

TRO10032 LOWER THAMES CROSSING
COMMENTS ON APPLICANT’S SUBMISSIONS AT D7
For Deadline 8 (5th December 2023)

SHORNE PARISH COUNCIL (IP ref 20035603)

Introduction:

We have sequentially reviewed all relevant documents submitted by the Applicant at D7, numbered REP7-001 to REP7-194 (excepting those based entirely north of the Thames).

The representations below only cover selected points that we consider to be of particular importance as in many cases they have already been covered in our previous submissions. Omission of mention of a particular topic does not indicate agreement with the content of the Applicant’s submissions. In some instances, we consider that expert IP’s will be able to provide better replies than we can.

Thank you very much for considering our representations.

Section 1: Lack of response to points raised by Shorne Parish Council at D6:

Disappointingly, we have not been able to identify any specific responses to the content of our documents submitted at D6. The response to TCAG on page 25 of REP7-187 is noted.

We would particularly like to receive responses to the following, which we believe cannot be also dismissed as having been raised by others or previously answered:

- 1) REP6-201, page 6, our comments about **inadequacy of reprovision of footpath linkage**, where we said:

“Regarding NCR177, that is part of the inadequate reprovision following the severance of the existing direct and straightforward route between Shorne West/Marling Cross and Thong/Shorne. The situation with NS167 is the same, and in both cases the replacement routes offered either to the north or the south are longer and less attractive – the convoluted and urbanised southern route is particularly discouraging for pedestrians and the less able.

Having seen the Thames Chase bridge proposals in the design hearing, it does appear that south of the Thames we have been rather shortchanged in design and structure terms.

There could be a much better offering south of the Thames, a much better solution to the national cycle route 177 provision, and much greater safety for all users if there was a “Thames Chase” style bridge across the A122 where it narrows down north of the LTC:A2/M2 junction. It would be interesting to see a cost comparison between such a bridge and what is otherwise proposed for NCR177.”

We would like assurance that such a WCH bridge has been considered at NS167. If that happened and the idea was rejected then we would like to know who it was discussed with and the reasons

why it was rejected/omitted from the proposals. If it didn’t happen then also to have provided the reasons why not.

2) REP6-200, page 2, our comments about **community representation in the Membership of the Traffic Management Forum (TMF) etc**, where we said:

“Page 123, Section E.1 refers to the purpose of the Forum as being “...safeguarding the interests of impacted stakeholders.....”. More consideration needs to be given to how impacted residents can input into the discussions and decisions.

Page 124, Section E.3.1 states that routine membership is as listed in Table 2.1 (page 9) however there are no Community representatives listed.

Page 124, Section E.3.2 states that “...other relevant stakeholders will be invited by the Traffic Manager when their participation is pertinent and relevant to the topics under discussion.”. That is a subjective pre-judgement which could lead to Community frustration.

It would be better if appropriate Community representatives were full members, to at least receive agendas and Minutes of meetings so that they can input when they consider it relevant and before decisions are made. This would improve the quality of decision making by the TMF rather than the Community being perhaps inappropriately excluded from the discussions and therefore unaware of these and arising decisions that will have adverse local impact.

The same applies to anything else where membership is being defined by the same Table 2.1, including operational phase monitoring.”

The above relates to all documents that might be considered by the Forum and other equivalent groups.

3) REP6-200, page 4, our comments (themselves referring back to REP5-087) about **Volume to capacity figures for local roads**, where we said:

“The point under discussion was as to how a capacity has been defined for rural roads of narrow width such as Thong Lane and particularly Pear Tree Lane, when there is no standard guidance on this matter that we can find.

This point has not been answered and neither has the question about the base figures used.

It is impossible to evaluate the Applicant’s statement that “...the increase in flows in the 2045 PM peak is between 50 and 250 vehicles an hour,a flow increase of greater than 40%.”

Is 50 vehicles an hour >40% or is 250 vehicles per hour >40%? The range quoted is very wide.

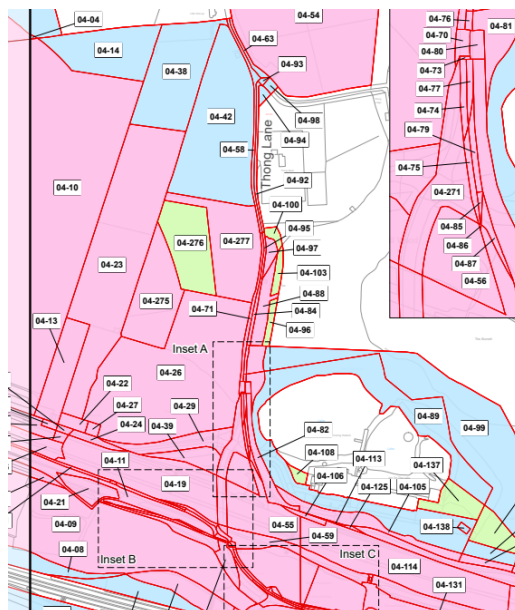
Also, how much greater than 40% is the predicted % increase?”

Section 2: Comments on relevant submissions by the Applicant at D7:

REP7-008 2.2 Land Plans Volume B (sheets 1 to 20) v7.0:

- **Future of Plot 04-276:**
 - We note on Sheet 4 that plot 04-276 is now shown as being for temporary possession.

- Information is needed about what it is to become if not being permanently acquired as it is located with the mitigation/compensation land and close to a new public right of way. If it is being returned to the original landowner, what will it be used for.
- The same applies to the plots north of the footpath.
- It had been understood that the works compound was now to be fully reinstated and landscaped, and the land become part of the total protected land post-works. If so, it would not be appropriate for this plot to be omitted.
- We would be grateful if this could be clarified as on other maps such as Sheet 19 of REP7-116 (please see below) the plot appears to be within the boundary of permanently retained land.



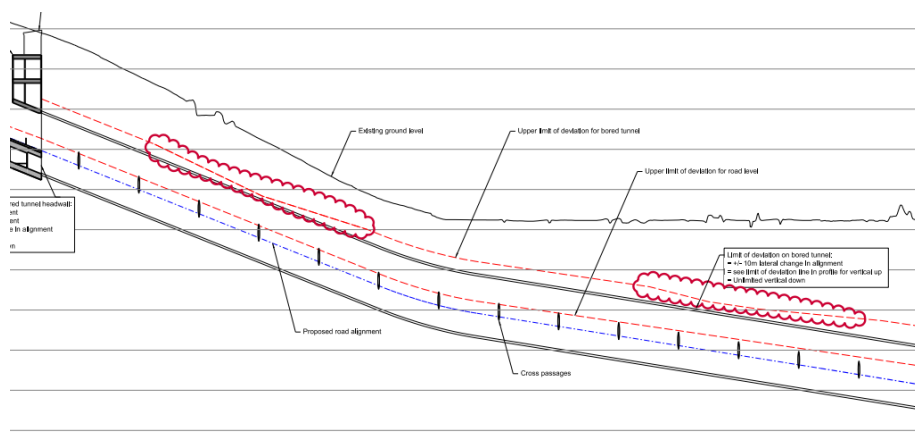
REP7-032 2.6 Works Plans Volume B Utilities (sheets 1 to 20) v4.0:

- Electrical substations SS2 and SS3:
 - On sheet 4, the following is shown for the revised “Thong Lane Car Park” area.
 - Works (please see Draft DCO REP7-090, page 104, Work No. MU11) involve “the installation of two new electrical substations (annotated as SS2 and SS3) in a 5x5m plot at the construction area Work No. CA2 location.”
 - The purpose of and need for these substations long term needs to be clarified.
 - If they are involved in supplying the Works compound(s), are two needed afterwards?
 - If the substations ultimately will relate functionally to the A2/A122 roads then they should be located further south and as near as possible adjacent to major roadway.
 - Otherwise the reasons for their being located so far away from the major roadway should be clarified.
 - 25sqm is a lot of land to lose, and visual impact to be created, in this important link area of the new WCH routes and overall landscaping.



REP7-070 2.15 Tunnel Limits of Deviation Plans v3.0:

- Change to Limits of Deviation:
 - On Page 7, Sheet 2 changes are noted in the upper limit of deviation of the main bored tunnel south of the river.
 - We would expect LOD's to be shown as straight and parallel lines., which they were previously, so why have they been changed?
 - We would be grateful for an explanation as to why this change has been made and what it means for practicalities/delivery of the main tunnelling.



REP7-090 3.1 Draft Development Consent Order v9.0:

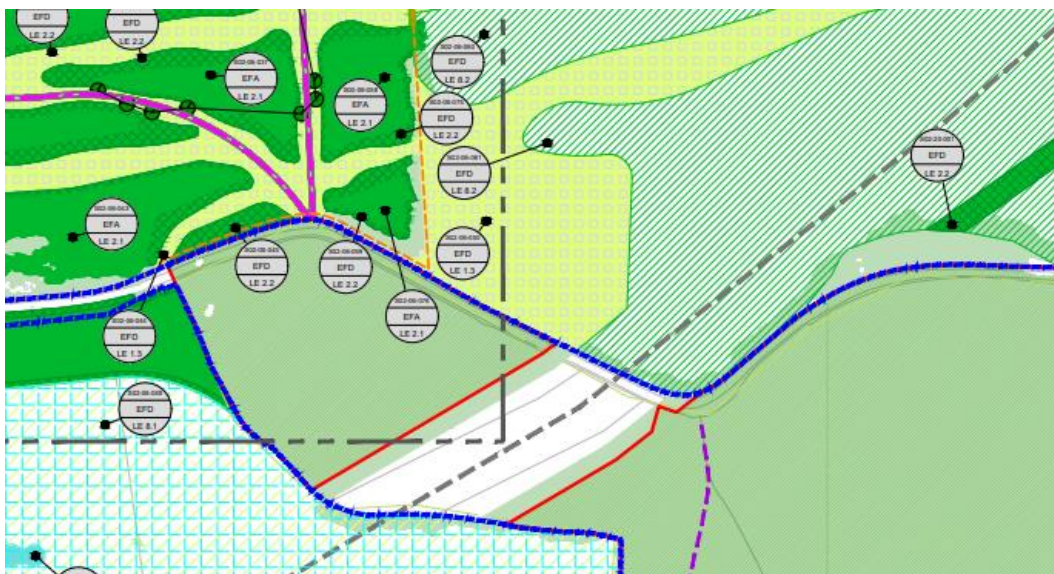
- New private access on west side of Thong Lane:
 - Page 71, Authorised works 1H, clause vi details that “a new private means of access” is being constructed.
 - We had assumed that an access would not be needed post-works, and would like it to be explained as to what is it access to, as we had understood the former Works Compound was to be fully re-landscaped as part of remediation of the Compound.
 - Please see other points above, next point and REP7-141 below.

REP7-116 6.2 ES Figure 2.4 - Environmental Masterplan Section 2 (2 of 10) v4.0:

- **Remediation of Thong Lane Works Compound:**
 - Sheet 19 shows this area, including that an access road, which has gates across it, is still in place.
 - The landscaping in parts has a squared/straight edge appearance, as if it still has some intended purpose(s).
 - Further information is needed, the layout does not look very naturalistic.
 - There does not seem to be any reason why the access road and the substations should not be co-located taking the minimum possible combined footprint, and we would be grateful for this to be considered.
 - An area that is in total larger than Plot 04-276 appears to be fenced off, possibly incompletely.
 - Considerable clarification/further information is requested.



- **Off road footpath links:**
 - We had suggested previously, including during ASI1, that off-road footpaths should be provided (for WCH safety) such as between the new footpaths on the north side of Shorne Ifield Road and the existing footpath NS170 to the west on the south side.
 - This has not yet been taken up and actioned.
 - Please also see comments below under REP7-141.



- Additional WCH route (including bridleway) in NOx compensation land:
 - Similarly this has also been suggested for the new land south of the Shorne Ifield Road (and elsewhere) but also not yet taken up and actioned.

REP7-123 6.3 ES Appx 2.2 - Code of Construction Practice, First iteration of Environmental Management Plan v7.0 (Tracked changes):

- Page 86 (labelled 81), Landscape LV008 Southern tunnel entrance compound, bund ES 7.5.13:
 - The new text states that “The phasing of the works would be planned so that the bunds are in place before the main compound activities commence, subject to excavated material availability.”
 - What protective physical structures will be put in place instead if there is a situation of no (or insufficient) excavated material being available?

REP7-133 6.7 Outline Landscape and Ecology Management Plan v5.0 (Tracked changes):

- “Fenn wood” site:
 - Page 52 (labelled 44) continues to have errors and matters of objection as pointed out previously in REP3-201, Page 7.
- Shorne and Ashenbank Woods SSSI compensation area:
 - Is this section 5.1.7?
 - Page 57 (labelled 49), Plate 5.17 does not show the “Gateway to Shorne Woods Country Park” land area or the land north of Brummelhill Wood.
 - In section 5.1.2 the areas are referred to as “b” to “e”, but without an “a” - is that correct?
 - The reference letters should also be added to the Plate so as to clearly indicate the areas being discussed.

REP7-135 6.7 Outline Landscape and Ecology Management Plan Appx 1 - LEMP Terms of Reference v2.0 (Tracked Changes):

- Community input – assurance is needed:
 - On Page 5 (labelled 2), under 1.3.1 we note that there can be input from “Other relevant groups”.

- We hope, and would like it made definite, that this will include relevant Community representatives.

REP7-137 7.2 Planning Statement Appx D Open Space v3.0 (Tracked Changes):

- Photomaps incorrect:
 - The photomaps on pages 20 and 22 are incorrect as they show the triangular “Shorne Common Rough”, owned by the Parish Council, as being part of Shorne Woods Country Park.
 - The entrances to the Country Park shown along Brewers Road are incorrect as two have been omitted: on the northside corner of Brewers Road with Woodlands Lane, and southside at the existing Pegasus Crossing.
- Additional entrance and footpath replacement needed:
 - Subject to opinions of SWCP, the entrance that is being lost at Brewers Road overbridge should be re-provided.
 - The lost footpath should also be re-provided within the Park.
- Additional WCH route and entrance requested:
 - Again, subject to the opinions of SWCP, we have requested several times for there to be an additional WCH route into the Country Park from Shorne Ifield Road at Ifield Place, heading due south.
 - Additional footpaths within the Swillers Lane NOx mitigation land, as discussed previously, also require clarification.

REP7-141 7.5 Design Principles v5.0 (Tracked changes):

- Removed Thong Lane Car Park Area – electricity substations:
 - On Page 50 (labelled 45), S2.11, editing is noted with previously omitted discussion concerning the two electricity substations.
 - Reference to the “substation access track” is noted.
 - We have to question why the substations, if needed, are located so far from the access point as that increases the required land take and their visual impact due to the unnecessary length of the access track.
 - Please also see comments under REP7-032 above.
 - A detailed explanation is required as to why these substations have been located here, and the reasons.
- Consider realigning Thong Lane to the west:
 - Page 51, (labelled 46), S2.16 discussed the need to avoid the candidate veteran trees.
 - The reference to Shorne-Ashenbank Woods in this point seems incorrect.
 - Consideration could be given to realigning Thong Lane, either entirely or just one half, to the west of its current position.
 - That could avoid the damage to retained ancient trees and the existing vegetation either side of the present alignment.
 - This would also mean that the new footpath to the east of Thong Lane could instead lie on the existing road surface which would soon become submerged by vegetation (or could be carefully removed).

- However having said that we would also point out that the existing trees and overgrown scrub and brambles etc on the west side are valuable mature habitat which ideally would be physically preserved rather than being bulldozed.
- Appendix D, Detailed Design Multi-disciplinary Workshop Terms of Reference MDW membership:
 - Page 117 (labelled 112), Table D1 does not include relevant community representatives but needs to do so.

REP7-162 9.68 Statement of Common Ground between National Highways and John and Elizabeth Gressier v2.0 (Tracked changes):

- General comment:
 - We note and support the questions/comments made by the IP
- Amount of added value in mitigation/compensatory land:
 - The IP discusses a point that we had already touched on previously on page 20 of our WR, REP1-408, concerning how much land area multiplied by biodiversity uplift within mitigation and compensation land is required as fallout from the project.
 - The example we gave is that a grazing paddock is existing open space, and changing it to grassland does not provide much qualitative landscape change or quantity of biodiversity uplift.
 - Some of the land in the area already acquired (for example east of Bowesden Lane) we understand to have been managed previously as wildflower meadow but that area plus farmland west of Bowesden Lane is now being rapidly overgrown by scrub.
 - The IP’s point is that if land is already being managed as planted woodland in private ownership, how does acquisition by the Applicant actually provide any increase in the amount of woodland in the area to provide mitigation and compensation land?
 - This is surely the same argument (but in a reverse direction) as the Applicant used at Bluebell Hill, that their purchase of Reservoir Field was cancelled as the farmer was themselves making biodiversity improvements.

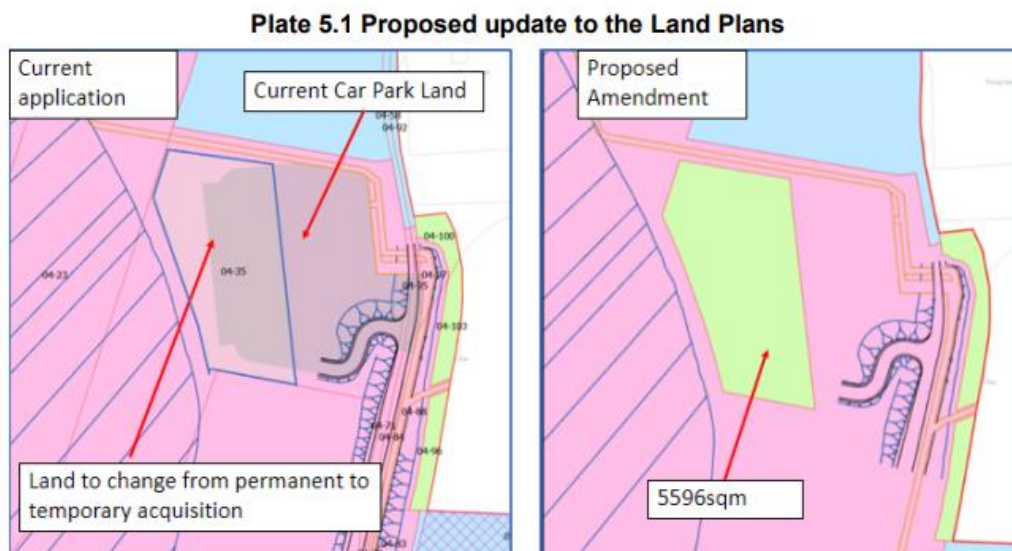
REP7-164 9.69 Statement of Common Ground between National Highways and Harlex Haulage and J & B Martin (Crayford & Fawkham) Limited v2.0 (Tracked changes):

- There are several matters discussed in this document that the Parish Council considers to be possibly inappropriate, outside of the Applicant’s remit and that should not be part of the DCO Application. They may instead require normal planning permission procedures to be followed.
- The situation seems to be one where the first incorrect decision has been compounded by arising consequences. The situation is becoming increasingly knotted up and opaque.
- 2.1.2 Balancing Pond repositioning:
 - We have commented adversely previously about the Applicant having enabled this.
 - It now seems that the intervening land has been purchased not by the IP that the Applicant was previously negotiating with but in the name of a secondary/third party acquiring quite a large area of farmland that was not previously in their ownership. This is to be enclosed and used for unknown purposes, when it would otherwise have been used for the location of the balancing pond and/or mitigation/compensation landscaping.
 - While it can be argued that any change of use should be the subject of a planning application, general experience is that this is sometimes retrospective.

- The effect is to increase the length of the access road to the pond, which also wastes land that could have been part of landscaping.
- The discussion under point 2.1.8 and 2.1.9 is noted, please see below.
- 2.1.6 Park Pale kerb profile:
 - We have to **object** to this suggestion, which was not previously understood.
 - Vehicles which have entered Park Pale, whether intentionally or mistakenly, need to be able to turn around and return. The T-junction near the bridge is used for this currently as the road is narrow and has high kerbs along its length. There are obvious pros and cons (such as abuse for flytipping) however we believe that the pros of a hammerhead turning area outweigh the cons.
 - We consider that the design is a matter for KCC Highways to decide as they will be taking responsibility for all consequences arising from the design.
 - Without the hammerhead it is likely that damage to verges will result.
- 2.1.6 Added request for double yellow lines in Park Pale:
 - We have to **object** to this suggestion in its own right and also as part of the DCO Application.
 - The IP is aware that the problems of unauthorised parking in Park Pale have been under discussion with the Parish Council, KCC, GBC and even the Police as regards enforcement action, for many years without resolution of the problems.
 - The Parish Council considers that the causes of the problems are mostly, but not entirely, an imbalance between parking spaces and induced increase in visitor numbers at the Shorne Woods Country Park Visitor Centre, together with SWCP having introduced parking charges.
 - These causative problems need to be addressed before any double yellow lines are introduced as those will not of themselves solve the existing problems and are instead likely to in turn cause or worsen other aspects.
 - One possibility that we flag up for consideration and maybe future discussion is that an off-roadway parking area could be created at Park Pale itself, as some of the land there is brownfield/previously developed land (where there was formerly the golf club clubhouse and parking area) and which is going to be affected by Utility Works. Issues of compatibility/otherwise with nearby residents, current legal users and the existing Park Pale TRO’s would all need to be carefully resolved.
- 2.1.8 and 2.1.9 Ownership of the access road to the balancing pond:
 - Further to previous discussion, it now appears that the Applicant is also, by potentially acceding to suggestions that the IP could own the access track, effectively giving the IP/secondary/third party additional land that has been compulsorily purchased from others. The Applicant proposes to in effect build and donate a new access route to a parcel of farmland that they have enabled to be separated off.
 - If the land is also not to be owned and used by Park Pale Yard but by a third party then that further underlines our concerns about the Applicant’s actions.
 - In purchasing the land, the IP/secondary/third party must have already considered how it was going to be accessed.
 - The Parish Council has to **object** to these proposals that amount to the Applicant facilitating further damage to the Green Belt within the AONB through introduction of possibly incompatible (with the AONB and Community interests) secondary/third party uses of land that was part of the Title that they voluntarily purchased.

REP7-185 9.174 Deadline 7 Hearing Actions

- Change of land uses, former proposed Thong Lane Car Park:
 - Please see also under REP7-008 above.
 - Plate 5.1 on page 34 shows that the Applicant is creating an area of temporary acquisition within permanent acquisition that is to be part of the landscaping of the A122 junction with the A2 and close to replacement WCH routes.



- It is hard to understand why this would be considered the correct design layout to create and how it fits in with the overall landscaping. It could be more sensible to instead make some land further away from the LTC works line temporary acquisition and return that to its landowner, e.g. for agricultural use.
- The intended future use of this land, and formal restrictions to be placed on use, need to be clarified.

REP7-187 9.176 Applicant's comments on Interested Parties' submissions at Deadline 6:

- “TomTom” user data flaws:
 - Page 27, we note that the introduction to this section does not state how many vehicles the data represents.
 - We had previously commented in that TomTom user data might not be representative of all users, as TomTom users could be a non-average subset of all users.
- Traffic counts required to inform the DCIO application are not available:
 - On page 31, the Applicant comments that “There are currently no active TRIS count sites on the Dartford Crossing in a southbound direction”.
 - We are not the only IP’s who in general find the situation over baseline data inadequacies extremely worrying.
 - Lack of data for routine purposes is bad enough but when planning £9Billion (at today’s costings) investment it seems quite extraordinary to propose to make such a vast spend with insufficient data.
 - We had previously been told that the Applicant is in the process of updating LTAM – how can this be done without critical baseline information?
 - Please can the Applicant be asked to advise as to when this situation is going to be resolved?

REP7-188 9.177 Applicant's responses to Interested Parties' post-event submissions at Deadline 6:

- Suggested realignment of Thong Lane:
 - On page 35 it is suggested that Thong Lane might be realigned “through adopting the western-most alignment for the road within the LOD (by moving the current horizontal highway alignment west by up to 10m and by lowering slightly the highway vertical alignment by up to 700mm).”
 - As we discussed under REP7-141 above, realigning all/part of the roadway to west of the current western side tree/hedge line could have a number of benefits including improving road safety, which is a concern presently due to poor sightlines (es we all experienced during the ASI1 inspection when trying to cross the road there).
 - The suggested reduction to the previous increase in vertical realignment, and therefore impact on the verges, is welcomed.

REP7-189 9.179 Computer Generated Views from Thong Lane green bridge south:

- Views west from the Thong Lane green bridge:
 - The opening year views are certainly “breathtaking”, but not in a pleasant sense, more as in causing a sharp intake of breath.
 - They are not helped by the increase in vertical alignment of the bridge that is to take place.
 - The images show that it will be at least 10 years from opening (more from construction) before there will be much chance of the horrible view being even partially hidden.
 - We note that gantries, warning and other signs and lighting are missing from the images.
 - The images do though make it very obvious how repulsively dominating the flyover will be to residents of Gravesend, especially Shorne West and Riverview Park.
- Adverse comparison with “Spaghetti Junction” M6J6:
 - The proposed A122:A2/M2 junction invites comparison with “Spaghetti Junction”, which opened in 1972.
 - That junction was in an area with, on the north side, some existing housing that was quite close to a major road, however the scheme placed the M6 line further away not closer.
 - The major difference though is that the land surrounding the M6 junction was mostly highly industrial/brownfield and not classed Green Belt, Ancient Woodland, SSSI and Area of Outstanding Natural Beauty.

Shorne Parish Council,
5th December 2023