



Lower Thames Crossing

7.2 Planning Statement

Appendix E - Green Belt (Tracked changes version)

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Lower Thames Crossing

7.2 Planning Statement

Appendix E - Green Belt

(Tracked changes version)

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Appendix E Green Belt

E.1 Introduction

- E.1.1 The majority of the A122 Lower Thames Crossing Project (the Project) lies within the designated Metropolitan Green Belt, with the exception of the tunnel under the River Thames and one of the sites for nitrogen deposition compensation within the local authority areas of Maidstone, and Tonbridge and Malling.
- E.1.2 A description of the Project is included in Chapter 3 of this Planning Statement. [This appendix, supplemented by 9.172 Applicant's response to ExQ2 Q13.1.3 - Green Belt Harm Assessment \[REP7-181\] and 9.152 Responses to the Examining Authority's ExQ2 Appendix I – 13 Social, Economic & Land-Use Considerations \[REP6-116\] questions Q13.1.2 Green Belt: applicability of 'inappropriate development'](#), provides the complete assessment of the Project against the relevant planning policy relating to its location within the Green Belt and where appropriate and necessary, reference is made to other documents in the DCO application submission which address and assess Green Belt related issues.
- E.1.3 When considering whether development should be permitted in the Green Belt, there is a staged process to follow:
- Is the development within the Green Belt?
 - Is the development considered 'inappropriate' and what, if any, exemption applies?
 - Does the development have an impact on the openness / purposes of the Green Belt?
 - Are there very special circumstances that exist which should allow the development notwithstanding the inappropriateness of the development?
- E.1.4 The Project when taken as a whole is inappropriate development in the Green Belt which is explained in this appendix. However, it is considered that there are very special circumstances for the Project as the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- E.1.5 Consideration of Green Belt and the policy tests in this appendix is structured as follows:
- E.1 Introduction
 - E.2 Project description and location

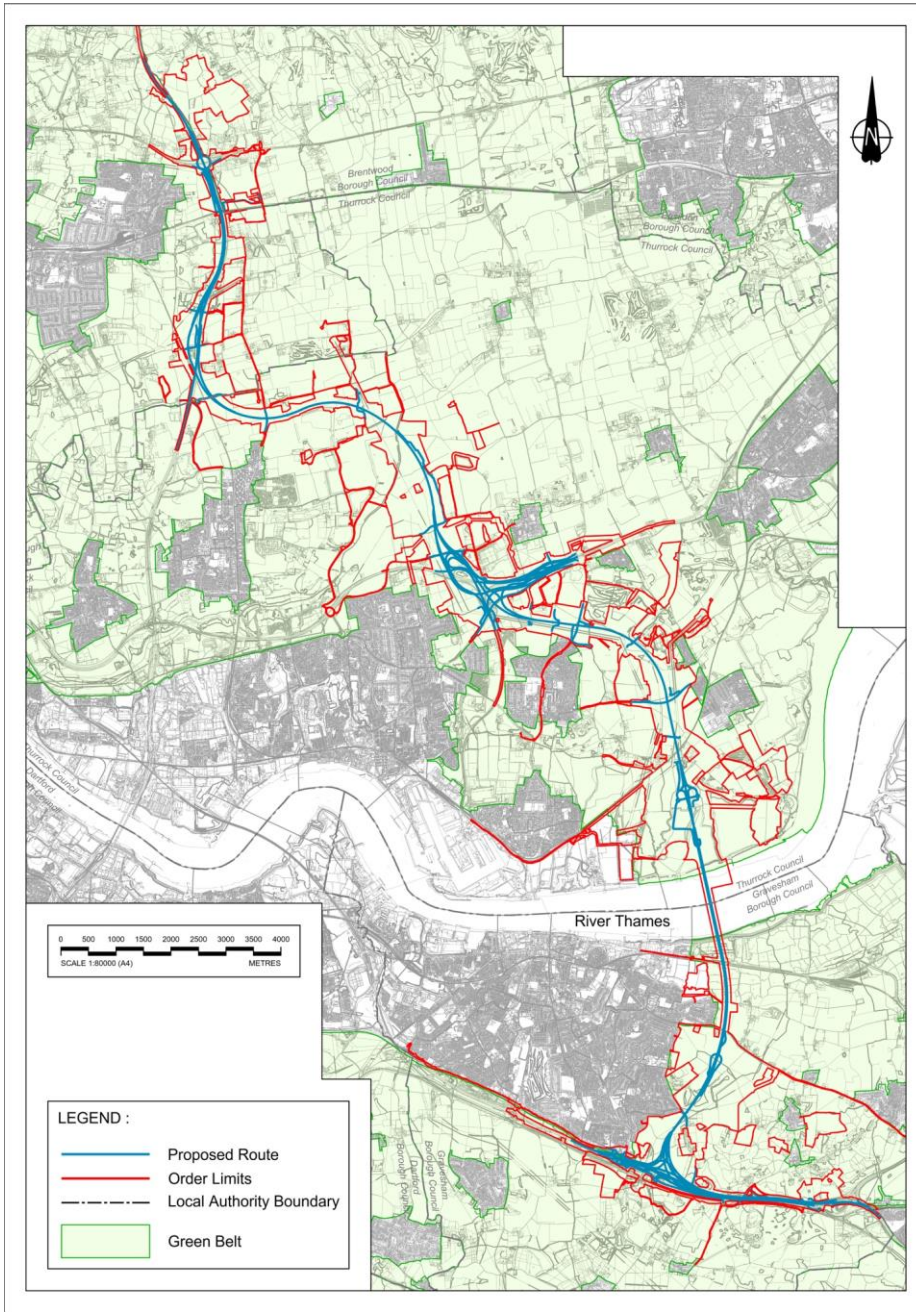
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- c. E.3 Green Belt policy and guidance (Annex 1 – Local Planning Policy)
- d. E.4 Review of other highway DCO decisions
- e. E.5 Appropriateness
- f. E.6 Assessment of harm
- g. E.7 Other considerations
- h. E.8 Justification – very special circumstances

E.2 Project's description and location

- E.2.1 The Project would provide a road connection between the A2 and M2 in Kent, east of Gravesend, crossing under the River Thames through two bored tunnels, before joining the M25 south of junction 29. The total length of new roads, including the A2/M2 and M25 improvements, would be approximately 23km, including approximately 4.25km in the tunnels.
- E.2.2 The Project also includes the required diversion of a number of utilities. Three underground gas pipelines and one overhead electricity line are NSIPs in their own right. All are required to accommodate the proposed route alignment, and also lie within the Green Belt.
- E.2.3 A full description of the Project and Order Limits is provided in ES Chapter 2: Project Description (Application Document 6.1) and in Chapter 3 of this Planning Statement.
- E.2.4 The Project is located within the administrative boundaries of Kent County Council, Maidstone Borough Council, Tonbridge and Malling Borough Council, Gravesham Borough Council, Essex County Council, Thurrock Council, Greater London Authority, London Borough of Havering, and Brentwood Borough Council.
- E.2.5 Plate E.1 shows a high-level plan of the Project route and Order Limits, including the nitrogen deposition compensation sites (NDep), within designated Green Belt.

Plate E.1 The Project and designated Green Belt



E.3 Green Belt policy and guidance

Context

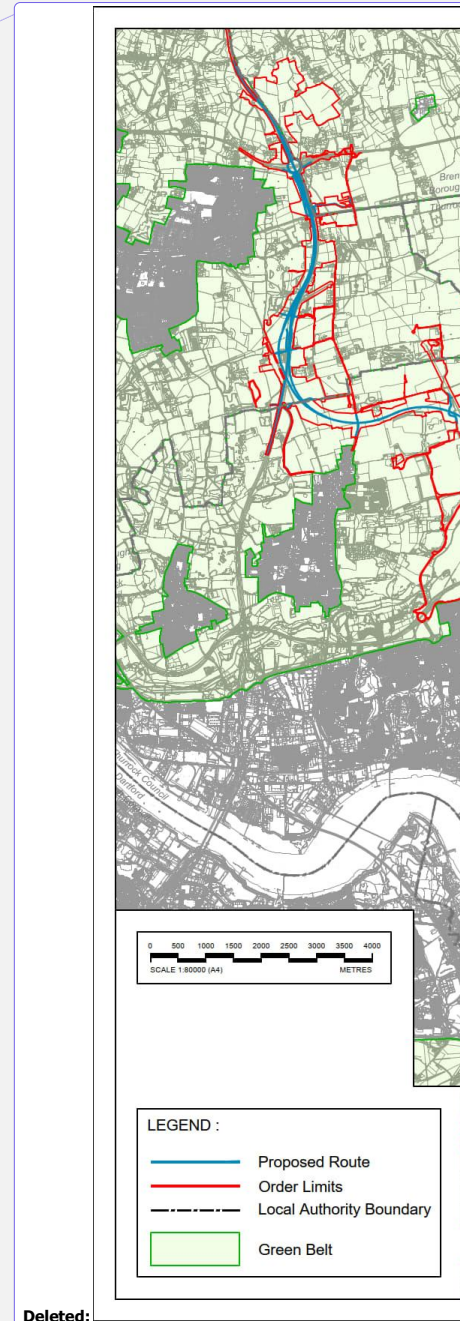
- E.3.1 This section summarises the relevant national planning policy and guidance that underpins the assessment of the Project within the Green Belt to measure and understand the Project's compliance with Green Belt policy. Local Planning Policy on Green Belt is contained in Annex 1 of this appendix.

Green Belt national policy and guidance

- E.3.2 The key relevant National Policy Statement (NPS) relating to the Project within its Green Belt context is the NPS for National Networks 2014 (NPSNN) (DfT, 2014). The Energy NPSs (EN-1, EN-4 and EN-5) (DECC, 2011) also have effect in relation to utilities diversions which are NSIPs in their own right.

NPSNN

- E.3.3 Green Belt policy in the NPSNN is included under 'Land use including open space, green infrastructure and Green Belt'. Paragraph 5.164 states that: 'The fundamental aim of Green Belt Policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. For further information on the purposes and protection of Green Belt, see the National Planning Policy Framework' [NPPF].
- E.3.4 The NPPF (Ministry of Housing, Communities and Local Government, 2021) is therefore an important consideration and relevant policy is considered in paragraph E.3.14.
- E.3.5 The starting point for assessment is set out in paragraph 5.170 of the NPSNN. There is a general presumption against inappropriate development in the Green Belt and '...such development should not be approved except in very special circumstances. Applicants should therefore determine whether their proposal, or any part of it, is within an established Green Belt and, if so, whether their proposal may be considered inappropriate development within the meaning of Green Belt policy'.
- E.3.6 The NPSNN provides further guidance specifically in relation to linear infrastructure recognising the prospect of passing through Green Belt land, stating at paragraph 5.171 that 'linear infrastructure linking an area near a Green Belt with other locations will often have to pass through Green Belt land. The identification of a policy need for linear infrastructure will take account of the fact that there will be an impact on the Green Belt and as far as possible, of the need to contribute to the achievement of the objectives for the use of land in Green Belts'.



- E.3.7 If it is determined that a proposal would involve inappropriate development in the Green Belt, paragraph 5.178 of the NPSNN sets out the decision-making policy:

'When located in the Green Belt national networks infrastructure projects may comprise inappropriate development. Inappropriate development is by definition harmful to the Green Belt and there is a presumption against it except in very special circumstances. The Secretary of State will need to assess whether there are very special circumstances to justify inappropriate development. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. In view of the presumption against inappropriate development, the Secretary of State will attach substantial weight to the harm to the Green Belt, when considering any application for such development.'

NPS EN-1 (draft and adopted)

- E.3.8 Where the energy diversions proposed are NSIPs in their own right, the Energy NPSs have effect. As with NPSNN, NPS EN-1 (DECC, 2011) identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the most important attribute of Green Belt is their openness.
- E.3.9 There is a general presumption against inappropriate development within Green Belt. *'Such development should not be approved except in very special circumstances. Applicants should therefore determine whether their proposal, or any part of it, is within an established Green Belt and if it is, whether their proposal may be inappropriate development within the meaning of Green Belt policy'* (paragraph 5.10.10 of NPS EN-1).
- E.3.10 Paragraph 5.10.12 of NPS EN-1 sets out that where an applicant can demonstrate that a particular type of energy infrastructure, such as an underground pipeline, is considered an 'engineering operation' rather than a 'building', in Green Belt policy terms, it would not *'in the circumstances of the application [be] inappropriate development'*. Further, applicants may also show that *'the physical characteristics of a proposed overhead line development or wind farm are such that it has no adverse effects which conflict with the fundamental purposes of Green Belt designation'*.
- E.3.11 When located in the Green Belt, energy infrastructure projects are likely to comprise 'inappropriate development' (paragraph 5.10.17). Paragraph 5.10.17 goes onto state that:
- 'In view of the presumption against inappropriate development, the IPC will attach substantial weight to the harm to the Green Belt when considering any application for such development while taking account, in relation to renewable and linear infrastructure, of the extent to which its physical characteristics are*

such that it has limited or no impact on the fundamental purposes of Green Belt designation.'

NPS EN-4 and NPS EN-5 (adopted and draft)

E.3.12 Paragraph 1.3.2 of NPS EN-4, Draft NPS EN-4, NPS EN-5 and Draft NPS EN-5, explains that the general policies in NPS EN-1 and Draft NPS EN-1 are not repeated but that they apply to all applications covered by NPS EN-4, Draft NPS EN-4, NPS EN-5 and Draft NPS EN-5. The policies relating to the Green Belt are consistent across all these NPSs.

E.3.13 On the basis that the tests across the NPSs are consistent, the assessment below references the NPSNN, but the assessment against the relevant provisions of the NPSNN satisfies the identified provisions of the Energy NPSs (EN-1, EN-4 and EN-5).

National Planning Policy Framework (NPPF)

E.3.14 Whilst the NPPF does not contain specific policies for NSIPs it is a potentially 'important and relevant' consideration under s104 of the Planning Statement 2008. The NPPF is explicitly referenced in paragraph 5.164 of the NPSNN in relation to further information on the purposes and protection of the Green Belt.

E.3.15 Chapter 13 of the NPPF provides policy on Protecting Green Belt Land and Paragraph 138 of the NPPF sets out the five purposes that Green Belt serves:

- a. To check the unrestricted sprawl of large built-up areas
- b. To prevent neighbouring towns merging into one another
- c. To assist in safeguarding the countryside from encroachment
- d. To preserve the setting and special character of historic towns
- i. To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

E.3.16 Paragraph 149 identifies that the construction of new buildings should be regarded as inappropriate and lists exceptions.

E.3.17 NPPF paragraph 150 also states '*Certain other forms of development are not inappropriate in the Green Belt, provided they preserve its openness and do not conflict with the purposes of including land within it. These are:*

- a. *mineral extraction;*
- b. *engineering operations;*
- c. *local transport infrastructure which can demonstrate a requirement for a Green Belt location;*

- d. *the re-use of buildings provided that the buildings are of permanent and substantial construction;*
- e. *material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and*
- f. *development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order’.*

Planning Practice Guidance

E.3.18 Planning practice guidance (PPG) entitled ‘Advice on the role of the Green Belt in the planning system’ (Department for Levelling-up, Housing and Communities, and Ministry of Housing, Communities & Local Government, 2019) includes advice on the role of the Green Belt in the planning system including the factors that can be taken into account when considering the potential impact of development on the openness of the Green Belt. Assessing the impact on openness requires a judgement based on the circumstances of the case. PPG states that *‘By way of example, the courts have identified a number of matters which may need to be taken into account in making [the assessment on ‘openness’, which] include, but are not limited to:*

- a. *Openness is capable of having both the spatial and visual aspects of openness, i.e. the visual impact of the proposal may be relevant, as may its volume;*
- b. *the duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and*
- c. *the degree of activity likely to be generated, such as traffic generation’.*

E.3.19 The Guidance also includes advice on ways in which the impact of removing land from the Green Belt can be offset by compensatory improvements. Strategic policy-making authorities should set out policies for such compensatory improvements to the environmental quality and accessibility to the remaining Green Belt land. These may be informed by supporting evidence of landscape, biodiversity or recreational needs, and could include:

- a. *‘new or enhanced green infrastructure;*
- b. *woodland planting;*
- c. *landscape and visual enhancements (beyond those needed to mitigate the immediate impacts of the proposal);*
- d. *improvements to biodiversity, habitat connectivity and natural capital;*
- e. *new or enhanced walking and cycle routes; and*
- f. *improved access to new, enhanced or existing recreational and playing field provision.’*

Local planning policy on Green Belt issues

- E.3.20 Adopted and emerging local plans are of relevance in relation to Green Belt policy in that they establish the Green Belt boundaries and provides context and information to assist in the assessment of very special circumstances where necessary.
- E.3.21 Local planning policy on Green Belt reflects national planning policy contained in the NPPF. A summary of adopted and emerging local planning policies on Green Belt of 'host authorities' (i.e. those whose administrative areas the Project passes through along the route of the Project – south to north) is included in Annex 1 as well as a summary of relevant background reports on Green Belt.

E.4 DCO decisions

- E.4.1 Section E.3 summarises relevant Green Belt policy and guidance. The NPSNN and NPPF do not provide further clarity on the nature or type of 'other considerations', however, recent highway DCO decisions can assist in providing examples of 'other considerations', which are summarised below:

M25 junction 28 (16 May 2022)

- a. The need for the scheme being established in national policy, was afforded substantial weight.
- b. The benefit of relieving existing traffic issues and substantially improving movement and flows particularly for local residents who rely on the roundabout to travel westbound, would be considerable and must also be taken into consideration.
- c. Improvements to the junction could not avoid the Green Belt (i.e. there are no reasonable alternatives).

M25 junction 10 / A3 Wisley Interchange (12 May 2022)

- a. The benefits would be considerable and include positive effects on road users during the operational phase with improved journey time reliability and reduction in congestion, fewer accidents, positive impact on non-motorised users, economic and social benefits, and absence of alternatives.

M54 to M6 link road (21 April 2022)

- a. *The benefits of the scheme were given significant weight, including 'delivery of Government policy and programmes, benefits from a decrease in congestion and improved journey times, enhanced safety, the conformity with local Development Policy and allocations for delivery of transport infrastructure and the economic and social benefits from improved connectivity and improved reliability of journeys'.*

- b. *Alternatives taken into account; all of the options considered would fall within the Green Belt.*
- c. *Several of the structures that would impact on the Green Belt openness would replace existing structures that already impacted the Green Belt's openness to varying degrees.*

A1 Birtley to Coal House (19 January 2021)

- a. Needs and benefits including delivery of Government policy and programmes; benefits from a decrease in congestion and journey times, enhanced highway safety, and replacement Allerdene Bridge alleviating the existing maintenance issues; the conformity with local Development Plan policy and allocations for delivery of transport infrastructure; and economic benefits (including in relation to the continued prosperity of the Team Valley Trading Estate).
- b. Lack of alternatives that would fall outside the Green Belt and the level of existing impact on Green Belt openness for existing structures that would be replaced.

E.4.2 Based upon the above DCO decisions, generally, the 'other considerations' included in the assessment of very special circumstances comprised the need and benefits of the projects and the alternatives considered.

E.4.3 The need and benefits of the Project are addressed in Chapter 4 of the Planning Statement and Chapter 5 describes the alternatives considered. Section E.8 of this appendix includes a summary.

E.5 Appropriateness

E.5.1 Paragraphs 5.173-5.178 of the NPSNN sets out the decision-making policy under the sub-heading 'Land use including open space, green infrastructure and Green Belt'. In relation to national network infrastructure development in the Green Belt, paragraph 5.178 states that:

'When located in the Green Belt national networks infrastructure projects may comprise inappropriate development.'

E.5.2 The NPSNN does not provide any further guidance on defining inappropriate development, so it is, therefore, necessary (in considering whether nationally significant road development is '*inappropriate development within the meaning of Green Belt policy*') to consider NPPF policy. The NPPF at paragraph 149 and 150 identifies that buildings and other development are exceptions to inappropriate development in the Green Belt.

- E.5.3 Whilst there are elements of the Project that are not inappropriate in the Green Belt if they were considered on their own, [as considered in detail in 9.152 Responses to the Examining Authority's ExQ2 Appendix I – 13 Social, Economic & Land-Use Considerations \[REP6-116\] questions Q13.1.2 Green Belt: applicability of 'inappropriate development'](#), it is considered that the Project as a whole does not fall within the exceptions identified in paragraph 149 or 150 of the NPPF.
- E.5.4 The three NSIP underground gas pipelines are considered to be an engineering operation. As the gas pipelines are underground, they would preserve the openness of the Green Belt and would not conflict with the purpose of including land within it. Therefore, as per paragraph 5.10.12 of NPS EN-1 and paragraph 150 of the NPPF, this element of the Project does not constitute inappropriate development in the Green Belt.
- E.5.5 The overhead electricity lines could potentially be considered inappropriate development in the Green Belt. However, the Project involves the relocation of the existing electricity lines rather than introducing a new feature into the landscape. Furthermore, paragraph 5.10.12 of NPS EN-1 recognises that the physical characteristics of proposed overhead line developments can be such that they have no adverse effects which conflict with the fundamental purposes of Green Belt designation. For those reasons, and on the basis that the tests across the NPSs are consistent, the assessment below references the NPSNN, but the assessment against the relevant provisions of the NPSNN satisfies the identified provisions of the Energy NPSs (EN-1, EN-4 and EN-5).

E.6 Assessment of harm

- E.6.1 This section, [supplemented by 9.172 Applicant's response to ExQ2 Q13.1.3 - Green Belt Harm Assessment \[REP7-181\]](#), considers any potential harm to the Green Belt and any other harm caused by the Project. It also sets out design measures taken to reduce harm to the Green Belt.

Green Belt context

- E.6.2 The contribution of the Green Belt, within the Order Limits, to Green Belt objectives has been reviewed and informed by the following:
- E.6.3 The Green Belt assessments of local authorities along the route, including:
- Gravesham Green Belt Study, and Stage 2 Green Belt Study (Gravesham Borough Council, 2018 and 2020)
 - Thurrock Strategic Green Belt Assessment Stages 1a and 1b (Thurrock Council, 2019)

Deleted: <#>The following section sets out the Green Belt context for the Project and assesses potential harm to the Green Belt by considering the Project against five purposes Green Belt serves (as set out in paragraph 138 of the NPPF). ¶

- c. Site Green Belt Assessment and Sustainability Assessment: Final Report (London Borough of Havering, 2018)
 - d. Green Belt Study Parts II & III: Green Belt Parcel Definition and Review (Brentwood Borough Council, 2018)
 - e. ES Chapter 7: Landscape and Visual (Application Document 6.1)
 - f. ES Chapter 16: Cumulative Effects Assessment (Application Document 6.1)
 - g. Interrelationship with other Nationally Significant Infrastructure Projects and Major Development Schemes (Application Document 7.17)
- E.6.4 Annex 1 of this appendix sets out the adopted and emerging Local Plan policy on Green Belt which also explains the Green Belt context for the Project.
- E.6.5 ES Chapter 7: Landscape and Visual, in particular, includes a full description of the existing landscape, and therefore Green Belt land, in each of four National Character Areas (NCA) recognised by Natural England which are:
- a. NCA 119 North Downs
 - b. NCA 113: North Kent Plain
 - c. NCA 81: Greater Thames Estuary
 - d. NCA 111: Northern Thames Basin
- E.6.6 ES Chapter 7 (Application Document 6.1) also includes Table 7.8: Landscape, which provides a summary description and value of Local Landscape Character Areas (LLCAs) in the setting of Kent Downs AONB and Green Belt. Table 7.9: Landscape provides a summary description and value of LLCAs in Green Belt and areas beyond the setting of the Kent Downs AONB. These tables are not repeated here and should be referred to in order to understand the Green Belt context for the Project.
- Harm to the Green Belt**
- E.6.7 The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. This section, [supplemented by 9.172 Applicant's response to ExQ2 Q13.1.3 - Green Belt Harm Assessment \[REP7-181\]](#), assesses the potential harm to the Green Belt by assessing the impact(s) of the Project against the five purposes of Green Belt belts, as set out in paragraph 138 of the NPPF.
- To check the unrestricted sprawl of large built-up areas**
- E.6.8 The key purpose of the Green Belt in the North Kent Plain LCA is to prevent the towns of Rochester and Gravesend from merging. The Project would not

prejudice this purpose. It would create a firm eastern Green Belt boundary to contain any further expansion of Gravesend.

- E.6.9 The new road would be located close to the settlements of East Tilbury, Chadwell St Mary and Linford. Thurrock Council's Green Belt Assessment acknowledges that the boundary of the town to the north-east of Chadwell St Mary, around the A13/A1089 junction, is poorly defined and the road would provide a more appropriate long-term Green Belt boundary in this particular location. The Green Belt purposes are, therefore, unlikely to be altered significantly by the route.

To prevent neighbouring towns merging into one another

- E.6.10 The Project is for a highway scheme and to construct and operate the Project it would be necessary to install and divert multiple utilities including overhead electricity powerlines, high-pressure gas pipelines and other utility networks and their associated infrastructure (see Section 2 of this Planning Statement). The Project would not cause the merging of towns.

Assist in safeguarding the countryside from encroachment

- E.6.11 The Project includes new public open spaces such as Tilbury Fields which is beneficial in terms of retaining the openness of the Green Belt and safeguarding the countryside from encroachment. Proposed woodland planting/restoration helps mitigate the visual impacts of the Project, provides an ecological and community resource and makes a contribution to the Green Belt objective of safeguarding the countryside from encroachment.

To preserve the setting and special character of historic towns

- E.6.12 The Project does not impact on the setting or special character of historic towns.

To assist in urban regeneration, by encouraging the recycling of derelict and other urban land

- E.6.13 The Project would have economic, community and transport benefits, set out in Chapter 4 of this Planning Statement, in which Table 4.2 provides a summary of how the key benefits of the Project support the Scheme Objectives. The economic growth benefits that the Project will deliver could assist in urban regeneration.

Potential harm to Green Belt openness

- E.6.14 This section, [supplemented by 9.172 Applicant's response to ExQ2 Q13.1.3 - Green Belt Harm Assessment \[REP7-181\]](#), considers the Project's potential impact on Green Belt openness.
- E.6.15 The Project would introduce a permanent structure into the Green Belt with both visual and spatial impacts to varying degrees with the associated impact of

activity (traffic generation) on parts of the route where none existed before. Mitigation along the route and compensatory land would result in the maintenance of access to the Green Belt where it previously existed; new and replacement opportunities for outdoor recreation; green bridges; the retention and enhancement of landscapes through planting and hedgerow replacement; use of embankments and cuttings to retain visual amenity; habitat protection and creation; and the restoration of land utilised during construction. As the planting matures over time, it would reduce the visual effects of the Project.

- E.6.16 The tunnel portals and service buildings are likely to result in visual and spatial impacts due to the scale of the portals in the relatively flat landscape. Also, the introduction of traffic activity and related urbanising effect would intensify the level of development and associated highway activity. However, mitigation includes earthworks, planting, gabion baskets filled with local stone, footpaths around the portals and restoration of surrounding land to former uses. Key views have been retained and earthworks mean that the design has retained the open and flat landscape between the river and the railway where reasonably practicable.
- E.6.17 Towards the A13/A1089/A122 junction some views would be restricted but the overall sense of openness would remain. There would be additional embankments and an overbridge at the A13/A1089 junction although the impact on openness would be limited due to the existing road infrastructure.
- E.6.18 The Project is elevated through much of the area of the Northern Thames Basin Landscape Character Area with embankments, or on the viaduct, and would locally diminish openness, moving into a cutting with new woodland planting to replace shelterbelts which would reinforce existing trees and hedgerows. Within the Thames Chase Community Woodland some new embankments and mitigation woodland planting would slightly decrease openness. The Council's Green Belt assessment states that while the line of the route would subdivide this area of land, the contribution of the area to the fulfilment of Green Belt purposes is likely to remain unchanged.
- E.6.19 There would be a negligible impact on the Green Belt's openness because of works around the M25 access road involving embankment realignment and reprofiling in view of the existing road infrastructure in this area.
- E.6.20 All above-ground areas would experience some degree of loss of spatial and visual openness. This would be greatest between the South Portal and the A2/M2, and between the North Portal and A13.
- E.6.21 New public open spaces such as Tilbury Fields and Chalk Park are beneficial in terms of community gain and in retaining the openness of the Green Belt, meeting the objective of safeguarding the countryside from encroachment.

E.6.22 The Project would introduce a new and significant feature into the Green Belt. Its impact on the openness of the Green Belt will be significant during construction but would decrease as the proposed mitigation features and landscaping mature. The design of the road has sought to reduce its visual impact where possible.

Any other harm

E.6.23 As set out in NPSNN (paragraph 5.178), the SoS will need to assess whether there are very special circumstances to justify inappropriate development. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm, is outweighed by other considerations.

E.6.24 This section considers 'any other harm' caused by the Project. It is not confined to the potential harm of the Project to the Green Belt alone but relates to all potential types of harm to human, animal or environmental receptors.

E.6.25 The Project is considered to result in 'other harm' as there will be likely significant effects of the Project. ES Chapter 17 summarises the likely significant effects of the Project reported in the ES topic chapters. Negative residual impacts arising from the Project are identified in the following environmental topics: [Air Quality](#), Cultural Heritage, Landscape and Visual, Terrestrial Biodiversity, Geology and Soils, Material Assets and Waste, Noise and Vibration, and Population and Human Health.

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Design measures proposed to reduce harm

E.6.26 Project-wide mitigation at construction and operational phases will assist in controlling construction activities and integrating the Project into the Green Belt where possible, while minimising harm to the Green Belt and 'other harm', and will include the following:

- a. Retention of existing vegetation where possible, and appropriate replacement planting.
- b. New planting including grassland, hedgerow and woodland planting to soften the edges of earthworks and integrate the road into the landscape. This would be monitored for the first five years and replaced if necessary. As all planting matures over time, it will provide a reduction in the visual effects of the Project.
- c. Earthworks to be graded into the wider landscape respecting topography and character.
- d. Outward-facing slopes of false cuttings to be graded to allow for planting, including woodland or, as appropriate, be returned to agriculture.

- e. Recognition and respect of historic features and protection of views across historic landscapes or screening where appropriate.
- f. Defining an ancient woodland compensation strategy to achieve the most beneficial woodland habitat. Demarcation and protection of important habitats and retained trees and hedgerows at construction stage to prevent accidental damage.
- g. Design and screen where possible any noise mitigation structures to minimise the perception of urbanisation.
- h. Construction lighting to be positioned to prevent or minimise disturbance to nearby residents. Permanent lighting is restricted to junctions and the portals and with measures in place to control the direction and height of the lighting.
- i. Good practice in all respects at construction stage on site and within/around the compounds.
- j. Reinstatement of all land temporarily impacted by works and reuse of soil including for screening of compounds using earth bunds.
- k. Green bridges are proposed to be incorporated into the Project design. The main benefits associated with green bridges are summarised as trees and standing vegetation, water cycling/reduction in surface water runoff, recreation, landscape enhancement/increased positive experience of those using the proposed route, biodiversity enhancements and increased quality of green and blue infrastructure.

[E.6.27](#) [In addition to the above design measures, the Design Principles \[Document Reference 7.5 \(7\)\], which are secured through Requirement 3 of the draft DCO \[Document Reference 3.1 \(11\)\] and has been added to in response Interested Parties comments, includes numerous additional design measures to minimise harm to the Green Belt and 'other harm'.](#)

[E.6.28](#) [Additional design measures to minimise harm to the Green Belt and 'other harm' are also set out in the Stakeholder Actions and Commitments Register \[Document Reference 7.21 \(7\)\], which has similarly been added to in response Interested Parties comments.](#)

E.7 'Other considerations'

E.7.1 Section E.4 refers to DCO highway projects which included development in the Green Belt and summarises 'other considerations' that were considered to assess impacts on Green Belt and to conclude if very special circumstances existed. Section E.4 establishes that need, benefits and consideration of alternatives can be very special circumstances. The Project need, benefits and

consideration of alternatives is set out in Chapters 4 and 5 of the Planning Statement and are summarised below.

Project need

- E.7.2 The need for the Project is set out in Application Document 7.1 and a summary is provided in Chapter 4 of the Planning Statement.
- E.7.3 There is a national, regional and local need for the Project, which is set out under the sub-headings of economic, community and transport need in Chapter 4 of the Planning Statement.
- E.7.4 The Dartford Crossing, the only road crossing of the River Thames east of London, is both a critical part of the country's road network and a critical component in the UK's economic infrastructure. It connects local and regional businesses and provides a vital link between the Channel Ports, London and the rest of the UK. However, the congested nature of the Dartford Crossing means that there is a local, regional and national economic need for an additional crossing.
- E.7.5 The existing Dartford crossing experiences high levels of traffic and frequently operates above capacity. Traffic flows above the design capacity of a road result in congestion and poor reliability, making the Dartford Crossing one of the least reliable sections of the SRN. The congestion and delays arising from high volumes of traffic at the Dartford Crossing are made worse when incidents occur.
- E.7.6 Delays and poor journey time reliability at the Dartford Crossing and surrounding roads are a major impediment to economic growth in the South East of England. Local people's daily routines are impacted, leading to lost time for people and industry and affecting economic productivity.
- E.7.7 The average daily traffic flow using the Dartford Crossing without the Lower Thames Crossing is predicted to increase by nearly 21% in the period 2016-2030.
- E.7.8 There is a clear need for the Project to increase road capacity and improve the reliability of the SRN and the transport infrastructure across the whole of the Lower Thames area for the community and businesses as well as providing resilience in the south-east of the country.

Benefits

- E.7.9 The Project has been identified as the best option to meet the defined need and Scheme Objectives, by not only offering an effective solution to the long-standing traffic problems at the Dartford Crossing, but in providing real and tangible benefits to the local area and the wider economy of the South East.

- E.7.10 Transport benefits include reduced journey times, additional highway capacity, improved safety, resilience and journey time reliability locally, regionally and nationally. This would help meet the demands of future traffic growth east of London.
- E.7.11 Economic benefits of the Project include boosting business productivity, opening up opportunities for local economic growth and employment across the River Thames and facilitating growth exports at the region's ports.
- E.7.12 The social benefits of the Project include those associated with the introduction of the Project itself, in tackling current and forecast levels of traffic congestion. This in turn would be a catalyst to improved social and economic activity within the region, brought about by the additional connectivity offered by the Lower Thames Crossing that would improve the ability for local traffic to cross the River Thames.
- E.7.13 As set out in Section 7.2 of the Planning Statement, there are substantial benefits which create a clear and compelling need for the Project which is in the public interest.

Alternatives

- E.7.14 Chapter 5 of the Planning Statement outlines the process that has been followed to identify and assess potential options and alternatives for the delivery of the Lower Thames Crossing, from initial government studies exploring ways to address the capacity constraints at the Dartford Crossing, through the various stages of consultation to the final scheme proposals. ES Chapter 3: Assessment of Reasonable Alternatives (Application Document 6.1) sets out the reasonable alternatives considered under the requirements of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017.
- E.7.15 Chapter 5 of the Planning Statement concludes that 'The Project therefore satisfies the policy requirement under paragraph 4.27 of the NPSNN that all projects should be subject to an options appraisal (including consideration of viable modal alternatives). Whilst the Project has been included in a Road Investment Strategy (RIS2) this does not circumvent the other specific legal or policy requirements to consider alternatives.'
- E.7.16 As set out in Chapter 5 the staged process of route selection considered a range of assessment criteria, including Green Belt designations, recognising that the preferred route presented development within the Green Belt for the majority of its route. However, through this process, which led to the development of the Project in line with the Preferred Route Announcement (PRA) (and has been subject to careful review) it has been determined that the chosen route (route 3 and the Western Southern Link (WSL), connected by two bored tunnels), remains the best solution balancing all relevant criteria including satisfying the Scheme Objectives.

- E.7.17 There are no viable, feasible or deliverable alternative solutions for the provision of a crossing of the River Thames to the east of London that are located outside of the Green Belt.

E.8 Justification – very special circumstances

Introduction

- E.8.1 As set out in Sections E.1 and E.5, the Project, when taken as a whole, is inappropriate development in the Green Belt and therefore as per paragraph 5.178 of the NPSNN, the SoS will need to assess whether there are very special circumstances to justify inappropriate development in the Green Belt.

Very special circumstances

- E.8.2 The need for the Project is set out in Chapter 4 of the Planning Statement and the Need for the Project (Application Document 7.1) and is summarised below. It is identified that there is an overriding need for the Project to deal with long-standing transportation, economic and community and environmental problems caused by the congestion at Dartford and the lack of alternative river crossings to the east of the Dartford Crossing.
- E.8.3 The Project has been through a rigorous assessment process and has been included in both the first DfT Road Investment Strategy (RIS) 2015-2020, published in 2014 and in RIS2 2020-2025. A lengthy process of route selection has taken place with full community and stakeholder consultation, and it was found that to satisfy the Scheme Objectives, technical considerations and achieve a least impactful solution it would not be possible for an intervention to take place without it being located in the Green Belt.
- E.8.4 The Project has been developed to address any potential harm through the incorporation of appropriate Green Belt uses embedded in the design to reduce its visual impact, including construction of a tunnel which is less visually intrusive than a bridge, minimising land take, including new public open spaces, new and replacement WCH routes, landscape planting and use of earthworks for screening, ecological enhancements and heritage preservation while investing in communities and employment support. Green bridges are proposed that would have many environmental and recreational benefits. Sustainability has also been embedded into the detailed design and construction phases and into future decision making.
- E.8.5 The Project is expected to have transformational and significant positive benefits on the future growth potential of the national and regional economies and the prosperity of the local population, now and into the future. Without additional road capacity, the transport, economic and environmental problems would continue to worsen over time.

- E.8.6 The need for the Project is without question, as evidenced by existing conditions at the Dartford Crossing and its allocation in the current and previous RIS. Compared to other options, the proposed route would achieve the only feasible solution, satisfying the Scheme Objectives and locational need with the least harm.
- E.8.7 It is, therefore, considered that very special circumstances exist for the Project. There is a clear and overriding need for the Project and there are substantial benefits as a result of the Project which are in the public interest. The need and benefits of the Project and lack of alternatives are considerable and outweigh any potential harm to the Green Belt or other any other harm that may be caused by the Project.

E.9 Annex 1 Adopted and Emerging Local Plan Policy on Green Belt

Gravesham Borough Council

Gravesham Local Plan Core Strategy (Gravesend Borough Council, 2014)

- E.9.1 Policy CS02: Scale and Distribution of Development, paragraph 4.2.27 refers to Green Belt and states that any development outside settlements in the Green Belt '*will be supported where it is compatible with national policies for protecting the Green Belt, and with policies in [the Local Plan]*'. It proposes a strategic Green Belt boundary review to identify land remove from the Green Belt to meet the housing needs up to 2028 and to safeguard areas of land to meet development needs beyond the plan period, while maintaining the national and local planning purposes of the Green Belt.
- E.9.2 The final report of the Gravesham Stage 2 Green Belt Study was issued in August 2020. It took account of the impact on the Green Belt with and without the Project route in 2018. The report does not assess the potential impact of the Project on the Green Belt specifically but considers harm generally with ratings ranging from moderate around the junction with the A2 to moderate/high between the Project route and Gravesend settlement edge to high east of the Project route with absolute constraint in the northern area up to the River Thames. The assessment included the potential presence of the Lower Thames Crossing project.
- E.9.3 Within the Green Belt area and within the Order Limits, other land use designations include a Ramsar site, a Special Protection Area, Site of Special Scientific Interest (SSSI), a Special Area of Conservation, a Local Wildlife Site and an Area of Outstanding Natural Beauty (AONB), are all covered by Policy CS12.

Gravesham Local Plan Regulation 18 Stage 1 Consultation Part 1 Site Allocations: Issues and Options April 2018

- E.9.4 In the context of the residential and employment development land review, this document examined the possibilities for a Green Belt boundary review. Option 2 recognised that opportunities would be formed by the Wainscott Northern Bypass (A289) and potentially the Lower Thames Crossing in forming a firm eastern boundary to the settlement, although the amount of land which could come forward to the east of Gravesend would be limited due to the close proximity of the Project to the urban area. This indicates that the location for the Project within the Green Belt is accepted as a necessity.

**Gravesham Local Plan Regulation 18 Stage 1 Consultation Part 2:
Development Management Policies Document April 2018 (2013-2030)**

- E.9.5 A Regulation 18 consultation was carried out from April to July of 2018. While there are no relevant Green Belt policies proposed, Policy DM 15: Route Safeguarding states that land required for the safeguarded Lower Thames Crossing route will be shown on the proposals map and development proposals that would prejudice this, or any subsequent schemes subject to safeguarding, will be refused.

Emerging Local Plan Partial Review, Site Allocations and Development Management Policies (Regulation 18 - Stage 2) Consultation

- E.9.6 A consultation in late 2020 addressed housing, employment and retail allocations only. Only one proposed site appeared to be within the Order Limit boundary, GBS-R at Cascades Leisure Centre, Thong Lane, which indicated a potential capacity of 170 dwellings. The Project road passes through part of the Cascades land holding and replacement land for the appropriate recreational use is secured in the DCO. Recreational uses are appropriate within the Green Belt.

Thurrock Council

Core Strategy and Policies for Management of Development (as amended), 2015

- E.9.7 With the exception of the principal urban area of Thurrock and the towns and villages, all of the land within the Borough (two-thirds) is designated as Green Belt. Policy CSSP4 – Sustainable Green Belt proposes that the council will maintain Green Belt boundaries, excepting a number of locations identified in the policy, resist development where there would be any danger of coalescence and maximise opportunities for increased public access, leisure and biodiversity without prejudice to and pending the review of the Core Strategy.
- E.9.8 The policy proposes a number of alterations including, but not restricted to:
- a. The release of 26ha of Green Belt land to the north of Tilbury for port-related employment use and a strategic lorry park to facilitate the expansion of Tilbury Port.
 - b. The inclusion within the Green Belt of 55.3ha of land adjacent to the former Shell Haven refinery site that was previously identified as oil refinery expansion land which will assist in maintaining a strategic gap between Stanford-le-Hope and Corringham and the port at London Gateway.
- E.9.9 Policy PMD6 (Development in the Green Belt) states that the council will '*plan positively to enhance the beneficial use of the Green Belt*' by improving access to the countryside, seeking opportunities for outdoor sport and recreation,

improving and enhancing landscapes, visual amenity and biodiversity, and improving damaged or derelict land.

Thurrock Local Plan Review - Issues & Options

E.9.10 In 2014, the council commenced work on a new Local Plan to respond to a number of major challenges. These included a need to consider the possible impacts of a decision by Government on the route and location of the proposed Lower Thames Crossing.

E.9.11 The Issues and Options (Stage 1) Consultation Document was published in 2016 and focused on thematic policy areas. The purpose of the Issues and Options (Stage 2) consultation was to seek views about how Thurrock should develop and grow in the future and where, in broad terms, new development should be located to meet identified needs. Consultation on the Issues and Options took place between December 2018 and March 2019. A draft plan has not yet emerged.

Thurrock Local Plan Issues & Options (Stage 1) February 2016

E.9.12 Public and stakeholder comments relevant to the Project and Green Belt arising from the consultation were to:

- a. undertake a full review of the Green Belt to identify additional land to meet future housing and employment needs consistent with the approach set out in the NPPF
- b. consider the future implications of strategic transport improvements including the Lower Thames Crossing
- c. plan positively to maximise the economic benefits that will arise following the development of the proposed Lower Thames Crossing.

Thurrock Local Plan Issues & Options (Stage 2) December 2018

E.9.13 The council has long recognised the need to consider amending Green Belt boundaries to meet housing targets, highlighted also in the Planning Inspector's report on the 2011 adopted Core Strategy. The Council has commissioned a 'Strategic Green Belt Assessment' to identify the relative importance of parcels of land to the Green Belt in the context of their suitability to accommodate a strategic level of development. The final report of the review, Stages 1a and 1b were produced in January 2019. Stage 1b considers the Project route in the context of Thurrock's Green Belt. It suggests that other than the route being a significant encroachment into the countryside, its most significant effect on the Green Belt '*would be the creation of a major enduring boundary within the Green Belt*' which in most parts of the borough '*will merely separate areas of similar open countryside with little to no effect on the way in which the related parts of the Green Belt contribute to the purposes*' (paragraph 6.2.1).

- E.9.14 The Strategic Green Belt assessment acknowledges the potential presence of the Lower Thames Crossing project and raises concerns about its impact on separating areas of Green Belt.

London Borough of Havering

Havering Local Plan 2016-2031 (adopted November 2021)

- E.9.15 More than half of the London Borough of Havering is designated as Metropolitan Green Belt. One of the plan's strategic objectives is to '*protect and enhance Havering's Green Belt*'. There is no other specific Green Belt policy contained within the plan. The Local Plan acknowledges the importance of the Lower Thames Crossing in providing a connection across the Thames and relieving the congestion at Dartford.

The London Plan (adopted March 2021)

- E.9.16 The London Plan is also part of the statutory Development Plan for the London Borough of Havering and should be taken into account in the determination of planning applications.
- E.9.17 Policy G2 London's Green Belt simply reiterates the NPPF in seeking to protect the Green Belt from inappropriate development, or its extension/de-designation, except where very special circumstances exist, although it also states, '*subject to national planning policy tests, the enhancement of the Green Belt to provide appropriate multi-functional beneficial uses for Londoners should be supported*'.
- E.9.18 The policy narrative states that the Mayor will work with boroughs and other strategic partners to enhance access to the Green Belt and to improve the quality of those areas that have become derelict and unsightly, in ways that are appropriate (paragraph 8.2.2). The Lower Thames Crossing is listed as an '*Infrastructure Priority*' within the London Plan.

Brentwood Borough Council

Brentwood Local Plan 2016 - 2033 (Adopted March 2022)

- E.9.19 Strategic Policy MG02: Green Belt affirms its accordance with national Green Belt planning policy. It further states inter alia, '*the Council will seek to enhance the beneficial use of the Green Belt to provide or improve access to it; to provide or enhance opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity and; to improve damaged and derelict land. Development proposals in or adjacent to the Green Belt (including those the subject of allocations in this plan) will be expected to include measures to achieve these objectives so far as it is possible and appropriate.*' Also, '*For site allocations which are being released from the Green Belt, development proposals should set out ways in which the impact of removing land from the Green Belt are to be offset through compensatory*

improvements to the environmental quality and accessibility of the remaining Green Belt land’.

- E.9.20 Within the Green Belt, the Order Limits encompass other designations including the Thames Chase Community Forest (Policy NE04), two areas of ancient woodland (Policies NE01 and NE03), an Air Quality Management Area at Junction 28 of the M25 and two areas of employment land at Codham Hall (E10) and Brentwood Enterprise Park (E11).
- E.9.21 However, the adopted Local Plan also recognises the importance of the Project ‘*Since the level of growth planned along the A127 and A12 are reliant on new and improved strategic infrastructure of regional and national importance (including the Lower Thames Crossing)...*’

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