brief summary of NPSP, it does not provide any meaningful assessment of the applicable sections of the policy guidance. This infers that the Applicant has not properly considered or given sufficient weight to the guidance contained in NPSP when considering the overall planning balance.

**2) The ExA would have been better served by a policy accordance table provided by the Applicant (see DPWLG's updated PADs submitted at D3 – REP3-155).**

1.1.7 The Applicant has sort to address the points in the Joint Statement submitted by the ports. It is our view that the ExA would have been better served by the Applicant providing their own assessment of the Project against NPSP/ Draft NPSP in a policy accordance table, similar to that provided within the following documents:

- National Policy Statement for National Networks (NPSNN) Accordance Table [APP-496];
- National Policy Statements for Energy Infrastructure Accordance Table [APP-497];
- Local Authority Policy Review Accordance Table [APP-498];
- Consultation draft of the NPSNN (March 2023) Accordance Table [REP4-209].

1.1.8 NPSP is an 'important and relevant' matter under the provisions of section 104(2)(d) of the 2008 Act. As such, DPWLG has previously suggested that the Applicant should submit its own policy accordance assessment in respect of NPSP (see updated DPWLG's PADS document submitted at D3 - REP3-155).

**3) The Document ignores the failings of the Applicant's own transport modelling work.**

1.1.9 Throughout the document the Applicant repeatedly reiterates their position that the Project will deliver overall journey time savings to the ports whilst maintaining that the LTAM is '*suitable and robust to assess the Project*' (Table 2.1, paragraph ref: 3.13 to 3.13.2). This position ignores the failings of the transport modelling work at Orsett Cock/ Manorway and that the overall journey time saving to the ports cannot be relied upon due to the lack of alignment between LTAM and VISSIM (VISSIM demonstrating much larger delays at Orsett Cock).

**4) The Document makes assertions regarding potential transport and economic benefits to the ports that are not supported by any evidence.**

1.1.10 The Document refers throughout (in general terms) to the economic opportunities of the Project and the benefits to the ports. However, the Applicant has so far not provided any Economic Impact Assessment of the impact of the Project on the ports. For this reason, DPWLG commissioned its own Economic Impact Report (undertaken by Volterra) which was submitted as part of DPWLG's Written Representations at Deadline 1 [REP1-333] and provides a summary of the potential negative economic impacts to the port under various scenarios. In this respect, DPWLG have previously

requested (see updated PADs – REP3-155) that the Applicant should provide an Economic Impact Assessment of the Port, given its national economic significance, which considers the net benefits and net negatives of the Project on the Port.

- 1.1.11 Paragraphs 1.1.3 – 1.1.4 and 2.1.12a refer to the relief at Dartford Crossing as a benefit to the ports that can be weighed against the adverse impacts that would be caused on the A13. In this respect, DPWLG has consistently advised the Applicant (pre-submission consultation submissions dated 26<sup>th</sup> January 2016, 24<sup>th</sup> March 2016 and 18<sup>th</sup> December 2018) that London Gateway generates very minimal freight movements south of the river. As such, the operation of Dartford Crossing is of limited importance to DPWLG (aside from when the Crossing causes congestion at Junction 30, usually due to a major incident, and in such incidences such congestion is likely to be visited at the Orsett Cock and Manorway junctions as a result of LTC with even greater impact).

#### **Summary**

- 1.1.12 It is our view that Document 9.135 does not provide an adequate assessment of the Project against NPSP guidance. It ignores the failings of the Applicant's own transport modelling work regarding overall journey time savings and makes assertions regarding potential transport and economic benefits to the ports that are not supported by any evidence. DPWLG, therefore, maintains its position (as set out in the Joint Statement on Ports Policy) that the Applicant has failed to properly consider relevant port-related policy in making its application for development consent for the Lower Thames Crossing.