

# Lower Thames Crossing

## 9.189 Post-event submissions, including written submission of oral comments, for OFH5

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Please note: this document contains the Applicant’s written summary of oral submissions made at Open Floor Hearing 5 held on 23 November 2023, and post-hearing comments in response to submissions made by Interested Parties. Where the comment is a post-hearing comment submitted by National Highways, this is indicated.

# 1 Introduction

- 1.1.1 National Highways (The Applicant), which is promoting the A122 Lower Thames Crossing (the Project), was represented at Open Floor Hearing 5 (OFH5) by Tom Henderson, BDBP Pitmans LLP, Partner (TH) and Suki Coe.
- 1.1.2 The Interested Parties in attendance were:
  - a. Representatives of Gammon Field<sup>1</sup> Community (Mr Stratford, Mr Smith and Mr Doherty)
  - b. Steven Brace

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<sup>1</sup> Used interchangeably with Gammon Field, Gammonfield and Gammonfields within the documents

## 2 Submission from Representatives of Gammon Field Community

2.1.1 **Post-hearing note:** Table 2.1 contains the written responses the Applicant wishes to submit in response to the comments made by Representatives of Gammon Field Community (Mr Stratford, Peter Doherty and Steve Smith) made at OFH5 [\[EV-086b\]](#).

**Table 2.1 Gammon Field Community Representation and Applicant’s response**

IP Comments made at OFH5	Applicant’s Response
<p>Mr Stratford explained that Thurrock Council has negotiated with National Highways and the traveller community in firstly selecting a site and then finding a new site next to the existing site.</p> <p>An agreed layout for the site has been negotiated and agreed with the National Highways design team and secured within the DCO by various means. The Council has made a recent submission about adding three words to one of the requirements, following an issue-specific hearing request so currently the Council is comfortable with the current situation, as are the travellers.</p> <p>Concluding remarks made by Mr Stratford after hearing from Mr Smith and Mr Doherty. Mr Stratford noted that amongst the contributions, there are two small issues to resolve: firstly, the additional wording in the requirement that covers not just design and layout but site and operation which gives the Council more control and if the Applicant would agree to that it would make things very easy. Secondly, regarding the SACR, whilst the DCO does now say it must be done in compliance with the SACR, the wording in the SACR is itself a bit looser and so absolute commitment is required that the new site will be up and running prior to any claim on the old</p>	<p>The Applicant has developed a strong working relationship with the traveller community at Gammon Field through its years of engagement. National Highways would like to thank Thurrock Council and, in particular, its Traveller Liaison Officer for their advice, assistance and close cooperation – this has been essential in reaching the positive position that Thurrock Council outlined in its comments at OFH5.</p> <p>The Stakeholder Actions and Commitments Register (SACR) <a href="#">[REP7-152]</a> commitment SACR-008 states:</p> <p>Without prejudice or limitation to the approval required under Requirement 13 of the DCO, the undertaker must not carry out Work Nos.7E, 7Z and MU54 in or over any part of the existing travellers’ site until the replacement Gammon Field travellers’ site is laid out and capable of occupation by the residents of the existing travellers’ site and Thurrock Council agrees in writing (acting reasonably and such agreement not to be unreasonably withheld or delayed) that the site is capable of occupation, except that the undertaker may exercise powers under the DCO to take possession for the purposes of, and carry out, non-intrusive and intrusive surveys and investigations on the existing travellers’ site provided that such non-intrusive works, surveys, and investigations must not prevent access or use of the existing site by residents. In the event of a disagreement about the replacement site being capable of occupation, an appeal may be made to the Secretary of State under article 65 (appeals to the Secretary of State) of the DCO.’ When read in conjunction with Article 61 (1) of the dDCO <a href="#">[REP7-090]</a> which states: “<i>The undertaker must when carrying out the authorised development implement the measures contained in Parts 1 to 3 of the stakeholder actions and commitments register unless—</i></p> <p><i>(a) otherwise agreed in writing with the person(s) with the benefit of the measure; or</i></p>

<b>IP Comments made at OFH5</b>	<b>Applicant's Response</b>
<p>site. Given that the issue here is loss of immediate home, the best possible guarantee is required that the reprovisions occur before it is called upon.</p>	<p><i>(b) an application submitted by the undertaker for revocation, suspension or variation of the measure has been approved in writing by the Secretary of State, following consultation by the undertaker with the person(s) with the benefit of the measure and any other persons considered appropriate."</i></p> <p>The Applicant considers the commitment to be robust, enforceable and binding.</p> <p>[Post-hearing note: the Applicant refers to its response to QD55 to 58 in the Applicant's response to the ExA's commentary on the dDCO which records agreement on Requirement 13.]</p>

### 3 Submissions from Steven Brace

- 3.1.1 **Post-hearing note:** Table 3.1 below contains the written responses the Applicant wishes to submit in response to the comments made by Steven Brace (**SB**) made at OFH5 [EV-086b].
- 3.1.2 Hearing Action Point 1 from OFH5 [EV-086c] states “Provide a written response to the matters raised by Mr Brace. Mr Brace may respond at D9”. The Applicant’s response in Table 3.1 addresses this Action Point.

**Table 3.1 Steven Brace Representation and Applicant’s response**

IP Comments made at OFH5	Applicant’s Response
<p>SB stated he has been a resident of Riverview Park for over 50 years. SB’s main concerns are as follows:</p> <ul style="list-style-type: none"> <li>• Understanding the distance to the road from his property.</li> <li>• Concern regarding noise decibel readings, location of monitoring locations and how residents will understand the noise impact during operation.</li> <li>• Concerned about the temporary works which initially were thought just to be ground investigation and survey work, temporary matters such as drilling holes and putting down equipment. Public footpaths have been blocked off without notifications.</li> <li>• a large concern is regarding the wildlife in the area. Stag beetles are in decline already and when the road is put in Shorn Country Park will be boxed in by roads where no animals can move or get out the park so the land will become sterile. There has already been a decline in deer in the park because of the A2.</li> <li>• expressed uncertainty as to why a tunnel has been opted for as opposed to a bridge. Tunnels have to be lit all year round, be ventilated, water pumped out where as bridges do not need this. SB cannot</li> </ul>	<p><b>On distance</b></p> <p>At each of the pre-submission consultations the Applicant produced scale maps of the proposals, available online and at consultation events. These maps showed the proposed route's alignment in relation to nearby homes, including those in Riverview Park. A distance marker was shown on these maps allowing people to identify the distance between the proposals and their property.</p> <p>During the 2021 Community Impacts consultation the Applicant published an interactive online map which included an address search function and a distance measuring tool, allowing anyone in the area to measure the distance between their property and any point of the proposals. For reference this map remains online at: <a href="https://ltconsultation.highwaysengland.co.uk/map/">https://ltconsultation.highwaysengland.co.uk/map/</a></p> <p>For clarity, the distance between the property and the Order Limits is approximately 190 metres, and the distance between the property and alignment of the road is approximately 360 metres.</p> <p><b>Noise monitoring and operational impacts</b></p> <p>As part of the noise assessment for the Project, the following baseline noise surveys were undertaken at sensitive receptors and strategic locations within the noise study area:</p> <ul style="list-style-type: none"> <li>• Short-term attended noise surveys, undertaken over a period of three hours at 44 locations.</li> <li>• Unattended 24-hour noise surveys, undertaken at eight locations.</li> </ul>



IP Comments made at OFH5	Applicant's Response																																				
<p>understand why a bridge wasn't the main option as opposed to a tunnel at Gravesend.</p>	<ul style="list-style-type: none"> <li>Unattended long-term noise surveys, undertaken over a period of seven days at 16 locations.</li> </ul> <p>The purpose of these surveys was to understand the nature of the existing ambient/baseline noise climate of the area surrounding the Project, and to identify areas of existing high or low noise levels and their sources (for example road, aircraft, rail). These noise monitoring locations are presented on Environmental Statement (ES) Figure 12.5: Baseline Noise Monitoring Locations [APP-313]. Further information regarding the baseline noise surveys is detailed in ES Appendix 12.5: Baseline Noise Survey Information [APP-445].</p> <p>The nearest noise monitoring location to Mr Brace's residence is long-term noise monitoring location LT- NML 3. For clarity the monitored noise levels at this location are presented in the Table below.</p> <table border="1" data-bbox="920 683 2069 1121"> <thead> <tr> <th>Time period (T)</th> <th>L<sub>A90,T</sub></th> <th>L<sub>Aeq,T</sub></th> <th>L<sub>A10,T</sub></th> </tr> </thead> <tbody> <tr> <td>Weekday 12 hour (07:00 – 19:00)</td> <td>46.7</td> <td>50.7</td> <td>50.8</td> </tr> <tr> <td>Weekday 16 hour (07:00 – 23:00)</td> <td>46.2</td> <td>50.4</td> <td>50.2</td> </tr> <tr> <td>Weekday 18 hour (06:00 – 00:00)</td> <td>45.9</td> <td>50.1</td> <td>50.0</td> </tr> <tr> <td>Weekday evening (19:00 – 23:00)</td> <td>45.4</td> <td>49.2</td> <td>49.1</td> </tr> <tr> <td>Night (23:00 – 07:00)</td> <td>42.8</td> <td>46.5</td> <td>46.8</td> </tr> <tr> <td>Saturday (07:00 – 13:00)</td> <td>49.6</td> <td>51.3</td> <td>52.4</td> </tr> <tr> <td>Saturday (13:00 – 23:00)</td> <td>48.6</td> <td>50.6</td> <td>51.6</td> </tr> <tr> <td>Sunday 16 hour (07:00 – 23:00)</td> <td>48.8</td> <td>51.0</td> <td>51.9</td> </tr> </tbody> </table> <p>With regard to operational road traffic noise impacts, a full assessment has been undertaken in accordance with the Design Manual for Roads and Bridges (DMRB) and relevant British Standards.</p> <p>Within the Application, ES Figure 12.7 - Opening Year Noise Change Contour [APP-315] and ES Figure 12.8 - Future Year Noise Change Contour [APP-316] present graphical representations of the areas of short-term and long-term changes in road traffic noise within the study area attributable to the Project.</p>	Time period (T)	L <sub>A90,T</sub>	L <sub>Aeq,T</sub>	L <sub>A10,T</sub>	Weekday 12 hour (07:00 – 19:00)	46.7	50.7	50.8	Weekday 16 hour (07:00 – 23:00)	46.2	50.4	50.2	Weekday 18 hour (06:00 – 00:00)	45.9	50.1	50.0	Weekday evening (19:00 – 23:00)	45.4	49.2	49.1	Night (23:00 – 07:00)	42.8	46.5	46.8	Saturday (07:00 – 13:00)	49.6	51.3	52.4	Saturday (13:00 – 23:00)	48.6	50.6	51.6	Sunday 16 hour (07:00 – 23:00)	48.8	51.0	51.9
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IP Comments made at OFH5	Applicant's Response
	<p>For clarity the operational road traffic noise impacts at Mr Brace's residence are predicted to be negligible in both the opening year and future year (15 years after opening).</p> <p><b>Temporary works</b></p> <p>In reference to temporary works, the Applicant carried out a number of ground investigation surveys between 2020 and 2021, which included Archaeological trial trenching and utility trial trenching. These surveys enabled better understanding of current ground conditions which helped the Applicant to improve the proposals and to develop the application for the DCO. Whenever these works were carried out, local residents within 50m proximity received a letter to inform them ahead of the works, and of any potential diversions. This information was also communicated to the local MP, relevant authorities and Parish Council. The works were also communicated on the Applicant's website and social media pages.</p> <p><b>Wildlife in the area</b></p> <p>As part of the application for Development Consent a full assessment of the wildlife in the area has been undertaken. This can be found in the ES Biodiversity Chapter 8 <a href="#">[APP-146]</a> and associated Appendixes [APP-390 to APP-419] which includes the Applicants assessment of Terrestrial Invertebrates [APP-393] two study areas were to the South of the River Thames at Shorne Woods Country Park, Ashenbank Woods and Brewers Woods as well as Claylane Wood.</p> <p>Construction impacts on Terrestrial Invertebrates are reported to be minor impact on a regional / to nationally important assemblage of invertebrates which is not considered to be significant.</p> <p><b>Crossing type</b></p> <p>As outlined in the Planning Statement <a href="#">[APP-495]</a> and ES Chapter 3: Assessment of Reasonable Alternatives <a href="#">[APP-141]</a> designing the crossing as a tunnel instead of a bridge reduces the environmental and community impacts because tunnels have substantially fewer visual and noise impacts. The use of tunnels helps the crossing avoid sensitive and valuable habitats such as the Thames Estuary and Marshes Special Protection Area and Ramsar site. In addition, tunnels are not affected by severe weather, unlike bridges such as the Queen Elizabeth II Bridge at Dartford, which can be closed on safety grounds during high winds.</p>

## 4 Next steps and closing remarks

4.1.1 The Applicant did not make any submissions under this Agenda item.

## Glossary

Term	Abbreviation	Explanation
<b>A2</b>		A major road in south-east England, connecting London with the English Channel port of Dover in Kent.
<b>Design Manual for Roads and Bridges</b>	<b>DMRB</b>	A comprehensive manual containing requirements, advice and other published documents relating to works on motorway and all-purpose trunk roads for which one of the Overseeing Organisations (National Highways, Transport Scotland, the Welsh Government or the Department for Regional Development (Northern Ireland)) is highway authority. For the A122 Lower Thames Crossing the Overseeing Organisation is National Highways.
<b>Environmental Statement</b>	<b>ES</b>	A document produced to support an application for development consent that is subject to Environmental Impact Assessment (EIA), which sets out the likely impacts on the environment arising from the proposed development.
<b>M2 junction 1</b>		The M2 will be widened from three lanes to four in both directions through M2 junction 1.
<b>National Highways</b>		A UK government-owned company with responsibility for managing the motorways and major roads in England. Formerly known as Highways England.
<b>Order Limits</b>		The outermost extent of the Project, indicated on the Plans by a red line. This is the Limit of Land to be Acquired or Used (LLAU) by the Project. This is the area in which the DCO would apply.
<b>Project road</b>		The new A122 trunk road, the improved A2 trunk road, and the improved M25 and M2 special roads, as defined in Parts 1 and 2, Schedule 5 (Classification of Roads) in the draft DCO (Application Document 3.1).
<b>Project route</b>		The horizontal and vertical alignment taken by the Project road.

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