



Annex 6: Natural England response to The Examining Authority's written questions and requests for information (ExQ3) for the Lower Thames Crossing (Issued on 14 November 2023)

As requested, given the number of questions which are relevant to Natural England, we have provided our answers in a table format.

For ease, we have added a row under each question and started the row with 'A' followed by the question number which we hope assists the Examining Authority.

For a number of the questions directed towards the Applicant, once their responses are available, we may make further comments at a subsequent deadline.

ExQ3	Question to:	Question:
1.	Project definition	
There are no questions relating to this issue at this time.		
2.	Climate change and carbon emissions	
Q2.1.1	Applicant Climate Emergency Policy and Planning (Dr Andrew Boswell).	A47 Judicial Challenges in the Court of Appeal The ExA understands that the case of <i>R (Boswell) v Secretary of State for Transport</i> [2023] EWHC 1710 has been granted permission to be heard by the Court of Appeal. Dr Boswell provided an update at Deadline 6 [REP6-171] to which the Applicant has not yet responded. The Applicant's response is sought at Deadline 7. However, at Deadline 7 and at each successive deadline until the closure of the Examination, the Applicant and Dr Boswell are requested to put in a position statement explaining any changes to the circumstances of this litigation. The statements should cover both substantive change (if any judgment or relevant direction or order of the Court is made) and procedural matters (including an update on the anticipated timing of hearings and possible judgment). If there has been no change since the previous deadline, please enter a 'nil return'.
A2.1.1		Natural England has no comments to make in relation to this question.
3.	Consideration of alternatives	
Q3.1.1	Applicant	Loss of Ancient Woodland and Local Wildlife Sites Refer to ExQ3 11.1.7. Responses to that question will be evaluated by the ExA with reference to the consideration of alternatives as well as to biodiversity effects. Please answer that question with this in mind.
A3.1.1		Natural England has no comments to make in relation to this question at present but may provide advice once the Applicant has provided their response.
4.	Traffic and transportation	
4.1	Local network effects and modelling	
The ExA is conscious that, further to delays affecting the Applicant's local modelling work, addressed in our Procedural Decision 41 [PD-044] establishing new Deadline 6A for the submission of relevant responses to this work on 14 November 2023, information relevant to its review of this topic was not available at the point at which these questions were approved for publication. For the same reason, the currently published Agenda for ISH13 (Traffic and Transportation) addresses this topic in outline terms only. The ExA will review Deadline 6A submissions and may issue a request for further information under EPR Rule 17 and/ or update the Agenda for ISH13 (Traffic and Transportation) to address this issue in the light of submissions and		

ExQ3		Question to:	Question:
evidence available following Deadline 6A. A Rule 17 request on this issue is not likely to be made until after ISH13 is complete and the need for one will be considered carefully following that hearing.			
4.2 Construction access and traffic			
Q4.2.1	Applicant	<p>Connection of haul roads to the SRN: access and timing</p> <p>A matter arising from the ExA's ASI4 to the Chiltern Tunnel South compound was an observation that construction traffic on the HS2 project had been handled using two main measures:</p> <ul style="list-style-type: none"> • The early construction of construction traffic access points to the strategic road network (SRN), in that instance by the formation of a slip to the main tunnelling compound directly from the M25. • The early construction of 'on alignment' haul roads, connected to the SRN and interconnecting the main works compounds. <p>The main observed effects of this approach were to reduce the extent to which construction traffic was required to use the local road network (LRN).</p> <p>Please provide a summary statement setting out the degree to which a similar approach is being or can be used for the LTC, with reference to relevant control documents (CDs). Please address questions of timing relating to SRN access construction (with a view to limiting to the minimum practicable the extent to which substantial construction traffic movements on the LRN would be required). How are or will the necessary measures be secured?</p>	
A4.2.1			Natural England has no comments to make in relation to this question.
Q4.2.2	PLA Applicant	<p>River access and jetties for construction</p> <p>The respective positions of the Applicant and PLA in relation to the use of the River Thames as a means of construction transport and access has already been discussed and agreement has not been fully reached. There are outstanding concerns by PLA that the Applicant has not given adequate in-principle consideration to the use of the River Thames to serve the element of the construction site south of the River Thames, or is seeking to defer consideration to a later stage than current of the Materials Handling Plan (MHP) [REP6-160]. Please keep the ExA updated at Deadline 7 and successive deadlines on any changed positions emerging from discussions on this point. Please ensure that if agreement is not reached, a final position is reflected in a final PADS statement for the PLA.</p>	
A4.2.2			Natural England has no comments to make in relation to this question.

ExQ3	Question to:	Question:
5.	Air quality	
5.1	Effects on Human Receptors	
Q5.1.1	IPs interested in air quality (human receptor effects)	<p>Delay to proposed ban on the sale of new petrol and diesel cars</p> <p>Within the Applicant's responses to ExQ2 [REP6-106 – 117] can be found responses to ExQ2 5.1.1 on the delay to the proposed ban on the sale of new petrol and diesel cars [REP6-109]. In summary terms the Applicant concludes that the delay:</p> <ul style="list-style-type: none"> • <i>has no significant implications for the air quality modelling and assessment</i> • <i>does not give rise to a significant increase in the duration and/or extent of adverse air quality effects</i> • <i>does not require any additional air quality monitoring</i> • <i>does not require any changes to the design, extent and/or duration of mitigation or compensation that would be required.</i> <p>Observations (if any) on those conclusions and the reasoning underlying them are sought.</p>
A5.1.1		Natural England has no comments to make in relation to this question
5.2	Effects on Ecological Receptors and Designated Habitats	
Q5.2.1	IPs interested in air quality (biodiversity effects) Natural England	<p>Delay to proposed ban on the sale of new petrol and diesel cars</p> <p>To the extent possible and appropriate, please provide observations (if any) on the biodiversity implications (if any) of the position set out by the Applicant in its response to ExQ 2 on this matter [REP6-109] (see also ExQ3 5.1.2). Does this have any implications for the air quality assessment which has been used to inform impacts on protected sites. Respondents are requested to set out views in relation to the ES and HRA.</p>
A5.2.1		The applicant states that 'EFTv11 does not take account of the government's previous policy of ending the sale of petrol and diesel cars by 2030' Natural England concurs that this is our understanding. Natural England's proposal that a monitoring and feedback mechanism must be included for Air Quality mitigation is primarily aimed at addressing uncertainty in ammonia modelling and trends but should also address any concerns relating to fleet composition and government policy where relevant.
6.	Geology and soils	
Q6.1.1	Applicant	Agricultural land reinstatement and soil management

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ExQ3	Question to:	Question:
		<p>For the purposes of this ExQ and the following ExQ3 6.1.2, the term soil management includes the removal, storage, re-conditioning, placement and aftercare of soils.</p> <p>The Environmental Statement (ES) Appendices, Appendix 2.2 – Code of (CoCP), First Iteration of the Environmental Management Plan (EMP) and Register of Environmental Actions and Commitments (REAC) document [REP6-038] suggests:</p> <ul style="list-style-type: none"> • GS009 Placement/Reinstatement based upon '<i>DEFRA Construction Code of Practice for the Sustainable Use of Soil on Construction Sites (2009) and the MAFF Good Practice Guide for Handling Soils (2000)</i>.' Construction Practice • GS014 5-year after care period. <p>GS009 also states that in relation to soil reconditioning (where required), soil reuse would be set prior to any stripping work commencing.</p> <ul style="list-style-type: none"> • Who is to determine the reconditioning requirement and when is it to be determined; and where is that secured?
A6.1.1		<p>Natural England has no comments to make in relation to this question at present but may provide advice once the Applicant has provided their response.</p>
Q6.1.2	Applicant	<p>Agricultural land reinstatement and soil management</p> <p>In continuation from ExQ3 6.1.1 above, given that there are suggested monitoring periods in excess of 5 years, is the 5-year after care period justified and if not, what length of time is appropriate for:</p> <ul style="list-style-type: none"> • Agricultural land reinstatement? • Other habitat creation? <p>If longer after care periods than 5 years are justified in specific circumstances, can the Applicant confirm that relevant CoCP/ REAC amendments have been made to bring those into effect?</p>
A6.1.2		<p>Natural England has no comments to make in relation to this question at present but may provide advice once the Applicant has provided their response.</p>
Q6.1.3	Applicant	<p>Agricultural land use adjacent to site and reinstatement</p> <p>In the REAC referenced above, RDWE015 and RDWE016 are intended to protect two specific individuals. RDWE006 is to provide protection for the site to allow the proposed project to be constructed.</p>

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ExQ3	Question to:	Question:
		<ul style="list-style-type: none"> Where is the provision located that protects other land and property where the proposed project interferes with existing land drainage or irrigation systems? How is this secured?
A6.1.3		Natural England has no comments to make in relation to this question
Q6.1.4	Applicant Bodies expected to accept future maintenance responsibilities	<p>Health and safety file</p> <p>In the REAC, referenced above GS017 suggests contamination locations are available for '<i>... inclusion within the operations Health and Safety file or equivalent ...</i>'. However, in GS018, confined spaces are not afforded the same method of information transmittal.</p> <ul style="list-style-type: none"> Why not? Are there other matters that should be considered as being placed within an Operations Health and Safety File that are not specifically noted in the REAC?
A6.1.4		Natural England has no comments to make in relation to this question
Q6.1.5	Applicant	<p>Groundwater protection during the tunnelling process</p> <p>In the REAC, referenced above, RDWE059 states that the Highway bored tunnels will utilise closed face tunnelling techniques. How does this tunnelling process protect groundwater from contamination by the water required to operate the tunnel boring machine?</p>
A6.1.5		Natural England has no comments to make in relation to this question.
Q6.1.6	Applicant	<p>Historically filled land (contamination)</p> <p>The North Portal is recognised as having potential contaminants from historical land uses, as indicated in the REAC (reference GS021 and others).</p> <ul style="list-style-type: none"> How is it proposed to undertake the proposed construction at this site in relation to preventing contamination of adjacent non-contaminated land and on both human health and that of birds, mammals, etc who may come into close proximity to the workings and the transferral process to its final location? Is the material at this location proposed for re-use and /or where is the envisaged final destination? Where is this secured?
A6.1.6		Natural England has no comments to make in relation to this question at present but may provide advice once the Applicant has provided their response.

ExQ3		Question to:	Question:
7.		Tunnelling considerations	
There are no questions relating to this issue at this time.			
8.		Waste and materials	
There are no questions relating to this issue at this time.			
9.		Noise and vibration	
There are no questions relating to this issue at this time.			
10.		Road drainage, water environment and flooding	
Q10.1.1	Applicant EA LLFAs IDB	<p>Flood Risk Assessment: locationally specific provisions</p> <p>In general terms, standard guidance has been followed in the current Flood Risk Assessment [APP-460 to 477 and REP1-171] that has been submitted for the project as a whole.</p> <p>The following additional assessments have been provided:</p> <ul style="list-style-type: none"> • REP6-102 Deadline 6 Submission - 9.147 Coalhouse Point Flood Risk Assessment • REP4-225 Deadline 4 Submission - 9.103 Hole Farm Appx F.3 Flood Risk Assessment <p>Are there any other particular locations where non-standard considerations should be included and if so why?</p> <p>If there are such locations, can the Applicant provide copies of such assessments or the indication of when/if they will be undertaken alongside the reasons why they have not been undertaken thus far?</p>	
A10.1.1		Natural England has no comments to make in relation to this question.	
Q10.1.2	Applicant	<p>Construction flood risk</p> <p>The ES Appendices, Appendix 2.2 – CoCP, First Iteration of the EMP and REAC document [REP6-038] RDWE002 suggests that the site drainage systems would be inspected and maintained.</p> <p>Can the Applicant explain why inspection timeframes, say minimum of fortnightly or before/after extreme events etc., have not been proposed in certain risk evaluated locations?</p>	
A10.1.2		Natural England has no comments to make in relation to this question.	
Q10.1.3	Applicant	Integrated design	

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ExQ3	Question to:	Question:
		In the Design Principles (Volume 7) [REP6-046], PRO.02 suggests that design is to be undertaken in a coordinated manner as a cohesive process. Given that accommodation is being made to utilities to place diversions outside highway construction limits, why are culverts being constructed for long lengths under the highway and how does the requirement for future maintenance make this acceptable?
Q10.1.4	Applicant	<p>Landscape earthworks</p> <p>In Design Principles (Volume 7) [REP6-046], LSP.08 the purpose is clear; however there is no principle suggesting the need to consider the potential for overland or exceedance flow deflection, to reduce the risk of affecting land and property outside the Order Limits or situated adjacent to the highway. Please explain why such a principle is not necessary?</p>
A10.1.4		Natural England has no comments to make in relation to this question.
Q10.1.5	Applicant	<p>New, diverted and reinstated watercourses</p> <p>In Design Principles (Volume 7) [REP6-046], LSP.12 the additional diversion of watercourses is considered as a last resort “ ... <i>unless they would afford benefits such as a more natural alignment</i> ... “. At what point will a review be undertaken and by whom?</p> <p>Given the statements made by the EA with respect to culverting and the provisions of the Water Framework Directive, is there a case for reviewing the route of the proposed culverting to reduce ‘sterile’ lengths? If so, how can this be achieved and secured?</p>
A10.1.5		Natural England has no comments to make in relation to this question.
Q10.1.6	Applicant Environment Agency LLFAs IDBs	<p>Culvert design</p> <p>In RDWE013 of the REAC document [REP6-038], and similar clauses, it is suggested that the SoS approves designs in consultation with the Environment Agency. Are there conditions, such as on non-Main River watercourses, where it would be more appropriate for the Drainage Authority or LLFA to be the consultation body?</p>
A10.1.6		Natural England has no comments to make in relation to this question.
Q10.1.7	Applicant	<p>Operational drainage: infiltration basins</p> <p>RDWE034 of the REAC document [REP6-038] suggests provisions for the basins. Should there be a clause that provides that they are to be constructed and operational before being required to operate to serve the development?</p>

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ExQ3	Question to:	Question:
		Additionally in this clause, and the other clauses dealing with the various ponds and basins, should there be a requirement to make certain any overland flows from a new asset will flow on an existing route and be of no greater volume or rate than may be currently expected to occur?
A10.1.7		Natural England has no comments to make in relation to this question.
Q10.1.8	Applicant	<p>Integration of infiltration basins and retention ponds</p> <p>How is future maintenance provision determined in the Design Principles (Volume 7) [REP6-046] (LSP17)?</p> <p>Additionally in the Design Principles S12.05 it is stated that designs will: “ ... <i>facilitate access by the Environment Agency to these watercourses to undertake maintenance activities ...</i>”. What other arrangements are required for maintenance access and where are these secured? If the Applicant considers that additional provision is required to address this point, then please make the necessary changes and direct us to their location.</p>
A10.1.8		Natural England has no comments to make in relation to this question.
Q10.1.9	Applicant	<p>Watercourse protection</p> <p>The Design Principles Volume 7 [REP6-046], S12.07 states: “ <i>[w]here reasonably practicable, vegetation shall be retained along the Mardyke, and along tributary watercourses and ditches, to maintain the existing fenland landscape character ...</i>”. Have other watercourses outside the Mardyke valley been considered in a similar manner? If so, where are these measures secured? If the Applicant considers that additional provision is required to address this point, then please make the necessary changes and direct us to their location.</p>
A10.1.9		Natural England has no comments to make in relation to this question.
Q10.1.10	Applicant	<p>Watercourses in ‘The Wilderness’</p> <p>The Design Principles Volume 7 [REP6-046], S12.19 confirms that trees and vegetation loss is to be minimalised but there is no specific design principle in relation to the watercourses that lie in ‘The Wilderness’ and how these could be affected and protected. Where is their protection secured? If the Applicant considers that additional provision is required to address this point, then please make the necessary changes and direct us to their location.</p>
A10.1.10		Natural England has no comments to make in relation to this question.
Q10.1.11	Environment Agency Applicant	Water Framework Directive: culverting

ExQ3	Question to:	Question:
		<p>At ISH9 (transcript [EV-075]), it was suggested that the River Basin Management Plan (RBMP) and Water Framework Directive (WFD) requirements were developed in the Mardyke area, alongside the Environment Agency but that the WFD Assessment in ES Appendix 14.7 - Water Framework Directive [APP-478] concluded that the proposed culverting had a negligible risk of deterioration at the waterbody scale. There being three waterbodies to be considered within the project's 'Zone of Influence'.</p> <p>The Environment Agency has additionally suggested that the proposed culverting is the 'least bad option', but that they are only concerned with those watercourses defined as "Main River".</p> <ul style="list-style-type: none"> • The ExA would like to know why non 'Main River' watercourses are not covered by the WFD and RBMP requirements and why it is only those bodies listed in paragraph 4.2.1 of the Environmental Statement Appendices, Appendix 14.7? <p>In the ISH9 Transcript it is confirmed that there was a "Choosing by Advantage Workshop" which has allowed the design of the West Tilbury Main (Main River designated watercourse) culvert to be refined.</p> <ul style="list-style-type: none"> • Which other watercourses have had the benefit of such a process? • If West Tilbury Main is unique, then why have other watercourses not been considered worthy of such attention?
A10.1.11		<p>Natural England has no comments to make in relation to this question.</p>
Q10.1.12	<p>Applicant LLFAs IDB</p>	<p>Water Framework Directive: culverting</p> <p>Paragraph 8.1.3 of Post-event submissions for ISH9 [REP6-090] states that '<i>... the Applicant's preference is for a culvert that is as short as it practically can be ...</i>'.</p> <p>Compared with an open channel it is suggested that there is an increased risk of blockage once a culvert is installed, it will create less permeable bed to a watercourse can increase the speed of water flow, possibly:</p> <ul style="list-style-type: none"> • increasing flood risk downstream, • preventing local recharge of groundwater, • creating or exacerbating downstream or upstream bank and bed erosion, • promoting sediment deposition, and/ or • disrupting the natural transport of sediment. <p>Culverting can have a detrimental impact on the environment, resulting in a complete loss of features within a watercourse, thereby it can break the continuity of the watercourse corridor, adversely affecting the ecological value of the watercourse for migrating species.</p>

ExQ3	Question to:	Question:
		<ul style="list-style-type: none"> • The Applicant should provide an example of the methodology that has been gone through to come to the conclusion that the shortest length of culvert possible at the crossing X-EFR-2-04 (as shown in ES - Appendix 14.6 - Flood Risk Assessment - Part 10 [APP-477]) is the preferred option? • Who was consulted during the process? • What other options were considered and why were they discarded? • The shortest culvert length would be one that perpendicularly crosses the highway. Why has this not been chosen as a design option at the various locations?
A10.1.12		Natural England has no comments to make in relation to this question.
Q10.1.13	LLFA IDB	<p>Water Framework Directive: culverting policy</p> <p>Proposed culverting of non 'Main Rivers' is regulated by the Lead Local Flood Authorities (LLFAs) and Internal Drainage Boards (IDBs). Under the Environment Act 2021, when exercising functions (including consenting), LLFAs and IDBs are required to have regard to conserving and enhancing biodiversity.</p> <ul style="list-style-type: none"> • Can the LLFAs and IDBs provide copies of the guidance to applicants who intend to culvert watercourses under their control, and how the duty under the Environment Act is met? • What other guidance is offered when the LLFA and IDB are approached to consent a culverting proposal? • From the information currently available, is it likely that the culverting proposals could meet the consenting policy of the organisation?
A10.1.13		Natural England has no comments to make in relation to this question.
Q10.1.14	Applicant All IPs who are expected to adopt or otherwise be responsible for the future maintenance of ditches etc.	<p>Definition of ditches and other watercourses etc</p> <p>The Applicant's response to ExQ2 10.1.3 [REP6-112] is noted, however, although the response notes that the assets under consideration are 'swales', the sections presented in the Document Deadline 5 Submission - 9.123 Whitecroft Care Home Cross-sections [REP5-092] show those assets as 'proposed drainage ditches' which would normally be classed as watercourses. The response also suggests that the Whitecroft Care Home Cross-sections' defined 'proposed drainage ditches' are / or could be linear storage ponds.</p> <ul style="list-style-type: none"> • The Applicant is requested to provide clarity for all locations on the 'proposed ditch' network and indicate which are: <ul style="list-style-type: none"> • Watercourses (ie ditches that covey water)

ExQ3	Question to:	Question:
		<ul style="list-style-type: none"> • Swale (ie shallow artificial body) • Linear Storage ponds/basins • Filter drains and formed regular drainage channels. <ul style="list-style-type: none"> • By defining the assets as 'proposed ditches', the ExA considers that all may be considered as 'watercourses' in the dDCO and dealt with accordingly, albeit there does not appear to be a definition of a 'pond' and be subject to the monitoring etc as suggested by the Flood and Water Management Act 2010? • Are the bodies who are likely to become responsible for the future maintenance of these 'proposed ditches' content that they are aware of the function in each case?
A10.1.14		Natural England has no comments to make in relation to this question.
Q10.1.15	Applicant	<p>Landscaping effect on proposed ditches</p> <p>Where proposed landscaping directs surface flow to a "proposed drainage ditch" such as the embankment at the Whitecroft Care Home, as shown in the Document Deadline 5 Submission - 9.123 Whitecroft Care Home Cross-sections [REP5-092]:</p> <ul style="list-style-type: none"> • has a site-specific risk assessment been undertaken to determine the risk of overtopping and affecting land and property outside the highway boundary, with the appropriate maintenance regime? • if one has not been considered necessary what was the process that came to that conclusion? • Are there any locations that may benefit from such considerations and where would the results of the analysis be recorded, and mitigation suggestions/requirements secured?
A10.1.15		Natural England has no comments to make in relation to this question.
Q10.1.16	Applicant	<p>Future maintenance of proposed ditches</p> <p>Although reference has been made to the appropriate DMRB maintenance standards in the Applicant's response in ExQ2 10.1.3 [REP6-112], can the ExA be directed to the location of the evidence:</p> <ul style="list-style-type: none"> • that sufficient land has been reserved within the Order Limits to allow appropriate and safe access to future operational staff to undertake these tasks; • for the plant that has been assumed to be considered necessary to be used to meet the requirements of the future maintenance laid down in the DMRB; and,

ExQ3	Question to:	Question:
		<ul style="list-style-type: none"> the proposed access routes that meet the proposed plant's requirements? <p>If the maintenance operation has not been considered at this stage, can the Applicant provide the location of the information showing that there is sufficient space provided within the Order Limits to allow the maintenance work, and access to the relevant areas, to be safely undertaken?</p>
A10.1.16		Natural England has no comments to make in relation to this question at present but may provide advice once the Applicant has provided their response.
11.	Biodiversity	
Q11.1.1	Applicant	<p>Species surveys limitations</p> <p>The response to ExQ2_Q11.1.1 Deadline 6 Submission - 9.152 Responses to the Examining Authority's ExQ2 Appendix G – 11 Biodiversity [REP6-113] is noted.</p> <ul style="list-style-type: none"> Is the approach suggested for Water Voles translocation consistent across all species? <p>Confirm that the general approach is to be used at all locations.</p>
A11.1.1		Natural England has no comments to make in relation to this question at present but may provide advice once the Applicant has provided their response.
Q11.1.2	Applicant Local Authorities Environmental Authorities / Agencies	<p>Compensatory Planting</p> <p>Where it is proposed to affect areas that constitute compensatory habitat for previous projects, should such areas be provided with any special provision in relation to consideration of the earlier project requirements?</p>
A11.1.12	Natural England's response	<p>Natural England expressed our concern during the pre-application stages of the Project that the landscape mitigation planting within the Kent Downs Area of Outstanding Natural Beauty (AONB) implemented for the Channel Tunnel Rail Link (now High Speed 1 rail line) along the A2 corridor in Cobham/Shorne will be significantly impacted by the Lower Thames Crossing project.</p> <p>The landscape mitigation planting implemented for High Speed 1 is now maturing and, in combination with existing features such as the significant belt of woodland within the central reservation, is effective in screening the views of the Rail Line.</p> <p>Given that the Lower Thames Crossing is proposing the removal of the effective High Speed 1 mitigation planting, the central reservation woodland and existing woodland either side of the widened A2 corridor, Natural England recommended that the Applicant must ensure the mitigation they are removing needs to be replaced alongside measures to mitigate their own impacts (that is it mitigates its own impacts whilst also 're-mitigating' the impacts from previous schemes (such as the High Speed 1 rail line). It remains unclear from the submitted documents how the Applicant is achieving this. Whilst</p>

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ExQ3	Question to:	Question:
		<p>the Lower Thames Crossing mitigation may help reduce the impacts, given the widened transport corridor resulting from this scheme it does not appear to be replacing the effective mitigation measures implemented for the High Speed 1 rail line.</p> <p>Given this concern, Natural England's advice remains that greater clarity should be provided by the Applicant on how this Project will mitigate its own impacts whilst also ensuring that the existing, effective mitigation measures implemented previously, are reinstated. Where direct replacements is not possible, additional measures should be provided. If residual impacts remain following the removal of previous, effective mitigation, then full details of these residual impacts resulting from the removal of previously implemented mitigation measures should be clearly identified within the Environmental Statement.</p>
Q11.1.3	Applicant	<p>Engineered Earthworks</p> <p>Document 7.5 Design Principles Volume 7 [REP6-046], LSP.09 suggests 5m planting beyond the toe of embankment, whereas LSP.14 suggests that hedgerow at the toe of the embankment. Is this a contradiction?</p>
A11.1.3		<p>Natural England has no comments to make in relation to this question.</p>
Q11.1.4	Applicant Other IPs	<p>Wildlife pond provision</p> <p>Document 7.5 Design Principles Volume 7 [REP6-046], LSP.31 states that “ ... <i>The design of all ponds shall follow the guidance given in the Great Crested Newt Conservation Handbook ...</i>”.</p> <p>Why are other species not considered as being the species on which ponds are designed? Are there other species that should be considered in the design of the proposed Wildlife Ponds?</p>
A11.1.4	Natural England's response	<p>Natural England advises that the creation of ponds – whether explicitly for wildlife provision or some other purpose – has the potential to significantly benefit wildlife known to be dependant (to a greater or lesser degree) on water bodies. The ecological benefits of ponds will therefore extend beyond great crested newts, and will include other groups including aquatic invertebrates, plants. The pond design principles set out within the Great Crest Newt conservation handbook are expected to benefit a range of wildlife, but several specific features should be noted that are characteristic of an estuary landscape which might not be captured in a general reference. These include:</p> <ul style="list-style-type: none"> • The importance of salinity gradients to create suitable conditions for saline lagoon species with restricted salinity tolerances • The importance of variably impeded drainage to create 'draw-down' zones with seasonally wet areas (i.e. shallow edge profiles)

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ExQ3	Question to:	Question:
		<ul style="list-style-type: none"> • The importance of low nutrient and varied substrates to create conditions suited to diverse plant assemblages. • The importance of natural regeneration of vegetation. • The importance of varied water sources, connected to existing aquatic habitats or isolated to generate their own character. <p>Specific species-groups that would benefit from bespoke design include: aquatic invertebrates, vascular plants, breeding birds associated with the 'open water and it's margins' assemblage.</p>
Q11.1.5	Applicant Environmental IPs	<p>Green Bridges and habitat connectivity</p> <p>It is acknowledged that, in its Responses to the Examining Authority's ExQ2 Appendix G – 11 Biodiversity (Part 1 of 2) [REP6-114], the Applicant is considering the introduction of mammal culverts at Brewers Road Green Bridge and Thong Lane Green Bridge south.</p> <ul style="list-style-type: none"> • Can preliminary details be provided to indicate how these are intended to operate and how these are to be secured? • Are there other locations where site-specific habitat connectivity is proposed for mammals and other animals, etc in addition to 'Green Bridges' and 'mammal ledges' in culverts? If so, how these are intended to operate and how these are to be secured?
A11.1.5	Natural England's response	<p>As detailed in Natural England's Deadline 7 response (Examination Document REP7-215), Natural England welcomes the Applicant's commitment to attempt to address the continued severance on the Brewers Road and Thong Lane South Green Bridges for some species through the installation of mammal culverts. Unfortunately, no detail has been shared with Natural England as to how these will be constructed nor their effectiveness for the species which the Applicant confirms in the Design Principles (Examination Document REP7-141) the Green Bridges are designed for.</p> <p>We also recommended in our Deadline 7 response that the Applicant should provide clarity on the location and design of the mammal culverts along with details of any additional ecological and/or landscape impacts arising from them and their installation. Where additional impacts are likely to result, then full details of the avoidance, mitigation and compensation measures should also be provided.</p> <p>Once this information has been provided, Natural England will be pleased to provide further information.</p>
Q11.1.6	Applicant Environmental IPs	<p>Green Bridges and habitat connectivity</p> <p>With reference to the Design Principles [REP6-046], where STR.08 suggests that the principle is to "... [p]rovide an enhanced user experience for those using the crossing and living in the immediate area ..." and also to the Applicant's response to ExQ2 11.2.5 [REP6-114] where the comment "... no data is</p>

ExQ3	Question to:	Question:
		<p><i>available yet on the success or otherwise of the green bridges...” is made, it is suggested that the provision is of a similar nature to that made for other projects:</i></p> <ul style="list-style-type: none"> • What data is to be collected on the success or otherwise of the Green Bridges in this project, and those Bridges listed in the response to ExQ2 11.2.5 across all types of users, including ‘non-human’ users/ mobile species? • What are the indicators for success that will be used in monitoring the success of the ‘green bridges’ and where are these secured in the Design Principles and OLEMP documents? • What process is proposed to be utilised to determine best practice and how are the lessons that may be being learnt at the other sites being made available to the LTC Design Team? • Referencing S11.03 in the Design Principles [REP6-046], is there lighting proposed for the Green Bridges and if so, to what extent might it act as a barrier for use by mobile species that the bridges seek to encourage? • Similarly, are the surrounding and connecting highways and junctions intended to be lit, and if so to what extent will lighting act as a barrier for the species that the bridges are looking to encourage?
A11.1.6	Natural England’s response	Having reviewed this question, we feel it would be more appropriate to await the Applicant’s response and will provide Natural England’s comments once this is available.
Q11.1.7	Applicant Natural England Environmental IPs	<p>Green Bridges</p> <p>Why should the ExA consider that Thong Lane and Brewers Road bridges are effective ‘green bridges’ in biodiversity terms, having regard to concerns about the potential lack of effective connectivity for those species that these are intended to deliver?</p> <p>In a similar manner, the ExA would like to receive evidenced representations on each of the bridges identified in the Proposed Development as ‘green bridges’ on the question of whether they should be considered as such in biodiversity terms?</p> <p>Respondents with broader interests in ‘green bridge’ design than biodiversity are referred to ExQ3 16.1.4 which seeks a balance of views on ‘green bridges’ performance against a range of objectives and outcomes.</p>
A11.1.7	Natural England’s response	<p>Natural England has provided extensive advice in relation to the design and likely effectiveness of the green bridges (from a biodiversity and landscape mitigation perspective), in relation to the Applicant’s objectives detailed within their Design Principles (Examination Document REP7-141).</p> <p>Natural England’s advice is detailed in our Written Representation (Examination Document REP1-262), our advice at Issue Specific Hearing 6 (Examination Document REP4-324), our response to ExQ1</p>

ExQ3	Question to:	Question:
		<p>(Examination Document REP4-338), our Deadline 5 response (Examination Document REP5-109), our response to ExQ2 (Examination Document REP6-155) and our Deadline 7 response (Examination Document REP7-215).</p> <p>In brief, Natural England’s concerns regarding the green bridges proposed are as follows:</p> <ul style="list-style-type: none"> • The bridges appear to be ‘grey bridges’ with limited areas of planting incorporated; • The minimum width, and width to length ratio of the bridges does not align with the good practice guidance detailed within the Natural England literature review (Examination Document REP4-329), the Landscape Institute Green Bridge Technical Note (Examination Document REP4-330) nor the IENE guidance (Examination Document REP7-221). These variously recommend a minimum width to length ratio between 0.6-0.8, a minimum width of 80 metres for landscape scale connectivity and 50 metres for species and recommend that bridges below 20 metres in width are unlikely to be effective; • Lack of clarity on how the proposed lighting on the Green Bridges may impact the target species and any mitigation measures that are required; • Lack of clarity on how the Brewers Road and Thong Lane south Green Bridges will address the connectivity for species over the adjacent local roads to provide landscape scale habitat connectivity for the woodlands north and south of the A2 corridor, linking into the bridges over the High Speed 1 rail line for all of the target species (in the absence of details regarding the recently proposed culverts and their effectiveness); and • Lack of detail as to how the effectiveness of the bridges will be monitored to ensure their effectiveness for all of the target species. <p>In their current form, Natural England considers that the Brewers Road and Thong Lane South Green Bridges will have limited value in providing habitat connectivity for species over the much-widened transport corridor. To address these concerns, Natural England considers that the Design Principles for each of the Bridges should be updated to ensure they are designed in <i>full</i> accordance with the Natural England Research Report (Examination Document REP4-329), the Landscape Institute Guidance (Examination Document REP4-330) and the IENE guidance recently referenced by the Applicant (Examination Document REP7-221).</p>
Q11.1.8	Applicant	Loss of Ancient Woodland and Effects on SSSIs and Local Wildlife Sites

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ExQ3	Question to:	Question:
		<p>In determining the route of the highway works and those utility diversions, there is still ambiguity as to the need to remove component elements of ancient woodland and other protected sites.</p> <ul style="list-style-type: none"> • The Applicant's response to ISH9 Agenda Item 3b is noted within the transcript for that hearing [EV-074], alongside the relevant post event submission [REP6-090]; however, although it is acknowledged that utility diversion routes (G1a, G1b, G2 and G3, OH1, and MU7) result in the loss of Ancient Woodland, even noting that land take was reduced in locations and the Design Principles document intention is to reduce it further, why could a route not be determined that allowed the Ancient Woodland to remain untouched? Please respond to this question in general terms but also make specific reference to the latest position on 'The Wilderness'. • In a similar manner the proposed route affects SSSIs, Local Wildlife Sites and Sites of Importance for Nature Conservation (SINCs). For those areas where damage is proposed, such as Low Street Pit and Goshems Farm, whether by the proposed highway alignment or utility works etc, please provide an explanation of why alternative routes, or minor adjustments to the proposed alignment (in effect micro-siting) that leave these areas untouched could not be provided? Please respond to this question in general terms but also make specific reference to the latest position on Shorne Woods SSSI. <p>Refer to ExQ3 3.1.1. The response to this question will be considered by the ExA in relation to the consideration of alternatives as well as in relation to biodiversity effects.</p>
A11.1.8		<p>Natural England has no comments to make in relation to this question at present but may provide advice once the Applicant has provided their response.</p>
Q11.1.9	<p>Applicant Natural England Kent County Council Gravesham Borough Council Shorne Parish Council</p>	<p>Shorne Woods SSSI and Car Park</p> <p>Clarification is requested in relation to the proposed car park retention question at Shorne Woods SSSI. The matter was raised at ISH9 and the decision appears to be, as referenced in the transcript [EV-074], and submission [REP6-090], that no carpark is to be retained.</p> <ul style="list-style-type: none"> • Are those bodies listed content that this is the position? • The Applicant should also confirm how the land is proposed to be restored after removal of the construction compound and where the restoration proposals are secured.
A11.1.9		<p>Natural England notes the Applicant's formal withdrawal of the proposed car park at Thong Lane within their Deadline 7 response.</p>
Q11.1.10	Applicant	<p>Species monitoring</p>

ExQ3	Question to:	Question:
	Natural England	<p>Within Natural England's Deadline 6 Submission - Annex 4 Response to ExA's Second Written Questions [REP6-155] - it is suggested that further discussions are required over the monitoring of various species, particularly those where a protected species licence is not required, such as breeding birds, nationally important invertebrate assemblages, widespread reptiles and amphibians.</p> <ul style="list-style-type: none"> • Has a strategy for the approach been agreed? • Can such a monitoring strategy be utilised to monitor the effectiveness of the Green Bridges for all the target species highlighted within the Design Principles document?
A11.1.10		<p>Natural England has discussed this matter with the Applicant and understood that the Terms of Reference for the Advisory Group were to be updated to ensure that agreement on the species groups and details of the monitoring strategy would form part of the role of the Advisory Group. This would be in addition to that required for any protected species licences.</p> <p>Having reviewed the updated Terms of Reference for the Advisory Group (Examination Document REP7-135 and also included within the oLEMP Examination Document REP7133), no reference is made to the Advisory Group's role extending to include species. Natural England recommends that the Terms of Reference are updated to clearly state that the Advisory Group will agree the habitat and species monitoring protocols during both the establishment and post-establishment periods to help ensure that the mitigation and compensation proposals achieve their stated aims.</p> <p>Natural England has suggested a possible additional bullet point for the wording of Section 1.2.1 below which would help address this concern:</p> <p>'Agree the species and species group monitoring requirements, for non-licensable species impacts, as part of a holistic indicators of success approach to ensure that the compensatory habitats are effective at the ecosystem level and support the populations of species impacted by the proposal.'</p> <p>Natural England considers that it would be entirely appropriate for the agreed monitoring approach for habitat and species to include the habitats proposed for the Green Bridges.</p>
Q11.1.11	Applicant	<p>Invasive species</p> <p>The ES Appendix 2.2 – CoCP, First Iteration of EMP and REAC document [REP6-038] TB005 is noted. However, should there be a requirement for identification and remedial action to be undertaken during the construction phase? If so, please prepare such a measure and submit it for consideration.</p>
A11.1.11		Natural England has no comments to make in relation to this question.
12. Physical effects of development and operation		
12.1 Historic Environment & Archaeology		

ExQ3	Question to:	Question:
Q12.1.1	Applicant Historic England	<p>Thatched Cottage, Baker Street – Update Required post EXQ1 Response</p> <p>At ExQ1 12.1.15 the Applicant was asked to advise whether it had considered relocation, rather than demolition of the heritage asset. The ExA notes the Applicant’s response [REP4-200] and further commentary in the Statement of Common Ground with Historic England [REP5-037] stating the Applicant it is involved in discussions with Essex Place Services and Historic England over the potential for a suitable alternative location. The ExA considers that it is possible that there may be other potential alternative custodian bodies and would also flag the value of discussions with others, with a view to securing agreement as to whether relocation is an achievable outcome in principle. The ExA would like an update at Deadline 9 on this situation.</p>
A12.1.1		Natural England has no comments to make in relation to this question.
Q12.1.2	Historic England Local Authorities	<p>Construction vibration monitoring: heritage assets</p> <p>In response to EXQ2 9.1.5, the London Borough of Havering [REP6-143] has suggested that four listed buildings in North Ockendon, which are adjacent to utility diversions, should have pre-commencement condition surveys carried out to provide a baseline record of the condition of the buildings. The properties are noted as:</p> <ul style="list-style-type: none"> • Kilbro (Project ID. LB5; List Entry No. 1079868) • Russell Cottage (Project ID. LB6; List Entry No. 1079869) • The Forge (Project ID. LB7; List Entry No. 1079870) • Castle Cottages (Project ID. LB8; List Entry No. 1079871) <p>Can Historic England advise if it supports this request and if so how and where in the control documents they would like to see these measures captured?</p> <p>In addition, can Historic England and relevant Local Authorities advise whether there are any other heritage assets where pre-commencement condition surveys should be carried out for vibration purposes?</p>
A12.1.2		Natural England has no comments to make in relation to this question.
Q12.1.3	Applicant	<p>Missing archaeological fieldwork: update required post EXQ1 responses</p> <p>The Applicant’s responses to EXQ1 12.1.11 and EXQ1 12.1.12 are noted; however, the ExA still requires clarity from the Applicant on what mechanism will be put in place to engage and agree with stakeholders about the design, avoidance of and mitigation of harm to archaeological assets once the result of that archaeological work is available for those sites that have not yet been surveyed, such as nitrogen deposition/ancient woodland compensation sites or landscape mitigation sites?</p>

ExQ3	Question to:	Question:
A12.1.3		Natural England has no comments to make in relation to this question.
12.2	Landscape Impact including riverscapes and visual severance	
Q12.2.1	Applicant	<p>Compensatory woodland planting and wider effects on the Kent Downs AONB landscape</p> <p>Can the Applicant please direct the ExA to where it can find the assessment of the effect on the landscape character of the proposed woodland planting site between Brewers Road and Great Crabbles Wood to the north of Park Pale? The ExA notes that the area in question retains a former historic parkland character and not a woodland character. It would like to understand where the assessment of the impacts of compensatory woodland planting on the existing landscape character in this location has been reported.</p> <p>Several IP's have raised concerns that the landscape scale strategy for compensatory woodland appears to relate to solely to ecological factors and does not consider the effects of compensatory woodland sites on the landscape character, visual amenity or cultural heritage of the AONB. The ExA asks the Applicant to direct the ExA to where it can specifically find the reporting of the wider assessment or to explain why such an assessment has not been undertaken. The Applicant should note that simply referring the ExA to other ES chapter references will not be adequate; the ExA would like specific reference points to the relevant assessments if these have been undertaken.</p>
A12.2.1		Natural England has no comments to make in relation to this question at present but may provide advice once the Applicant has provided their response.
13.	Social, economic and land-use considerations	
There are no questions relating to this issue at this time.		
14.	The draft Development Consent Order (dDCO), planning obligations, agreements and the adequacy of security for project delivery and mitigation	
Questions relating the dDCO have been consolidated into the ExA's Commentary on the dDCO, published on 14 November 2023		
15.	The acquisition and temporary possession of land and rights (CA & TP)	
There are no questions relating to this issue at this time.		
16.	General and overarching questions	
Q16.1.1	Applicant	BREEAM (environmental performance standards) for the tunnel services building

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ExQ3	Question to:	Question:
		<p>In the Design Principles (Volume 7) [REP6-046], STR.02 suggests that the proposed Tunnel Services Building "...shall be designed to achieve a BREEAM level of 'Excellent' ...".</p> <ul style="list-style-type: none"> • What is the proposal should this not be achievable?
A16.1.1		<p>Natural England has no comments to make in relation to this question.</p>
Q16.1.2	Applicant	<p>Environmental performance standards more generally</p> <p>BREEAM includes what was known as 'CEEQUAL', listed as BREEAM INFRASTRUCTURE which is applicable to infrastructure and civil engineering projects.</p> <ul style="list-style-type: none"> • Why is it only the Tunnel Services Building where BREEAM excellent is sought? • Are other elements of the projects amenable to relevant BREEAM assessment? • If so which ones and how would that be secured?
A16.1.2		<p>Natural England has no comments to make in relation to this question.</p>
Q16.1.3	<p>Applicant</p> <p>Gravesham Borough Council, Thurrock Council, Kent County Council, Essex County Council, Kent Downs AONB Unit, Natural England, Other IPs interested in the design, function and operation of Green Bridges</p>	<p>Green Bridges: serving multiple objectives</p> <p>ExQ3 11.1.5 and 11.1.6 refer to the functions of the proposed Green Bridges in relation to biodiversity and habitat connectivity. However, evaluation of the proposed Green Bridges requires consideration of their performance in terms of multiple objectives and outcomes, including but not limited to:</p> <ul style="list-style-type: none"> • Biodiversity • Habitat connectivity • The provision of non-motorised user (NMU) routes for people • Landscape and landscape mitigation, in general terms and (with reference to the Kent Downs) to AONB landscapes. <p>With reference to these objectives but also to such other functions and outcomes as are considered relevant, please provide your summary assessment of the effectiveness of each Green Bridge proposed within your area of interest. If objectives and outcomes appear to be in competition or to pull in different directions, please indicate the particular objectives considered to be the most important and why.</p>
A16.1.3		<p>As detailed in our response to Q11.1.6, Natural England has provided significant advice in relation to the design and likely effectiveness of the Green Bridges in meeting the objectives and project outcomes detailed within the Design Principles (Examination Document REP7-141).</p>

ExQ3	Question to:	Question:
		<p>Natural England’s advice remains that well designed Green Bridges, of sufficient scale, can deliver multiple outcomes helping to mitigate the impacts upon biodiversity, walkers, cyclists and horseriders and the Kent Downs AONB. To deliver high quality outcomes, the design of the bridges needs to be sufficiently robust and follow good-practice guidance to ensure the multiple outcomes within the Design Principles (Examination Document REP7-141) can be delivered in full.</p> <p>We have provided a summary of our concerns in relation to biodiversity in our answer to Q11.1.6 above. In addition to we have the following concerns in relation to their effectiveness for landscape connectivity within the Kent Downs AONB:</p> <ul style="list-style-type: none"> • Lack of clarity on how the planting will be distributed on the bridges - will it be on the east or west side or both (this particularly important from a user perspective within the Kent Downs AONB) to screen the widened transport corridor; • Lack of clarity on how the walker, cyclist and horserider provision will be incorporated (again, particularly important from a user perspective within the Kent Downs AONB to ensure they will ‘...provide a high-quality experience for users crossing the bridge through vegetation and woodland planting. The green bridge shall improve recreation access across the A2/M2/Lower Thames Crossing corridor’ as detailed within the Design Principles, Examination Document REP7-141); • Lack of additional mitigation such as noise attenuation measures within the bridges to reduce the impacts to recreational users within the AONB (this could be through careful design of the bridges or the integration of noise bunds or fencing appropriately contained within the Bridges to avoid further landscape impacts). <p>Given the significant, adverse residual landscape and visual impacts resulting from the Lower Thames Crossing to the Kent Downs AONB, Natural England considers much greater weight and consideration should be given by the Applicant to how the Brewers Road and Thong Lane South Green Bridge design can achieve landscape scale connectivity for people and wildlife. For the reasons detailed above and in our detailed previous advice (as detailed in our response to Q11.1.6), Natural England considers the effectiveness of the Green Bridges within the Kent Downs AONB will be limited from a landscape and visual, as well as biodiversity, perspective.</p> <p>We would expect the designs of the Green Bridges to much more closely align with the Good Practice Guidance referenced in our response to Q11.1.6 (in terms of their minimum width and design) and should build upon existing good practice examples of bridges within National Landscapes such as the Bridge over the A21 at Scotney Castle built by the Applicant.</p>

ExQ3	Question to:	Question:
		<p>Natural England recommends the Design Principles are amended (or an additional Principle is inserted) to include explicit reference to the Brewers Road and Thong Lane south Bridges being designed in accordance with all the elements of the good practice guidance for landscape and ecological connectivity (as detailed in Examination Document REP4-329 and REP4-330 and REP7-221. This should include the minimum recommended widths for the species/habitat and/or the width to length ratio, whichever is greater. We have suggested some potential wording below:</p> <p style="padding-left: 40px;">‘For the Brewers Road and Thong Lane south Green Bridges, the details design shall align with the Natural England Commissioned Report¹, the Landscape Institute Good Practice Guidance² and the IENE Handbook³ including the minimum widths and the recommended width to length ratio for landscape scale connectivity. Where ecological constraints restrict the width of the bridge deck either side of the transport corridor, innovative design shall be provided to maximise the width of deck (and therefore habitat planting) in the central span (the bridge being wider in the middle). Planting shall be included on both the eastern and western sides of the Green Bridges to maximise the visual screening of the widened A2 corridor for people using the bridge and recreating within the AONB.’</p> <p>In addition, we recommend that the Design Principles are amended/or an additional Principle included requiring sympathetic noise attenuation features to be incorporated within the Green Bridges. These should be designed to help reduce the noise from the increased traffic flow and help achieve the Applicant’s aims of delivering a high-quality user experience. We have suggested some wording below on what we would expect the Principle(s) to secure:</p> <p style="padding-left: 40px;">‘For the Brewers Road and Thong Lane South Green Bridges, sympathetically designed noise attenuation measures to reduce the impact to recreational users shall be incorporated into the design of the bridges and connecting footpaths (particularly those alongside the southern edge of the widened A2 adjacent to Darnley Lodge Lane and Brewers Road). These shall be designed in a way which does not result in additional ecological or landscape impacts. Possible options could include the design of the bridge itself to reduce noise levels (such as the A21 Scotney Castle Bridge) or the noise attenuation measures could be screened with earth bunds, green walls or the planting itself.’</p>
Q16.1.4	Applicant	Design Principles

¹ <https://publications.naturalengland.org.uk/publication/6312886965108736>

² <https://www.landscapeinstitute.org/publication/green-bridges/>

³ <https://www.iene.info/projects/iene-handbook/>

ExQ3	Question to:	Question:
		<p>Clause No. PEO.05 of the Design Principles document [REP6-047] states that “<i>certain points of access into the PRow network shall be designated as WCH hubs ... facilities such as seating and parking for WCH users wishing to access the network.</i>”</p> <p>Can the Applicant please identify the location of such proposed hubs, particularly where new or additional parking areas are proposed?</p>
A16.1.4		<p>Natural England has no comments to make in relation to this question at present but may provide advice once the Applicant has provided their response.</p>
<p>17. Habitats Regulation Assessment</p>		
Q17.1.1	All IPs	<p>Habitats Regulations Assessment and the Report on the Implications for European Sites</p> <p>The ExA directs all IPs but specifically NE, MMO, PLA, EA and Local Authorities to the questions posed within the Report on the Implications for European Sites (RIES) as issued by the ExA on 14 November 2023. The questions relate to clarifying matters or seeking information required to inform the Habitats Regulations Assessment (HRA) and the recommendation to the Secretary of State. Comments on the RIES and responses to questions are timetabled for Deadline 8 (5 December 2023).</p> <p>At this time, should disagreements about any aspect of the HRA remain, the Applicant and any relevant IP are requested to submit a statement setting out what is required, in their view, to enable agreement. There will be circumstances where to be of practical use, this will need to be in the form of a ‘without prejudice’ statement, where one party may acknowledge that they do not agree with an in-principle position taken by another, but they also set out in practical terms the actions that would be necessary to address the issue, without conceding their basic point that such actions are not necessary.</p>
A17.1.1		<p>The Applicant has committed to a HRA addendum which is to be submitted at deadline 8. Natural England is hopeful this will address our concerns relating to the Thames Estuary and Marshes SPA and Ramsar and the North Downs Woodlands SAC.</p> <p>Natural England maintains that in the absence of appropriate mitigation there will be an adverse effect on the integrity of Epping Forest SAC. These matters are set out more fully in [REP5-109] and our Statement of Common Ground to be submitted by the applicant at deadline 8.</p>