

Lower Thames Crossing

5.4.4.6 Final Agreed Statement of Common Ground between (1) National Highways and (2) Gravesham Borough Council (Clean version)

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1.0	31 October 2022	DCO Application
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4.0	15 December 2023	Deadline 9A

Status of the Statement of Common Ground

This is the Final Agreed Statement of Common Ground between (1) National Highways (the Applicant) and (2) Gravesham Borough Council.

Both parties have reached agreement on the position of the status of all 200 matters. Of the 200 matters contained within, 58 matters are agreed and 142 are not agreed, leaving no matters outstanding.

On behalf of the Applicant

Name	[REDACTED]
Position	[REDACTED]
Organisation	National Highways
Signature	[REDACTED]

On behalf of Gravesham Borough Council

Name	[REDACTED]
Position	[REDACTED]
Organisation	Gravesham Borough Council
Signature	[REDACTED]

Lower Thames Crossing

5.4.4.6 Final Agreed Statement of Common Ground between (1) National Highways and (2) Gravesham Borough Council (Clean version)

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1 Introduction

1.1 Purpose of the Statement of Common Ground

- 1.1.1 This Statement of Common Ground (SoCG) has been prepared in respect of the Development Consent Order (DCO) application for the proposed A122 Lower Thames Crossing (the Project) made by National Highways Limited (the Applicant) to the Secretary of State for Transport (Secretary of State) under section 37 of the Planning Act 2008 on 31 October 2022.
- 1.1.2 The SoCG has been produced to confirm to the Examining Authority where agreement has been reached between the Applicant and Gravesham Borough Council, and where agreement has not been reached.
- 1.1.3 This final version of the SoCG has been submitted at Examination Deadline 9A.

1.2 Principal Areas of Disagreement

- 1.2.1 On 19 December 2022 the Examining Authority made some early procedural decisions to assist the Applicant, potential Interested Parties and themselves to prepare for the Examination of the Application.
- 1.2.2 One of these procedural decisions was to use a tracker recording Principal Areas of Disagreement in Summary (PADS).
- 1.2.3 This SoCG should be read in conjunction with the Gravesham Borough Council PADS Tracker.

1.3 Terminology

- 1.3.1 In the 'Final position on matters' table in Section 2 of this SoCG, "Matter Not Agreed" indicates agreement on the matter could not be reached following significant engagement. "Matter Agreed" indicates where the issue has now been resolved and the parties are in agreement.

2 Matters

2.1 Final position on matters

- 2.1.1 A summary of engagement undertaken between the Applicant and Gravesham Borough Council is summarised in Table A.1 in Appendix A.
- 2.1.2 The outcome of this engagement is presented in Table 2.1 which details and presents the matters that are either agreed or not agreed between the Applicant and Gravesham Borough Council.
- 2.1.3 Following engagement and clarification of the position of both parties, some of the matters in the previous versions of this SoCG submitted with the DCO application have been re-characterised.
- 2.1.4 Further to the matters raised in the original SoCG, Gravesham Borough Council submitted further comments on the DCO application which has led to new matters being included in Table 2.1.
- 2.1.5 In the column 'Item No' in Table 2.1, 'Rule 6' indicates a matter entered in the SoCG as a result of a request in the Rule 6 letter, 'RRN' indicates a matter entered into the SoCG as a result of content in the Relevant Representation, 'RRE' indicates an existing SoCG matter that was also raised in the Relevant Representation and 'DLX' indicates a new matter added during examination at/around that deadline.
- 2.1.6 In Table 2.1, relevant issues relating to the dDCO articles and Requirements in Schedule 2 to the dDCO have been identified under the heading 'DCO and Consents'.
- 2.1.7 At Examination Deadline 9A there are 200 matters in total, of which 58 are agreed and 142 are not agreed.
- 2.1.8 This is the final Statement of Common Ground between the Applicant and Gravesham Borough Council.

Table 2.1 Final position on Matters

Topic	Item No.	Gravesham Borough Council Comment	The Applicant's Response	Application Document Reference	Status
DCO and Consents					
Responsibility Discharging Requirements	2.1.1 RRE	Gravesham Borough Council considers that DfT is not necessarily the appropriate body for discharging of Requirements, and this should be locally considered, with the organisation being dependent on the topic involved.	The Applicant maintains that the most appropriate discharging authority for the Project is the Secretary of State. The draft DCO and control documents are clear that Gravesend Borough Council will be consulted as part of the discharge of requirements and implementation of certain measures such as the Traffic Management Plans.	Draft Development Consent Order [Document Reference 3.1 (11)]	Matter Not Agreed
Discharging Requirements	2.1.150 (DL-1)	Gravesham Borough Council is concerned that the pre-consultation period for discharging of Requirements is not fully defined, and that additional resourcing will be required in order for the Council to undertake its obligations regarding the discharge of Requirements.	The Applicant has set out provisions relating to the pre-consultation period for discharging of Requirements within the draft DCO. The Applicant has provided for officer contributions, to be secured by a Section 106 Agreement (or unilateral undertaking should Gravesham Borough Council not agree to sign a Section 106 Agreement), that it considers are appropriate to account for resource demand on the Council to undertake its obligations regarding the discharge of Requirements. Gravesham Borough Council has confirmed that this is agreed and a Section 106 Agreement has been signed to that effect. It is noted however that Gravesham Borough Council have suggested additional	Draft Development Consent Order [Document Reference 3.1 (11)]	Matter Agreed

Topic	Item No.	Gravesham Borough Council Comment	The Applicant's Response	Application Document Reference	Status
			commitment in the SAC-R for additional officer payments, and an amendment in the list of proposed DCO amendments asking for 42 days instead of 28 for responding to consultations, which are not agreed.		
Responsibility	2.1.154 (DL-1) RRN	<p>The scheme rests on the assumption that current cross channel vehicle and HGV flows seeking to go north of London from Kent will divert off the A20/M20 corridor onto the A2/M20 corridor. The A229 is a local Kent road which provides the shortest link between the M20 J6 and M2 J3 up Blue Bell Hill.</p> <p>No proposals are included in the application for improving this length of road or the two motorway junctions which are already over capacity at peak times.</p> <p>For the scheme to work, improvement to the A229 should be treated as Associated Development, since it is critical to linking the A2/M2 and M20/A20 corridors and providing relief at Dartford. Gravesham Borough Council have suggested that</p>	<p>Once the Lower Thames Crossing opens for traffic, there will be changes in how traffic flows across the region. These changes are set out in Chapter 7 of the Transport Assessment. In many places on the network, and notably at the Dartford Crossing, this would lead to significant beneficial impacts on both journey times and journey reliability. In some locations this change in road user decisions could lead to adverse changes. This includes the A229 where major adverse impacts are predicted as set out in Chapter 7 of the Transport Assessment. However, the Applicant is aware that Kent County Council is currently developing a Strategic Outline Business Case seeking DfT funding for improvements to the A229 Blue Bell Hill M2 and M20 junctions due to existing traffic flows in this location.</p> <p>Overall, the benefits on the road network would outweigh the adverse impacts, and this is reflected in the positive economic benefit of the Project as a whole, and within each affected local authority area.</p> <p>Monitoring of the impacts of the Project will take place as set out in the Wider Network</p>	<p>Transport Assessment [REP4-148 to REP4-152]</p> <p>Wider Network Impacts Management and Monitoring Plan [Document Reference 7.12 (2)]</p>	Matter Not Agreed

Topic	Item No.	Gravesham Borough Council Comment	The Applicant's Response	Application Document Reference	Status
		improvements to Blue Bell Hill are included as a Grampian condition within the draft Development Consent Order.	<p>Impacts Management and Monitoring Plan, which will help inform the development of future schemes to come forward in their own right.</p> <p>This process is set out in the 7.12 Wider Network Impacts Management and Monitoring Plan, which provides information about the proposed traffic monitoring, which includes the A229 junctions with both the M2 and the M20.</p>		
Consent Process	2.1.155 (DL-1) RRN	The Development Consent Order and associated Control Documents err on the side of flexibility which fails to provide clarity and certainty that is needed, but can be addressed via the Requirements and a comprehensive monitoring strategy.	<p>Section 17 of the Planning Inspectorate advice note Fifteen: Drafting Development Consent Orders (paragraphs 17.1 to 17.6) deals with the matter of providing flexibility in the drafting of DCOs. It acknowledges that it can be appropriate for Applicants to incorporate a degree of flexibility into draft DCOs provided the aim of that meets a genuine planning need and does not seek to circumvent the statutory decision-making process (e.g. by allowing future changes to an approved scheme outwith the DCO process). The note requires any provisions in the draft DCO that allow for flexibility to be justified within the Explanatory Memorandum and assessed within the ES.</p> <p>Paragraph 6.10.3 of the Explanatory Memorandum explains that it is necessary, appropriate and in the public interest when delivering complex major infrastructure projects such as the A122 Lower Thames</p>	<p>Explanatory Memorandum [Document Reference 3.2 (7)]</p> <p>Draft DCO [Document Reference 3.1 (11)]</p> <p>Design Principles [Document Reference 7.5 (7)]</p> <p>General Arrangement Plans [Document Reference 2.5 Volume A (5), Volume B (5), Volume C (6)]</p>	Matter Not Agreed

Topic	Item No.	Gravesham Borough Council Comment	The Applicant's Response	Application Document Reference	Status
			<p>Crossing to allow for a proportionate and acceptable level of flexibility in the design of the Project.</p> <p>The Explanatory Memorandum also notes that the effect of Requirement 3 (1) of the draft DCO (Detailed Design) is to require development to be carried out in accordance with the Design Principles, the preliminary scheme design shown in the General Arrangement Plans, and the Engineering Drawings and Sections “<i>unless otherwise agreed in writing by the Secretary of State, provided that any amendments to those documents showing departures from the preliminary scheme design would not give rise to any materially new or materially different environmental effects in comparison with those reported in the Environmental Statement.</i>”</p> <p>Unlike many other DCO projects, there are a number of outline management plans which provide further comfort on the controls (approved post-consent, should the DCO be granted) which will be in place. The Works Plans and Article 6 of the draft DCO also provide limits of deviation. Schedules 8 and 10 further limit the purposes for which land may be temporarily possessed or made subject to rights. These controls must also be seen in the context of the proposed post-</p>	<p>Engineering Drawings and Sections [Document Reference 2.9 Volume A (6), Volume B (6), Volume C (2), Volume D (2), Volume E (5), Volume F (3), Volume G (2), Volume H (2)]</p>	

Topic	Item No.	Gravesham Borough Council Comment	The Applicant's Response	Application Document Reference	Status
			<p>DCO approvals (in Schedule 2) following further consultation.</p> <p>Accordingly, as it accords with relevant policy, guidance and experience elsewhere, the Applicant considers the approach it adopts to flexibility in the DCO is appropriate and proportionate and provides sufficient clarity and certainty as sought by Gravesham Borough Council.</p>		
Compensation/Funding	2.1.156 (DL-1) RRN	<p>Whilst National Highways have included a Section 106 Agreement Heads of Terms document (Application Document 7.3), this is very limited in scope primarily because National Highways only considered that an agreement would be drafted very late in the process.</p> <p>As the Council has advised National Highways, it is considers that a much more comprehensive document is required.</p> <p>This is particularly pertinent to resolving some of the Principal Areas of Disagreement Summary Schedule and will need to be seen in combination with Development</p>	<p>The Applicant has engaged with Gravesham Borough Council and has produced a draft Section 106 Agreement (at Deadline 7) and final Section 106 Agreement or Unilateral Undertaking (at Deadline 9). The Applicant is content that the Section 106 Agreement or Unilateral Undertaking provides an appropriate scale of mitigation in accordance with the 2008 Planning Act in order to make the proposed development acceptable in planning terms and remaining proportionate and relevant to effects.</p> <p>The Applicant notes that the Section 106 Agreement or Unilateral Undertaking should be considered alongside the DCO requirements and control documents included in the DCO application to give a complete picture as to how the implementation of the DCO will be governed (paragraph 7.1.1 of Section 106 Agreements – Heads of Terms).</p>	<p>Section 106 Agreements – Heads of Terms [REP4-144]</p> <p>Draft Section 106 Agreement - Gravesham Borough Council [Document Reference 9.166 (2)]</p>	Matter Agreed

Topic	Item No.	Gravesham Borough Council Comment	The Applicant's Response	Application Document Reference	Status
		Consent Order itself and the other control documents.			
Need for the Project					
Need for the Project Need for Traffic Relief	2.1.2	Gravesham Borough Council recognises that there is a general need to put in place measures to reduce congestion on the network and increase cross-river capacity, notwithstanding areas of disagreement on the location, scale and design of National Highways proposals for the Project covered elsewhere in this table.	The Applicant agrees that there is a general need to put in place measures to reduce congestion on the network and increase cross-river capacity, notwithstanding areas of disagreement on the location, scale and design of the Applicant's proposals for the Project covered elsewhere in this table.	N/A	Matter Agreed
Benefits of the Project Principle of Development – Key Objectives	2.1.3	Gravesham Borough Council does not agree that the proposed Project would support local economic growth in Gravesham and reduce congestion at Dartford in the long term. Further Information regarding Gravesham Borough Council's position on this Matter is set out within the Council's Principal Areas of Disagreement Summary Statement Tracker [AS-069]	The Applicant considers that the Transport Assessment shows that there would be an improvement to the situation at the Dartford Crossing, and as outlined in Table A34 and Plate A15 of Appendix D of the Combined Modelling and Appraisal Report (ComMA) (October 2020 version), the Project would support local economic growth and Gravesham would be the second largest beneficiary of the monetised benefits of the Project. This position has been updated for the submission version of the ComMA and the matter remains under discussion subject to	Combined Modelling and Appraisal Report (ComMA) [APP-518]	Matter Not Agreed

Topic	Item No.	Gravesham Borough Council Comment	The Applicant's Response	Application Document Reference	Status
			Gravesham Borough Council's review of the submission version.		
Planning Statement/Policy					
Environment Green Belt – Inappropriate Development in the Green Belt	2.1.4 RRE	Gravesham Borough Council's view is that the Project will comprise 'inappropriate development' within the Green Belt, requiring the demonstration of 'very special circumstances' that clearly outweigh both definitional and actual harm when compared to such alternatives.	The Applicant agrees that the Project comprises inappropriate development within the Green Belt, and as such requires the need to demonstrate Very Special Circumstances, and this is set out within the Planning Statement Appendix E Green Belt.	Planning Statement Appendix E: Green Belt [Document Reference 7.2 Appendix E (2)]	Matter Agreed
Environment Green Belt – Very Special Circumstances	2.1.5 RRE	Gravesham Borough Council is concerned that the Project does not meet the test of demonstrating Very Special Circumstances for development in the Green Belt. Gravesham Borough Council is concerned that effects on Green Belt are considered as a policy issue, rather than a landscape issue.	The Applicant is content that the implications of the Project on Green Belt in policy terms have been considered appropriately in the Planning Statement and that the Project demonstrates Very Special Circumstances that clearly outweigh both definitional and actual harm when compared to such alternatives. The Planning Statement addresses the effects of the Project on the Green Belt from a policy perspective. Environmental Statement (ES) Chapter 7 Landscape and Visual considers the effects of the Project on the landscape including relevant landscape designations.	Planning Statement [Document Reference 7.2 (2)] ES Chapter 7: Landscape and Visual [Document Reference 6.1 ES Chapter 7 (2)]	Matter Not Agreed

Topic	Item No.	Gravesham Borough Council Comment	The Applicant's Response	Application Document Reference	Status
Traffic	2.1.162 (DL-1) RRN	<p>The proposal significantly constrains the options for possible future development on the east side of Gravesend not only from physical presence of the road itself but also from the extensive areas given over to planting and landscaping.</p> <p>This has resulted in the Council having to look at other potential sites elsewhere in the Green Belt to accommodate housing need, which may be more damaging than the east side of Gravesend.</p> <p>The combination of SSSI's (including Ramsar/SPA), AoNB and heritage assets significantly constrain the areas of search in the Borough.</p> <p>The disruption from the construction of the project may seriously constrain development delivery in the 2025-2030 period as well have long term implications on the capacity of some junctions.</p>	<p>One of the Scheme Objectives for the Project, developed by the Applicant and endorsed by the Department of Transport, is to "support sustainable local development and regional economic growth in the medium to long term". The Need for the Project (Chapter 5) demonstrates how this objective would be met by the Project.</p> <p>The effects from the adopted and emerging development plans for Gravesham Borough Council in combination with the Project have been included in the inter-project effects assessment presented in ES Chapter 16: Cumulative Effects Assessment and ES Appendix 16.2: Short List of Developments. This confirms that the residual cumulative effects during construction range from neutral to slight adverse, and the residual cumulative effects during operation range from neutral to slight beneficial.</p> <p>ES Chapter 13 Population and Human Health provides an assessment of the Project on residential development land (sites or proposals identified in national or local plans, policies or strategies for development or land subject to planning permission). Table 13.9 in ES Chapter 13 Population and Human Health identifies residential development land south of the River Thames. No significant effects have been identified on residential</p>	<p>Need for the Project [APP-494]</p> <p>ES Chapter 16: Cumulative Effects Assessment [APP-154]</p> <p>ES Appendix 16.2: Short-list of Developments [APP-484]</p> <p>ES Chapter 13 Population and Human Health [APP-151]</p> <p>Planning Statement Appendix C: Local Authority Policy Review [Document Reference 7.2 Appendix C (2)]</p> <p>Outline Traffic Management Plan for Construction (oTMPfC) [Document]</p>	Matter Not Agreed

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		<p>The Council is having to spend hundreds of thousands of pounds on transport modelling for the local plan.</p>	<p>development land in Gravesham during the construction phase of the Project.</p> <p>The Planning Statement - Appendix C - Local Authority Policy Review provides an assessment of the Project against adopted and emerging Local Plan policies, including allocations. Table 13.9 in ES Chapter 13 Population and Human Health confirms that residential development land south of the River Thames has been assessed.</p> <p>It is confirmed that there is no physical overlap between the Project Order Limits and Gravesham Borough Council's draft allocations in the Gravesham Local Plan regulation 18 Stage 2 Consultation: Part 1 Local Plan core strategy partial review and site allocations October 2020, except in the case of Cascades Leisure Centre (reference GBS-R), which the Council have recently (03/03/2023) granted permission (ref: 20221293) for the demolition and redevelopment of the site to provide a new leisure centre. Any prospect of housing development on this site is, therefore, considered limited.</p> <p>Paragraph 5.173 of the National Policy Statement for National Networks (2014) states that the closer the development plan document is to being adopted, the greater the weight which can be attached to the impact of the proposal on the plan.</p>	<p>Reference 7.14 (9)</p> <p>ES Appendix 2.2: Code of Construction Practice [Document Reference 6.3 ES Appendix 2.2 (9)]</p> <p>Transport Assessment [REP4-148 to REP4-152]</p> <p>Transport Assessment - Appendix F - Wider Network Impacts Management and Monitoring Policy Compliance [APP-535]</p>	

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			<p>Paragraph 48 of the National Planning Policy Framework (NPPF) (2019) states that the weight to be given to policies in emerging plans is dependent upon the stage of preparation of the emerging plan; the more advanced its preparation, the greater the weight that may be given. Gravesham's emerging Local Plan is at such an early stage in its preparation (Regulation 18) it can be afforded little, if any, weight in the decision-making process.</p> <p>The Applicant has sought to avoid or reduce construction impacts where feasible. The Outline Traffic Management Plan for Construction (oTMPfC) sets out measures to minimise disruption to users of the public highway network. Where construction activities for the Project are likely to proceed at the same time as the construction of other projects in proximity to it, Contractors will manage this in a coordinated way, maximising opportunities to reduce the overall impact on communities and the environment. A National Highways Traffic Manager would be appointed for the entire Project network (i.e. logistic routes and routes requiring temporary traffic management). Their role would include oversight of and coordination with third-party project construction activities to minimise the impacts on the public and stakeholders Further</p>		

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			<p>measures relating to construction traffic management are set out in Code of Construction Practice.</p> <p>The Applicant recognises that, as a result of the Lower Thames Crossing opening, people will choose to make different journeys. In many places on the network, and within Gravesham, this would lead to beneficial impacts on the network, and in some cases would lead to adverse impacts. Overall, there would be more beneficial impacts within Gravesham than adverse impacts.</p> <p>The Applicant has identified the adverse impacts on traffic flows across the local road network, and this assessment has been set out in Chapter 7 of the Transport Assessment. Each of these impacts has been assessed and considered against policy requirements as set out in Transport Assessment - Appendix F - Wider Network Impacts Management and Monitoring Policy Compliance.</p>		
Route selection, modal alternatives & assessment of reasonable alternatives					
Route selection	2.1.6	Gravesham Borough Council does not agree that the preferred route selection (east of Gravesend) is appropriate.	The Applicant does not agree that the route selection is inappropriate and is comfortable that the selection process and consideration of alternatives has been robust with regard to the points raised by Gravesham Borough Council.	ES Chapter 3: Assessment of Reasonable Alternatives [APP-141]	Matter Not Agreed
Development in this alignment/location	RRE	Gravesham Borough Council does not agree that sufficient work has been carried out to		Planning Statement	

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and general approach to consideration of reasonable alternatives		<p>consider reasonable alternatives, citing:</p> <ul style="list-style-type: none"> The assessment of environmental effects of alternative routes is lacking (including HRA, historic environment and landscape) WebTag is too limited in its consideration of qualitative issues not capable of being monetised Green Belt has not been considered as a policy constraint The approach to BCR is too limited Given the amount of time that has passed since the options appraisal, the option selected may no longer be considered the most appropriate <p>Gravesham Borough Council consider that the approach to Scoping, Preliminary Environmental Information Report (PEIR), Supplementary Consultation and evolution of</p>	<p>This is set out in ES Chapter 3 Assessment of Reasonable Alternatives.</p> <p>The Planning Statement will provide evidence to address the alternatives considered and demonstrate the accordance of these works with the relevant National Policy Statement. More information is available in Need for the Project.</p> <p>The Applicant notes that one of the Scheme Objectives endorsed by the Department of Transport, is to "support sustainable local development and regional economic growth in the medium to long term". The Need for the Project (Chapter 5) demonstrates how this objective would be met by the Project.</p> <p>The Planning Statement - Appendix C - Local Authority Policy Review provides an assessment of the Project against adopted and emerging Local Plan policies, including allocations. Table 13.9 in ES Chapter 13: Population and Human Health, confirms that residential development land south of the River Thames has been assessed.</p> <p>The Applicant has identified the adverse impacts on traffic flows across the local road network, and this assessment has been set out in Chapter 7 of the Transport Assessment. Each of these impacts has been assessed and considered against policy requirements as set out in Transport</p>	<p>[Document Reference 7.2 (2)] Need for the Project [APP-494] Transport Assessment Appendix F - Wider Network Impacts Management and Monitoring Policy Compliance [APP-535] Planning Statement Appendix C: Local Authority Policy Review [Document Reference 7.2 Appendix C (2)] ES Chapter 13: Population and Human Health [APP-151] Transport Assessment [REP4-148 to REP4-152]</p>	

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		<p>the Project through design review via consultation is inadequate.</p> <p>In addition, Gravesham Borough Council does not consider that the impact of scheme, including utility diversions, on potential development opportunities on the east side of Gravesend, or the availability of highway capacity in the network as a result of the scheme to support development in North Kent have been considered.</p>	<p>Assessment - Appendix F - Wider Network Impacts Management and Monitoring Policy Compliance.</p>		
<p>Design alternatives</p> <p>Alternative Design Parameters and Modes</p>	<p>2.1.7</p> <p>RRE</p>	<p>Gravesham Borough Council considers that insufficient consideration of design parameter alternatives (e.g. reducing design speed) or opportunities to support other transport modes (to address any existing severance issues that act as a barrier to non-motorised users) has been undertaken in determining the preferred option.</p> <p>Gravesham Borough Council's position is that alternative schemes at the Dartford</p>	<p>The Applicant considers that reasonable alternatives and opportunities have been considered and assessed appropriately. This is set out in ES Chapter 3 Assessment of Reasonable Alternatives, which refers to Department for Transport (DfT) studies in 2009 and 2012, options identification and selection process in 2014, and design evolution through six years of public consultation and engagement.</p> <p>Severance impacts were considered as the Project evaluated the performance of options and alternatives and assessed for the preferred option in ES Chapter 13: Population and Human Health.</p>	<p>ES Chapter 3: Assessment of Reasonable Alternatives [APP-141]</p> <p>Planning Statement [Document Reference 7.2 (2)]</p> <p>ES Chapter 13 Population and Human Health [APP-151]</p>	<p>Matter Not Agreed</p>

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		Crossing have not been properly and comparatively reassessed since route choice in 2017 despite significant change in circumstances. The existing scheme could be designed for lower speeds to allow for a more compact footprint and therefore less environmental impact.	The Planning Statement demonstrates accordance with National Planning Statement policy.		
Design alternatives Alternatives	2.1.8 RRE	Gravesham Borough Council considers that insufficient information has been provided about what alternatives have been considered, how they have been considered and against what data, and therefore whether they reflect the realistic 'worst case' for environmental effects.	It is not agreed that insufficient information has been provided about what alternatives have been considered, how they have been considered and against what data, and therefore whether they reflect the realistic 'worst case' for environmental effects. The Applicant notes that the Planning Statement includes a section on project evolution that sets out the chronology of the options, alternatives and how the pre-application process has influenced the DCO application and project design. Additionally, ES Chapter 3 Assessment of Reasonable Alternatives, provides detailed information regarding the assessment and selection of the proposed route, reporting on the alternatives and options considered. Environmental assessment, Consultations and engagement with stakeholders have	Planning Statement [Document Reference 7.2 (2)] ES Chapter 3: Assessment of Reasonable Alternatives [APP-141]	Matter Not Agreed

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			informed the identification of the proposed road design.		
Modal alternatives Opportunities to reduce car use	2.1.9 RRE	Gravesham Borough Council is concerned that there is a lack of consideration of non-car travel as part of the Projects proposals. Gravesham Borough Council considers that the project (apart from WCH diversions) is entirely car based and so does not address the transport strategy for the area, or national policy.	The Applicant is proposing to either upgrade or provide new Walking, Cycling and Horse-riding (WCH) routes across the route, providing almost 3km for every 1km of new road. The whole of the Project route is accessible to local and longer distance public transport routes, if operators choose to make use of it. The Project would improve journey time reliability and journey times at the Dartford Crossing, providing potential further improvements to public transport. The Applicant has also set up a Sustainable Transport Working Group involving local authority stakeholders to investigate sustainable travel and cross-river connectivity enhancements that could be delivered in future to complement the Project. The Group has proposed several local priorities and opportunities for feasibility studies for future funding applications (as stated in the Sustainable Transport Complementary Measures report of March 2021) for Designated Funds. Information is set out within the Rights of Way and Access Plans, Environmental Masterplan and ES Chapter 13.	Rights of Way and Access Plans [Document Reference 2.7 Volume A (5), Volume B (5), Volume C (7)] Environmental Masterplan [Document Reference 6.2 ES Figure 2.4 Sections 1 and 1a (4), Section 2 (5), Section 3 (4), Section 4 (2), Section 9 (6), Section 10 (4), Section 11 (3), Section 12 (3), Section 13 (3), Section 14 (3)] ES Chapter 13 Population and Human Health [APP-151]	Matter Not Agreed

Topic	Item No.	Gravesham Borough Council Comment	The Applicant's Response	Application Document Reference	Status
Consultation and Engagement					
Adequacy of Consultation Adequacy of consultation	2.1.10	Gravesham Borough Council's position on the adequacy of consultation is set out in its Adequacy of Consultation Representation [AoC-007] which summarises that: <i>"...the Council is of the opinion that on balance the adequacy of consultation test has been passed in relation to the specific legislative tests".</i>	Noted.	Gravesham Borough Council's Adequacy of Consultation Representation [AoC-007]	Matter Agreed
Adequacy of consultation	2.1.148 (DL-1)	Notwithstanding Gravesham Borough Council's overall summary regarding the Adequacy of Consultation Representation [AoC-007], Gravesham Borough Council consider <i>"that there were and are deficiencies in the information provided for consultation, which affected the ability of consultees to provide informed comment on the scheme proposals and to understand the impacts of the scheme"</i>	The Applicant is content that the Project has complied with legislative requirements on consultation and the commitment it made within the published Statement of Community Consultation (SoCC). Considerable care was taken to ensure the consultation materials were clear and understandable, provided an appropriate level of detail, and were suitable for both technical and non-technical audiences and followed accessibility guidelines. Rigorous measures were put in place to ensure the information sent to consultees, including notification letters to people with an interest in land, were accurate and timely. The Applicant considers that the PEIR published at Statutory Consultation provided	Consultation Report - Appendix G - Published Statement of Community Consultation and compliance checklist [APP-076] Environmental Statement [APP-138 to APP-486]	Matter Not Agreed

Topic	Item No.	Gravesham Borough Council Comment	The Applicant's Response	Application Document Reference	Status
			<p>environmental information to allow consultees to take an informed view of the Project and provide their consultation feedback, and that the Applicant followed the relevant regulations, paid attention to guidance notes and industry best practice and, where appropriate, involved relevant stakeholders in the development of the PEIR.</p> <p>The PEIR was produced to include the environmental topics in line with the scoping report and the approach to the Environmental Impact Assessment (EIA) was updated to reflect the Scoping Opinion.</p> <p>For the Design Refinement Consultation, the Applicant published a 208-page Environmental Impacts Update (EIU) document setting out how the proposals affected the environmental assessments provided in the PEIR.</p> <p>The Applicant first provided information on the air quality and noise impacts of the Project at Statutory Consultation. At each consultation the Environmental Update document set out the proposed changes to the Project and confirmed the validity of the previously consulted information. Following the submission and withdrawal of the DCO application in late 2020, the full Environmental Statement as then drafted was provided to Gravesham Borough Council. During the Community Impacts Consultation</p>		

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			<p>this information was set out on a localised basis in the ward summaries, then during the Local Refinement Consultation the Guide to the Local Refinements Consultation document set out the proposed changes to the Project, and again confirmed the validity of this information previously released. The Applicant maintain that the information provided on both air and noise impacts, during both public consultation and engagement, has been sufficient to understand the Project-wide and localised impacts of the proposals, and to determine the suitability of the mitigation. During the consultation and engagement over the past few years, local authorities including Gravesham Borough Council have made a number of recommendations for additional mitigation, such as low noise surfacing, increased bunding, and the Applicant has incorporated these recommendations into its proposals.</p> <p>The Applicant has briefed the relevant authorities, including Gravesham Borough Council, on the findings of the finalised noise & air quality assessments prior to the submission of the DCO application. Gravesham Borough Council will then have opportunity to make further representation through the Local Impact Reports.</p>		

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			Further assessments and the development of proposals to reduce environmental effects are reported in the ES, which is also informed by the Project's consideration of consultation responses, and further survey and design work.		
Adequacy of engagement Information Shared during Engagement	2.1.11	Gravesham Borough Council raised concern at Supplementary Consultation about the status of information supplied at engagement meetings, when a response is required, and how such feedback is considered by the project team.	The Applicant considers that this feedback has been proactively addressed through the establishment of a fresh issue engagement and resolution process. On individual issues, technical specialists are demonstrating to Gravesham how feedback has been considered by the Project team, working towards an agreed position (either agree or disagree) for the benefit of the SoCG. Actions are captured in regular meeting notes. It is agreed that feedback and the clarity of the status of information has improved.	N/A	Matter Agreed
Consultation Visualisation of A2/LTC Junction	2.1.12	Gravesham Borough Council considers that consultation materials have failed to show the size, height and mass of the A2/LTC junction and associated road infrastructure, from the users' viewpoints. The structures, elevated carriageways and cuttings proposed for the A2/A122	This is noted and the Applicant has since provided Gravesham Borough Council (and other interested stakeholders) with appropriate cross-sections showing the size, height and mass of the M2/A2/A122 Lower Thames Crossing junction and associated road infrastructure. Further visual materials are set out within the application documents, particularly the	Project Design Report [APP-506 to APP-515] ES Chapter 7: Landscape and Visual [Document	Matter Not Agreed

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		<p>junction are a particular concern, as are the structures along the widened A2 at Park Pale and where the A2 meets Thong Lane.</p> <p>Gravesham Borough Council acknowledge that some materials have been provided by the Applicant following submission but maintain that these materials should have been consulted upon, and have additionally requested 3D modelling.</p>	<p>Project Design Report, and ES Chapter 7: Landscape and Visual.</p> <p>Detailed 3D fly-through visualisations of the entire Project route, including the M2/A2/A122 Lower Thames Crossing junction have been made available for public consultations and during the DCO pre-examination stage. These flythrough visualisations illustrate the design of the A122 Lower Thames Crossing project, 15 years after road opening,</p> <p>The Applicant has since also shared further visualisations of a number of cross-sections of the A2/LTC junction.</p>	Reference 6.1 ES Chapter 7 (2)]	
Land and Compulsory Acquisition					
<p>Viability</p> <p>Viability of Land Holdings (Reinstatement)</p>	2.1.13	<p>Gravesham Borough Council is concerned that where land is temporarily acquired, there is a requirement to reinstate historic boundaries and ensure returned land is viable in terms of its previous use.</p> <p>Gravesham Borough Council is concerned that land between Chalk Park, LTC, A227 and Thong Lane is subject to land raising but then returned to the landowner, and may not be viable for farming given that it will now be</p>	<p>The Applicant notes that the draft DCO obliges the Applicant to return temporary land to the reasonable satisfaction of the landowner.</p> <p>Therefore, reinstatement will be agreed with landowners following use by the Project.</p> <p>Landowner losses as a result of the Project's temporary occupation will be payable in line with the Compensation Code.</p> <p>The Applicant recognises that Gravesham Borough Council's concern relates to land-use viability in its existing use, rather than landowner compensation.</p>	<p>Draft Development Consent Order [Document Reference 3.1 (11)]</p> <p>ES Chapter 13: Population and Human Health [APP-151]</p>	Matter Not Agreed

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		detached from other farmed land.	Effects on the agricultural economy and land use are considered within ES Chapter 13 Population and Human Health.		
Mitigation Landscape Maintenance	2.1.14	Gravesham Borough Council considers that planting establishment period should start from the date of planting (i.e. not the date the site was returned from its previous temporary use) to allow for full period of establishment. Gravesham Borough Council consider that reassurances are needed that landscaping and planting will be maintained in the longer term.	It is agreed that planting establishment period should start from the date of planting. The Applicant can confirm that is the intention and is set out in draft commitment LV003 included in the Register of Environmental Actions and Commitments within the Code of Construction Practice and as shared in the July 2021 community impacts consultation. Commitment LV003 is clear that after five years, Requirement 5 of the Draft DCO applies which commits to long-term maintenance via Landscape and Ecology Management Plans (LEMPs).	ES Appendix 2.2: Code of Construction Practice [Document Reference 6.3 ES Appendix 2.2 (9)] Draft Development Consent Order [Document Reference 3.1 (11)]	Matter Agreed
Special Category Land Exemptions	2.1.170 (DL-6)	Gravesham Borough Council have reviewed the information shared by the Applicant relating to exemptions under Sections 131 and 132 of the Planning Act 2008 where no replacement land is required for areas of open space affected by the A122 Lower Thames Crossing, and agree with the proposed approach.	The Applicant relies on exemptions under Sections 131 and 132 of the Planning Act 2008 where no replacement land is required for areas of open space affected by the A122 Lower Thames Crossing. The reason for relying on given exemptions is set out in the Planning Statement Appendix D: Open Space and was further elaborated at a meeting between the Applicant and Gravesham Borough Council on 30 June 2023. The replacement land exemptions for open spaces affected in Gravesham are as follows:	Planning Statement Appendix D: Open Space [REP7-136]	Matter Agreed

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			<p><u>Shorne Woods Country Park</u></p> <ul style="list-style-type: none"> • Sub-area C S132(3) • Sub-area D - temporary possession only, so Sections 131 or 132 of the Planning Act 2008 are not engaged <p><u>Jeskyns Community Woodland</u></p> <ul style="list-style-type: none"> • Sub-area A - S132(3) • Sub Area B - temporary possession only, so Sections 131 or 132 of the Planning Act 2008 are not engaged • Sub Area C - S132(3) • Sub Area D - temporary possession only, so Sections 131 or 132 of the Planning Act 2008 are not engaged <p><u>Roman Road open space</u></p> <ul style="list-style-type: none"> • Sub-area A - 131(5) • Sub-area B - S132(3) <p><u>Cyclopark</u></p> <ul style="list-style-type: none"> • Sub-area A - S132(3) 		
Replacement Land	2.1.200 (DL-9A)	Plot 13-03 (known as land to the rear of Gravesend Golf Centre) shown on Sheet 13 of Land Plans Volume B (Sheets 1 to 20) is owned by Gravesham Borough Council and comprises a vegetated margin around the closed nine-hole golf course at Gravesend	Noted	Land Plans Volume B [Document Reference 2.2 (8)]	Matter Agreed

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		<p>Golf Centre. The Project needs to permanently acquire Plot 13-03 for landscaping associated with the southern tunnel entrance and the creation of Chalk Park.</p> <p>Land to the rear of Gravesend Golf Centre is not identified as open space in the Gravesham Open Space Assessment (2016) and does not follow the alignment of any Public Right of Way. However, Gravesham Borough Council submit that the public have access over it and use it as an informal recreational walking route. Due to the landowner's position and evidence of its use by the public for recreational purposes, the Project has provided replacement land in exchange for the permanent acquisition of Plot 13-03 on a precautionary basis.</p> <p>Gravesham Borough Council, as owner of the land to the rear of Gravesend Golf Centre (Plot 13-03), agree that the replacement land included in the DCO application,</p>			

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		measuring approximately 5,760 sqm (as shown on Special Category Land Plan Sheets 11 and 13) is no less advantageous and no less in area, in accordance with s.131 of the Planning Act 2008.			
Design – Road, Tunnels, Utilities					
Infrastructure/ Landscape Integration Chalk Park (Design)	2.1.15	<p>Gravesham Borough Council considers that the design of Chalk Park needs to be explored further (than set out in 2021's Community Impact Consultation) in terms of the height of landforms, their visual effects on the landscape, and the ability for the park to offer real amenity benefits to the local community.</p> <p>Gravesham Borough Council notes that some screening of works and project infrastructure may be desirable for residents to the west of the Project.</p> <p>Gravesham Borough Council notes that the wooded hilltop will be 13m to 17m above the existing ground level. The</p>	<p>The Applicant considers that - as explained in the Design Principles (Principle S3.04) the intention is to create a wooded hilltop, characteristic of the setting of nearby settlements at Thong and Shorne, to soften the exposed urban edge of Gravesend.</p> <p>The proposed wooded hilltop landform at Chalk Park would provide a variety of mitigation functions, one of which is to help integrate the infrastructure of the South Portal into the surrounding landscape. It does this by utilising the excavated material from the South Portal approach road to replicate the character of the wooded hilltops in a manner characteristic of the nearby settlements of Thong and Shorne. The wooded hilltop landform would also provide elevated views of the Thames Estuary and surrounding landscape. This is reflected in Clause S3.04 of the Design Principles.</p> <p>The raised land will also capitalise on outward views over the Thames Estuary, a</p>	<p>Design Principles [Document Reference 7.5 (7)]</p> <p>ES Chapter 7: Landscape and Visual [Document Reference 6.1 ES Chapter 7 (2)]; and Appendices [APP-376 to APP-389]</p> <p>ES Appendix 2.2: Code of Construction Practice [Document Reference 6.3 ES Appendix 2.2 (9)]</p>	Matter Not Agreed

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		purpose of this feature is not clear and would appear alien in this gently undulating landscape, and would interrupt long views across the open landscape.	<p>key characteristic of the Higham Arable Farmland local landscape character area.</p> <p>The maximum height of the proposed land raising at Chalk Park would be 15 metres above existing ground level.</p> <p>The landscape and visual effects of the proposed land raising are set out in ES Chapter 7: Landscape and Visual, and Appendices.</p> <p>Design Principle S2.02 provides clarity on the approach to screening. Where screening is required there is a provision for localised earthworks to limit the visual impacts of the route. There are also commitments relating to hoarding in sensitive areas included in the Code of Construction Practice.</p>		
Lighting Construction Lighting	2.1.173 (DL-6)	Gravesham Borough Council consider that the combined effects of lighting from various sources may have been underassessed. LTC document 6.2 Environmental Statement Figure 7.8 illustrates the extent of visibility of operations from construction compounds on the south and north sides of the River Thames. Although it is unclear what each of these operations may comprise, and whether	<p>The Applicant notes that ES Figure 7.8: ZTV - 5km DTM Analysis of Main Construction Compounds (1 of 2) illustrates worst-case "bare earth" visibility. As noted on the figure, <i>'The actual extent of visibility is likely to be substantially less than shown on this figure, in particular within urban areas where with the exception of settlement edges, outward views are typically screened by existing buildings or other features'</i>.</p> <p>Information on construction compounds is provided in ES Chapter 2: Project Description.</p>	<p>ES Figure 7.8: ZTV - 5km DTM Analysis of Main Construction Compounds [REP4-132]</p> <p>ES Appendix 7.10: Schedule of Visual Effects [Document Reference 6.3 ES Appendix 7.10 (2)]</p>	Matter Agreed

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		<p>they may be lit at night, there would be operations taking place of up to 25m in height. The document shows areas of Gravesham, including the KDAONB and a large expanse of the urban area in Gravesend, where operations would be visible from up to four construction compounds (see also Visual Baseline above) This is in addition to on-site works and accompanying lighting during the construction period, and subsequently, lighting emitting from moving vehicles after the scheme is open.</p>	<p>Construction lighting would be subject to control measures described in Section 6.8 of ES Appendix 2.2: CoCP.</p> <p>The Code of Construction Practice includes at Part 6.8 details of measures to control light spill during the construction phase. Within the Code of Construction Practice, Register of Environmental Actions and Commitments item TB024 sets out the requirement to manage light in terms of ecological receptors. Changes to night-time views that are likely to result from proposed lighting forming part of the DCO application, have been assessed within ES Appendix 7.10: Schedule of Visual Effects, including any combined effects where lighting from more than one construction compound could be visible. For example, the Visual Impact Assessment for Representative Viewpoint S-32 during construction refers to both the southern and northern tunnel entrance compounds. Night-time effects from proposed lighting have been considered in the overall assessment of visual effects at each Representative Viewpoint and visual receptor, as stated in paragraph 7.3.18 of ES Chapter 7: Landscape and Visual.</p>	<p>ES Appendix 2.2: CoCP [Document Reference 6.3 ES Appendix 2.2 (9)] ES Chapter 2: Project Description [APP-140] ES Chapter 7: Landscape and Visual [Document Reference 6.1 ES Chapter 7 (2)]</p>	
Access	2.1.17	Gravesham Borough Council was concerned that the design of access points (from Marling Cross) as set out at Statutory	The Applicant notes that design changes and details specifically relating to LRN access points from Marling Cross, going eastwards on the A2 have been outlined in subsequent	N/A	Matter Agreed

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A2 Access (Marling Cross)		Consultation in 2018 could impact on the local road network.	materials shared through Supplementary Consultation and Design Refinement Consultation and through the Cordon Model shared with Gravesham Borough Council in April 2020. This specific matter is therefore agreed, without prejudice to further concerns listed in this SoCG about Access to the A2 and within Gravesham Borough Council's PADS Tracker regarding the inclusion of levels of development in modelling.		
Design A2 Access (A2 eastbound lanes)	2.1.18	Gravesham Borough Council is concerned that only having 2 lanes eastbound for the A2 main flow is insufficient.	The Applicant considers the layout of the A2 junction and the proposal to provide two lanes to be sufficient for the predicted traffic flows.	N/A	Matter Not Agreed
Junctions A2 Junction	2.1.19 RRE	Gravesham Borough Council does not consider that the junction proposed on the A2 Corridor at Statutory Consultation in 2018 is appropriate.	The Applicant notes that design changes and details have been outlined in subsequent materials including Design Refinement Consultation and through the Cordon Model shared with Gravesham Borough Council in April 2020. The Applicant considers that measures have been taken to amend the design and mitigate its effects, such that it is an appropriate element of the development. This is considered a matter not agreed on this basis.	N/A	Matter Not Agreed

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Infrastructure/ Landscape Integration Shorne Woods Country Park / Thong Lane Car Park	2.1.20	<p>Gravesham Borough Council notes that the location for the proposed Thong Lane car park as set out at Community Impact Consultation in 2021 is in the Green Belt, and although good landscaping can be achieved, the accretion of other structures is not appropriate at this location and should be limited to ancillary uses.</p> <p>Gravesham Borough Council considers that the location is likely to draw traffic from Gravesend onto Thong Lane and through the village of Thong.</p> <p>Gravesham Borough Council considers that restoration of the site will be required.</p>	<p>The Applicant has revised its position on the proposed Thong Lane Car Park, which has been removed from the application. Removing the car park would enable an area of mitigation planting to be relocated further east (to provide screening of substations SS2 and SS3 and the associated Thong Lane access road).</p> <p>The Applicant confirmed this within submissions relating to Hearing Action Point 18 at Deadline 7 which details changes to relevant Land Plans, Design Principles and draft DCO.</p>	<p>Design Principles [Document Reference 7.5 (7)]</p> <p>Project Design Report [APP-506 to APP-515]</p> <p>Outline Landscape and Ecology Management Plan [Document Reference 6.7 (7)]</p> <p>Deadline 7 Hearing Actions [REP7-185]</p>	Matter Agreed
Green bridges Width of Green Bridges (Thong Lane North and Brewers Road)	2.1.21 RRE	<p>Gravesham Borough Council welcomes the widening of the Thong Lane south land bridge to 40m into response to comments made by it and other parties.</p> <p>The strengthening of ecological connectivity between Shorne Wood and</p>	<p>The Applicant agreed with Gravesham Borough Council's suggestion and Thong Lane green bridge over the A2 was been widened by 10m to 40m. The total green width will therefore be 20m wide (double the current proposal).</p> <p>However, it is not agreed that Brewers Road bridge should be further enlarged. A larger bridge over the A2 would cause construction</p>	<p>Design Principles [Document Reference 7.5 (7)]</p>	Matter Not Agreed

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		<p>Ashenbank Wood is a positive development.</p> <p>Gravesham Borough Council considers that it would be enhanced further if Brewers Road could be enlarged and in an ideal world that at Park Pale (where no change is proposed by LTC to the existing structure). Gravesham Borough Council consider that a Green Bridge at Park Pale would connect better to habitats and would assist in landscape terms.</p> <p>Gravesham Borough Council notes that a Landscape Institute Technical Guidance Note 09/2015 December 2015 provides useful benchmarks and comparators, and identifies, inter alia, the importance of appropriate width, depth and gradients of green bridges.</p> <p>The biodiversity concern along the A2 is that the bridges do not adequately connect to habitats on the south side due to the combined effects of the enlarged A2, Darnley Lodge</p>	<p>disruption to local and Strategic Road Network (SRN) users for a longer period of time.</p> <p>The Applicant considers that the width of the proposed Green Bridges provides appropriate landscape mitigation and biodiversity linkage.</p> <p>The Applicant notes that the physical constraints of Thong Lane Bridge over the A2 differ to those of the Thong Lane bridge over the A122 and while recognising the reference to the Guidance Note, the Applicant considers the approach to be appropriate. Brewers Road Green Bridge has not been widened because of the existing constraint of the bridge across HS1.</p> <p>The Applicant does not consider that there is justification under the remit of the Planning Act 2008 to deliver a Green Bridge at Park Pale.</p> <p>The location of the planting on and around the bridges has been selected for landscaping reasons, to use the planting to make them into gateway features for those travelling towards them on the A2.</p> <p>The Applicant has considered the Landscape Institute and Natural England guidance on green bridges (Green Bridges, Technical Guidance Note 09/2015 (Landscape Institute, 2015) and Green Bridges, A Literature</p>		

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		<p>Lane (realigned and extended) and HS1.</p> <p>Gravesham Borough Council considers that further increase in width would be required to benefit landscape and increase biodiversity linkage.</p> <p>In its Local Impact Report, Gravesham Borough Council has set out a detailed list of proposed standards for the Green Bridges included within the Project including that they should at least meet the recommended standards in Natural England guidance and provide help in reducing the real and apparent severance of the AONB, meet ecological, recreational and landscape objectives.</p>	<p>Review (Natural England, 2015)), which state: 'To determine the width, the minimum width of the natural zone should be calculated, based on the project aims in terms of target species'. The design of the Brewers Road and Thong Lane south green bridges is appropriate to the target habitat connections, in this case dormice and other small mammals. Added onto this width are the walking, cycling and horse-riding routes and the road network, plus additional screen planting and hedgerows.</p> <p>The Applicant considers the width of the green bridges is appropriate, particularly when considering the construction constraints of building a bridge over a live strategic network.</p> <p>Furthermore, in discussion with Natural England, an opportunity has been identified to enhance the user experience of Brewers Road green bridge and Thong Lane green bridge south, through the detail distribution and design of the environmental mitigation areas on both bridges.</p>		
<p>Green bridges</p> <p>Design Principles and Role, Design, Maintenance</p>	<p>2.1.22</p>	<p>Gravesham Borough Council is concerned with the approach to surface treatment, and how maintenance issues are dealt with on the proposed Green Bridges, noting that landscaping is focussed on</p>	<p>The Applicant has considered and incorporated elements suggested by Gravesham Borough Council where practicable, alongside advice from the Kent Downs AONB Unit, Kent County Council and Natural England. The Applicant continues to</p>	<p>Design Principles [Document Reference 7.5 (7)]</p>	<p>Matter Not Agreed</p>

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		<p>west side of Thong Lane (A2) and the east side of Brewers Road bridge.</p> <p>Gravesham Borough Council considers that the application should include the role of Green Bridges as mitigation relating to the visual impact of the Project as well as accessibility.</p> <p>Gravesham Borough Council notes that the A2 currently has well-established planting areas either side and along the central reservation, providing valuable habitat, and enabling the movement of some species, and is concerned that the proposed widening works will result in removal of planted areas across a very wide area, including the HS1 corridor.</p> <p>Gravesham Borough Council considers that the draft DCO should allow for some flexibility, but contains too much ability to modify the scheme to the detriment of local residents and road users on the grounds of expediency.</p>	<p>engage with all parties to seek a balanced approach through detailed design.</p> <p>The DCO application via the Design Principle STR.08 makes clear that the Green Bridges are multi-functional in terms of mitigation.</p> <p>In terms of maintenance, the Applicant will maintain the structure; Gravesham Borough Council would maintain the structure surfacing (not the green section); and the Applicant will manage the green element (via third party at the Applicant's cost).</p> <p>The Applicant will replant vegetation where possible to either side of the A2. There is no space for a planted central reserve - it was considered preferable to limit widening and associated impacts on the Area of Outstanding National Beauty (AONB) and country parks. The green bridges would provide better flight lines for species to cross the A2, and would strengthen links between either side.</p> <p>The Applicant notes that Local Authorities would need to be consulted on any modifications to the scheme within the parameters of the Environmental Masterplan and oLEMP and therefore this provides the appropriate balance of certainty and flexibility.</p>		

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<p>Infrastructure/ Landscape Integration</p> <p>Bridge Design</p>	2.1.23	<p>Gravesham Borough Council considers that all structures with Gravesham should be to a high design standard as they are either in the AoNB or in its setting; and should extend beyond the line of the route to include the A2/M2 corridor, as this is to be altered considerably, resulting in the severance of the Kent Downs Area of Outstanding Natural Beauty (AONB).</p> <p>Gravesham Borough Council notes that structures forming part of the LTC/A2 junction will be prominent in the landscape and the setting of the AONB.</p>	<p>The Applicant notes that the historical severance of the A2 corridor is being altered by the Project with an additional junction and slip roads. While the Design Principles set out that Thong Lane Bridge over the Project (STR.03) is a 'Project Enhanced Structure', the remaining two new (replacement) structures, Thong Lane (over M2/A2) and Brewers Road are also subject to STR.07, that ensures a high standard of design will be maintained.</p> <p>The Applicant also notes that Design Principle S2.10 relates to the integration of retaining wall structures within the AONB.</p> <p>The Applicant notes that the Design Principles relate to the proposed project design and not existing structures that are not being replaced or physically altered.</p> <p>The common design language applied across the whole of the proposed Project design, and is secured by Design Principle clause PLA.03.</p> <p>The Applicant notes that Design Principles are commitments that are above and beyond any statutory requirements, and is content that the physical effect of the Project along the M2/A2 Corridor has been carefully considered and the current preliminary design proposals seeks to minimise any adverse effects as far as technically</p>	Design Principles [Document Reference 7.5 (7)]	Matter Not Agreed

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			practicable whilst providing landscape, ecological and environmental mitigation.		
Construction					
Mitigation Construction Workforce Effects on Accommodation	2.1.24 RRE	Gravesham Borough Council is concerned about the Applicant's assumption that the construction workforce will be able to find local accommodation without affecting the capacity and ability of local residents to access and retain accommodation in the private rented sector, particularly those at risk of homelessness and in housing need. Gravesham Borough Council notes that this is exacerbated by other major construction projects adding to demand for accommodation in the local area.	The Applicant has considered technical assumptions on construction worker demand for local accommodation, which is reported in ES Chapter 13 Population and Human Health and in the Workers Accommodation Report, which also considers a negligible effect related to cumulative projects. The Applicant's view is that there is sufficient accommodation for the construction workforce for the Project across various accommodation types including private rented accommodation, though recognising that there could be localised concentrations. The Applicant has developed measures to support workers to access accommodation and monitor and reduce potential local concentrations as set out within the Framework Construction Travel Plan. This has been updated and improved in response to feedback in a version submitted at Deadline 4. Further to this the Applicant submitted Terms of Reference for the Worker Accommodation Working Group to provide further security of the delivery of these measures as an appendix to the FCTP at Deadline 6, and then an updated version at Deadline 8 which included further measures	ES Chapter 13: Population and Human Health [APP-151] Workers Accommodation Report [APP-551] Framework Construction Travel Plan [Document Reference 7.13 (6)]	Matter Not Agreed

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			for financial support to address issues should they arise.		
Construction workforce effects on school places	2.1.174 (DL-6)	Gravesham Borough Council consider that the Project has not provided mitigation for the potential for non-local construction workers' families to increase demand for school places.	The Applicant has considered effects on the provision of public services where appropriate within the Environmental Statement, including ES Chapter 13: Population and Human Health. Where significant effects have been identified and are able to be mitigated, appropriate mitigation has been secured. Relating to funding for school place pressures related to non-home-based workers' children, the Applicant considers that there is no evidence to suggest that the non-home-based workers would bring children to the area. Those that may do so would likely be moving to the area for a long contract (or permanently), and would be likely to occupy permanent accommodation that would otherwise be occupied by another family, resulting in no net additional effect to demand for places or funding. Demand for school places is influenced by a wider variety of factors including development, birth rates and local education authority estates strategy.	ES Chapter 13: Population and Human Health [APP-151]	Matter Not Agreed
Mitigation Effects on Living Conditions /	2.1.25 RRE	Gravesham Borough Council is concerned about effects on residents at Polperro and Viewpoint Place (caravans) in terms of acceptable living	The Applicant has recognised this concern and proposed changes to the Code of Construction Practice that would restrict core working hours activities within 300m of residential properties, subject to pre-	ES Appendix 2.2: Code of Construction Practice [Document]	Matter Agreed

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Habitability of properties		<p>conditions considering possible 24 hour working, and possibility of up to 5m spoil stockpiles.</p> <p>Gravesham Borough Council consider that these homes may be uninhabitable as a result of the proximity of construction sites and access and mitigation should be applied.</p> <p>Gravesham Borough Council note that the Applicant's health assessment is that health impacts relating to traveller communities are likely to be primarily associated with mental wellbeing, and it determines that the health outcome is considered to be neutral. This is because the ES is only looking at significant effects rather than the fact that for those affected families, the impacts will be huge.</p>	<p>construction noise levels and construction methodology.</p> <p>Construction noise associated with the Project has been assessed in accordance with appropriate UK guidance on construction noise, BS 5228-2:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites (parts 1 and 2).</p> <p>ES Chapter 12 Noise and Vibration fully considers noise associated with the South Portal as part of the study (including the implications of 24hr working).</p> <p>The Applicant considers that all mitigation measures are presented in a range of control documents most notably the Outline Traffic Management Plan for Construction; ES Appendix 2.2: Code of Construction Practice (CoCP), and CoCP Annex A: Outline Site Waste Management Plan, and Annex B: Outline Materials Handling Plan; Design Principles and the Register of Environmental Actions and Commitments (within the CoCP).</p> <p>The Register of Environmental Actions and Commitments presents good practice mitigation and a framework for dealing with potential exceedances. It should be noted that an environmental management plan, developed post DCO consent by the Contractor in line with the controls and commitments in the Code of Construction Practice and Register of Environmental Actions and Commitments,</p>	<p>Reference 6.3 ES Appendix 2.2 (9)</p> <p>ES Chapter 12: Noise and Vibration [APP-150]</p> <p>Outline Traffic Management Plan for Construction [Document Reference 7.14 (9)]</p> <p>ES Appendix 2.2: CoCP Annex A: Outline Site Waste Management Plan [Document Reference 6.3 ES Appendix 2.2 Annex A (4)]</p> <p>ES Appendix 2.2: CoCP Annex B: Outline Materials Handling Plan [Document Reference 6.3]</p>	

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			<p>would provide further details on these mitigation measures. Gravesham Borough Council would be a consultee to this document.</p> <p>As stated in ES Chapter 13: Population and Human Health, the Applicant understands that the caravan sites referred to are likely to be affected by environmental change during construction and operation. Residents of these privately-owned sites have received information about the Project as part of statutory and non-statutory consultation, including letters and leaflets as appropriate.</p> <p>Residential amenity relates to the combination of noise, air quality and visual impacts. Appendix B (National Highways EqIA Screening Template) of the Health and Equalities Impact Assessment (HEqIA) specifies that assessments of potential noise impacts have been undertaken for all travellers' sites potentially affected by construction activities, including the sites located off Rochester Road in Gravesham. In order to mitigate the potential for significant effects, best practice measures (BPM) and other construction phase mitigation would be implemented through the controls inherent within the REAC (Chapter 7 of the ES Appendix 2.2: CoCP).</p> <p>In relation to air quality impacts during construction, the ES Appendix 2.2: CoCP also sets out the air quality and dust</p>	<p>ES Appendix 2.2 Annex B (5)] Design Principles [Document Reference 7.5 (7)] Health and Equalities Impact Assessment Appendix B – National Highways EqIA Screening Template [APP-541]</p>	

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			<p>monitoring commitments to be undertaken by the Contractor during construction (commitments AQ005 to AQ008).</p> <p>In terms of visual impact, an earth bund of approximately 2–3m in height formed from material excavated onsite, would be sited along the boundary of the southern tunnel entrance compound, as material becomes available to facilitate visual screening for residential properties on Thong Lane and Rochester Road (A226) during construction.</p>		
<p>Logistics, materials and operations</p> <p>Use of the River - Principle</p>	2.1.26	Gravesham Borough Council considers that National Highways should investigate better use of the river to remove spoil and to reduce HGV movements on the main network.	<p>The Applicant agrees with the principle, at face value, that importing and exporting materials via the river could reduce the number of trips on some of the network and has investigated options for this.</p> <p>However, the Applicant notes that the Project's earthwork balance estimate indicates little demand to transport excavated material offsite south of the river.</p> <p>This is set out within the Outline Materials Handling Plan.</p>	ES Appendix 2.2: CoCP Annex B: Outline Materials Handling Plan [Document Reference 6.3 ES Appendix 2.2 Annex B (5)]	Matter Agreed
<p>Logistics, materials and operations</p> <p>Use of the River – Local Road Network</p>	2.1.27 RRE	Gravesham Borough Council notes that consideration should be given to enhancing access to the Denton area (i.e. Wharf Road) from Gravesend Road to remove spoil via river.	<p>The Applicant considers that in this case, to import materials to the construction compounds south of the River Thames via existing ports is not favourable, due to the reliance of the local road network and no direct access to construction compounds. The construction of direct access between the river to construction compounds is</p>	ES Appendix 2.2: CoCP Annex B: Outline Materials Handling Plan [Document Reference 6.3 ES Appendix 2.2 Annex B (5)]	Matter Not Agreed

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			<p>constrained by the Thames Estuary and Marshes Ramsar.</p> <p>The Project's earthwork balance estimate indicates little demand to transport excavated material offsite south of the river, negating the need to provide disruptive works to enhance local roads that would be used temporarily and to only a limited extent.</p> <p>This is set out within the Outline Materials Handling Plan.</p>		
Use of a Single Tunnel Boring Machine	2.1.199 (DL-9A)	Gravesham Borough Council raised concerns relating to the Applicant's proposal introduced during examination to include an option to use a Single Tunnel Boring Machine. Gravesham Borough Council sought assurances from the Applicant that REAC commitments MW009 and MW017 would be amended (relating to restrictions on the transfer of excavated material and storage of materials and machinery)	<p>It is agreed in principle that restrictions on the transfer of excavated material and storage of materials and machinery are appropriate and the Applicant has made amendments to the REAC commitments MW009 and MW017 in-line with Gravesham Borough Council's recommendation.</p> <p>It is noted that while Gravesham Borough Council agree in principle, the detailed drafting of the REAC is not agreed.</p>	ES Appendix 2.2: Code of Construction Practice [Document Reference 6.3 ES Appendix 2.2 (9)]	Matter Agreed
Community and community engagement	2.1.28	Gravesham Borough Council is concerned about the lack of construction programme and impact information.	The Applicant presented the full suite of effects and mitigation related to this concern in the ES, Transport Assessment, Health and Equalities Impact Assessment (HEqIA), the Code of Construction Practice (CoCP) and	Environmental Statement [APP-138 to APP-486]	Matter Not Agreed

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Information about the Construction programme / Impacts			<p>within it, the Register of Environmental Actions and Commitments.</p> <p>All mitigation measures are presented in a range of control documents most notably the Outline Traffic Management Plan for Construction; the CoCP (including the Register of Environmental Actions and Commitments) and CoCP Annex A - Outline Site Waste Management Plan, and Annex B - Outline Materials Handling Plan; and the Design Principles.</p> <p>ES Chapter 2: Project Description, provides information on the construction programme but notes that "<i>Construction may take up to six years, but as with all large projects there is a level of uncertainty over the construction programme, which will be refined once contractors are appointed and as the detailed design is developed</i>". Section 2.6 and Plate 2.12 set out indicative phasing.</p>	<p>Transport Assessment [REP4-148 to REP4-152]</p> <p>Health and Equalities Impact Assessment (HEqIA) [REP7-144]</p> <p>Outline Traffic Management Plan for Construction [Document Reference 7.14 (9)]</p> <p>ES Appendix 2.2: Code of Construction Practice [Document Reference 6.3 ES Appendix 2.2 (9)]</p> <p>ES Appendix 2.2: CoCP Annex A: Outline Site Waste Management Plan [Document Reference 6.3]</p>	

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				<p>ES Appendix 2.2 Annex A (4) ES Appendix 2.2: CoCP Annex B: Outline Materials Handling Plan [Document Reference 6.3 ES Appendix 2.2 Annex B (5)] Design Principles [Document Reference 7.5 (7)] ES Chapter 2: Project Description [APP-140]</p>	
<p>Communication and community engagement</p> <p>Community Liaison during Construction</p>	2.1.29	<p>Gravesham Borough Council considers that the Project should include an “independent complaints commissioner” to deal with resident’s concerns during construction, similar to HS1 and Crossrail.</p> <p>Additionally, Gravesham Borough Council considers that local liaison mechanisms with LPAs, residents and</p>	<p>The Applicant agrees with this approach and has made provision in the Code of Construction Practice and secured through contractual arrangements with Contractors.</p> <p>As set out in discussions relating to S 106 contributions, the Applicant notes that the Applicant will have a Customer Contact Centre to deal with enquiries and complaints from the public and a National Highways Traffic Manager who would act as the interface with the Community Liaison Groups.</p>	<p>ES Appendix 2.2: Code of Construction Practice [Document Reference 6.3 ES Appendix 2.2 (9)] oTMPfC [Document Reference 7.14 (9)]</p>	Matter Agreed

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		businesses will be needed to cover local and strategic issues. Gravesham Borough Council considers that these arrangements should be based on spatial areas rather than contracts/contractors.	The Applicant has responded to Gravesham Borough Council's request for further measures to be included within the oTMPfC and notes that these requests are covered by the structure of the Traffic Management Forum (TMF) and its terms of reference.		
Mitigation Adequacy of Mitigation	2.1.30	Gravesham Borough Council notes that construction impacts extend over 5 years with effects on noise and disturbance, disruption to highways and Public Rights of Way (PRoW), large scale spoil movement and severance, and consider this to be longer than 'short term', and are concerned that there has been relatively little information provided through consultations as to how these impacts might be mitigated, with reliance placed on the CoCP and REAC.	<p>The Applicant presented the full suite of effects and mitigation related to this concern in the ES, Transport Assessment, Health and Equalities Impact Assessment, the Code of Construction Practice (CoCP) (and within it, the Register of Environmental Actions and Commitments).</p> <p>Duration is a factor in determining significance in the ES as it contributes to magnitude, and therefore also drives the approach to mitigation.</p> <p>All mitigation measures are presented in a range of control documents most notably the Outline Traffic Management Plan for Construction; the CoCP (including the Register of Environmental Actions and Commitments) and CoCP Annex A - Outline Site Waste Management Plan, and Annex B - Outline Materials Handling Plan; and Design Principles.</p> <p>Furthermore the Applicant has included a clause within the SAC-R (at Deadline 8) that provides Kent County Council with monitoring</p>	<p>Environmental Statement [APP-138 to APP-486]</p> <p>Transport Assessment [REP4-148 to REP4-152]</p> <p>Health and Equalities Impact Assessment [REP7-144]</p> <p>Outline Traffic Management Plan for Construction [Document Reference 7.14 (9)]</p> <p>ES Appendix 2.2: Code of Construction Practice</p>	Matter Not Agreed

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			and funding for targeted engagement relating to effects on WCH routes during the construction phase.	<p>[Document Reference 6.3 ES Appendix 2.2 (9)]</p> <p>ES Appendix 2.2: CoCP Annex A: Outline Site Waste Management Plan [Document Reference 6.3 ES Appendix 2.2 Annex A (4)]</p> <p>ES Appendix 2.2: CoCP Annex B: Outline Materials Handling Plan [Document Reference 6.3 ES Appendix 2.2 Annex B (5)]</p> <p>Design Principles [Document Reference 7.5 (7)]</p> <p>Stakeholder Actions and Commitments Register [Document</p>	

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				Reference 7.21 (7)]	
Compensation/ Funding Compensation Request	2.1.31	Gravesham Borough Council considers that cumulative impacts on residents and local businesses in both construction and operational phases should be assessed and appropriate compensation secured.	<p>The Applicant has assessed the effects on local residents and businesses as part of ES Chapter 13 Population and Human Health, ES Chapter 16 Cumulative Effects Assessment, and the Health and Equalities Impact Assessment.</p> <p>Compensation arrangements for affected landowners and businesses are noted in ES Chapter 13: Population and Human Health.</p> <p>All mitigation measures are presented in a range of control documents most notably the Outline Traffic Management Plan for Construction; Code of Construction Practice (CoCP) (including the Register of Environmental Actions and Commitments) and CoCP Annex A - Outline Site Waste Management Plan, and Annex B - Outline Materials Handling Plan; Design Principles and SAC-R.</p>	<p>ES Chapter 13: Population and Human Health [APP-151]</p> <p>ES Chapter 16: Cumulative Effects [APP-154]</p> <p>Health and Equalities Impact Assessment [REP7-144]</p> <p>Outline Traffic Management Plan for Construction [Document Reference 7.14 (9)]</p> <p>ES Appendix 2.2: Code of Construction Practice [Document Reference 6.3 ES Appendix 2.2 (9)]</p> <p>ES Appendix 2.2: CoCP Annex A:</p>	Matter Not Agreed

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				Outline Site Waste Management Plan [Document Reference 6.3 ES Appendix 2.2 Annex A (4)] ES Appendix 2.2: CoCP Annex B: Outline Materials Handling Plan [Document Reference 6.3 ES Appendix 2.2 Annex B (5)] Design Principles [Document Reference 7.5 (7)] Stakeholder Actions and Commitments Register [Document Reference 7.21 (7)]	
Impacts	2.1.32	Gravesham Borough Council is concerned to fully understand how impacts on underlying hydrology, as a	The Applicant notes that this is covered in ES Chapter 14 Road Drainage and Water Environment Chapter) and suitable mitigation presented in the Register of Environmental	ES Chapter 14: Road Drainage and the Water	Matter Agreed

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Impacts on Hydrology		result of excavations and spoil tipping are managed during the construction of the Project.	<p>Actions and Commitments, within the Code of Construction Practice.</p> <p>ES Chapter 14: Road Drainage and the Water Environment Chapter specifically assesses the potential for effects on groundwater levels and flows in the North Kent Medway Chalk aquifer due to tunnelling, cuttings and excavations and buried utility corridors, concluding Non Significant residual effects and in some cases no change.</p> <p>Mitigation measures are included within the REAC (within the Code of Construction Practice) regarding the design of the ground protection tunnel (RDWE018a and 018b), and to secure specific drainage treatment and attenuation of runoff from the southern tunnel portal construction compound (RDWE033).</p> <p>The REAC also details several more general (project wide) measures to manage construction phase drainage and flood risk e.g. RDWE001 and RDWE002.</p>	<p>Environment [APP-152]</p> <p>ES Appendix 2.2 : Code of Construction Practice [Document Reference 6.3 ES Appendix 2.2 (9)]</p>	
<p>Construction traffic impacts</p> <p>Access to Compounds</p>	2.1.33	Gravesham Borough Council is concerned that the impacts of compounds and their associated access requirements are likely to be very significant, over a long period of time, and should be assessed.	<p>The Applicant has assessed the location of construction compounds and associated access in the ES and the Transport Assessment.</p> <p>All mitigation measures are presented in a range of control documents, most notably the Outline Traffic Management Plan for Construction (oTMPfC); Code of Construction</p>	<p>Environmental Statement [APP-138 to APP-486]</p> <p>Transport Assessment [REP4-148 to REP4-152]</p>	Matter Agreed

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		<p>Gravesham Borough Council considers that using existing or provided public transport must be a major objective and that a bus (or minibus) link from Gravesend Transport Hub to the sites (depending on what the internal options are for moving round the construction sites) should be provided.</p>	<p>Practice (CoCP) (including the Register of Environmental Actions and Commitments) and CoCP Annex A – Outline Site Waste Management Plan, and Annex B – Outline Materials Handling Plan; and Design Principles, drafts of which were consulted on at CIC in 2021.</p> <p>The oTMPfC in particular provides an overview of the approach that will be followed when undertaking temporary traffic management during construction.</p> <p>It also discusses access routes to compounds and explains management measures available to Contractors to reduce the impact on the local community (including journey time reliability, access, and safety).</p> <p>The oTMPfC will be used to inform the update of a Traffic Management Plan for Construction (TMP), a requirement of the DCO, which will be produced by the Contractors.</p> <p>It should be noted that Gravesham Borough Council would be a consultee to the production of this document.</p> <p>The Framework Construction Travel Plan sets out principles for worker travel to compounds. Its key aim is to minimise adverse local disruption or traffic impacts on the highway network from worker travel to and from construction areas and construction</p>	<p>Health and Equalities Impact Assessment [REP7-144]</p> <p>Outline Traffic Management Plan for Construction (oTMPfC) [Document Reference 7.14 (9)]</p> <p>ES Appendix 2.2: Code of Construction Practice [Document Reference 6.3 ES Appendix 2.2 (9)]</p> <p>ES Appendix 2.2: CoCP Annex A: Outline Site Waste Management Plan [Document Reference 6.3 ES Appendix 2.2 Annex A (4)]</p> <p>ES Appendix 2.2: CoCP Annex B:</p>	

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			<p>compounds. A shuttle bus would be available to access CA3b from the Gravesend hub, but the details of the routing, timings and vehicle size would be determined by the contractor as set out in the Framework Construction Travel Plan.</p> <p>It should be noted that Site-Specific Travel Plans (SSTPs) will be produced by the contractors (in line with the controls and commitments in the Framework Construction Travel Plan) for each compound, or compounds where these are closely located with similar levels of accessibility. The SSTPs will be subject to review (and approval) by the Secretary of State, in consultation with relevant planning authorities such as Gravesham Borough Council.</p>	<p>Outline Materials Handling Plan [Document Reference 6.3 ES Appendix 2.2 Annex B (5)]</p> <p>Design Principles [Document Reference 7.5 (7)]</p> <p>Draft Development Consent Order [Document Reference 3.1 (11)]</p> <p>Framework Construction Travel Plan [Document Reference 7.13 (6)]</p>	
Construction traffic impacts	2.1.34 RRE	Gravesham Borough Council is concerned about the Projects access proposals from the A2 via Marling Cross for HGVs to construction compounds.	The Applicant notes that the main access to the site for works vehicles, including Heavy Goods Vehicles (HGVs), would be via the eastbound A2. From here, vehicles would use an eight-metre wide, two-way haul road. Existing access on the north side of the A2, which used to be part of the former Esso petrol station, would be adapted.	Outline Traffic Management Plan for Construction [Document Reference 7.14 (9)]	Matter Not Agreed

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LRN Construction Access Points – Marling Cross			There would be a secondary access on Thong Lane. HGVs would use the A2 as their primary access rather than driving through Thong village. Thong Lane would, however, be available to worker traffic which would mostly consist of cars and vans. Further detail is set out in the Outline Traffic Management Plan for Construction.		
Mitigation Working Hours	2.1.35	Gravesham Borough Council is concerned that the proposed working hours consulted upon during CIC and in particular the location of 24-hour working activities (tunnelling) north of Thong could cause noise and disturbance, outside normal working hours, over a long period.	The Applicant has recognised this concern and proposed changes to the Code of Construction Practice (CoCP) that would restrict to core working hours activities within 300m of residential properties, subject to pre-construction noise levels and construction methodology. Additionally, works undertaken in impact zones will be included, prior to undertaking the works, in the application made by the Contractor to the relevant local authority under Section 61 of the Control of Pollution Act 1974 unless appealed. All mitigation measures are presented in a range of control documents most notably the Outline Traffic Management Plan for Construction; CoCP (including the Register of Environmental Actions and Commitments), and CoCP Annex A – Outline Site Waste Management Plan, and Annex B – Outline Materials Handling Plan; and the Design	Transport Assessment [REP4-148 to REP4-152] Outline Traffic Management Plan for Construction [Document Reference 7.14 (9)] ES Appendix 2.2: Code of Construction Practice [Document Reference 6.3 ES Appendix 2.2 (9)] ES Appendix 2.2 : CoCP Annex A : Outline Site	Matter Not Agreed

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			<p>Principles, drafts of which were consulted on at CIC in 2021.</p> <p>The register of Environmental Actions and Commitments, specifically, presents good practice mitigation related to all ES topics including air quality, noise, disturbance and amenity impacts. It also presents a framework for dealing with exceedances.</p> <p>It should be noted that an environmental management plan, developed post DCO consent by the contractor in line with the controls and commitments in the CoCP and Register of Environmental Actions and Commitments, would provide further details on these mitigation measures. Gravesham Borough Council would be a consultee to this document.</p>	<p>Waste Management Plan [Document Reference 6.3 ES Appendix 2.2 Annex A (4)]</p> <p>ES Appendix 2.2: CoCP Annex B: Outline Materials Handling Plan [Document Reference 6.3 ES Appendix 2.2 Annex B (5)]</p> <p>Design Principles [Document Reference 7.5 (7)]</p> <p>Draft Development Consent Order [Document Reference 3.1 (11)]</p>	
Construction traffic impacts	2.1.36	Gravesham Borough Council is concerned that there are cycle lanes along the A226 from Gravesend to Higham, which are not displaced or stopped up permanently by the	<p>The Applicant notes that sections of the A226 are to be used by the Project's construction traffic.</p> <p>To manage this, provision has been made within the Order Limits to temporarily widen the A226, should it be considered necessary</p>	Outline Traffic Management Plan for Construction [Document	Matter Agreed

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Effects on A226 Cycle Lanes		Project, but could experience construction effects.	<p>to maintain the safety of vulnerable road users whilst the A226 is being used by the Project's construction traffic and for the utilities diversion works.</p> <p>The Applicant confirms that the length, nature and duration of temporary traffic management measures will be discussed as part of the development of the TMP, which will be developed in consultation with Kent County Council and Gravesham Borough Council.</p> <p>The design taken forward will be developed with Kent County Council to identify an appropriate, effective and safe solution based on information from both parties. This can include input from Kent County Council's active travel and public transport teams to ensure safety is considered appropriately, and can build-in legacy measures should they be considered appropriate. The works would be in line with DMRB or equivalent standards. The Applicant notes that the draft DCO (Schedule 3, Article 12) provides the powers to temporarily alter, divert or restrict. As set out in the oTMPfC, this would be managed under the TMP which would take a risk based approach to the management of access routes. It is noted that this Matter is agreed with KCC as the Local Highway Authority.</p>	<p>Reference 7.14 (9) Draft DCO [Document Reference 3.1 (11)]</p>	

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Impacts Effects on Woodland	2.1.37	<p>Gravesham Borough Council notes that the Shorne Ifield Road ULH coincides (in part) with the area proposed for the woodland extension to Shorne Woods CP (north of Brummelhill Wood), and therefore there must be a strong case for establishing the woodland extension as soon as the ULH is no longer required (following LSP.23 in the Design Principles).</p> <p>Gravesham Borough Council notes that the same applies to the A2 West ULH, Park Pale ULH and A2 East ULH.</p>	<p>The Applicant agrees that the woodland extension will be established as soon as the ULH is no longer required, subject to seasonal constraints and the co-ordination of the wider project landscape schedule.</p> <p>The Applicant is committed to the development of a LEMP, post DCO consent, to be developed in line with the controls and commitments in the outline Landscape and Ecology Management Plan, Design Principles and the Register of Environmental Actions and Commitments within the Code of Construction Practice.</p> <p>Gravesham Borough Council will be a consultee to the development of this document.</p>	<p>Outline Landscape and Ecology Management Plan [Document Reference 6.7 (7)]</p> <p>Design Principles [Document Reference 7.5 (7)]</p> <p>ES Appendix 2.2: Code of Construction Practice [Document Reference 6.3 ES Appendix 2.2 (9)]</p>	Matter Agreed
Worker transport Monitoring of the Construction Workforce	2.1.38	<p>Gravesham Borough Council considers it important that the actual construction staff locations are regularly analysed and the travel plans updated to response to changes in construction and bases to ensure the approaches are fit for purpose.</p>	<p>The Applicant agrees and these details are set out in Framework Construction Travel Plan, which includes a Project Action Plan that identifies a programme of regular scheduled activities and monitoring to be carried out during the Project's construction period, including analysis of workforce origin locations, monitoring of travel patterns, travel surveys and review of Site-Specific Travel</p>	<p>Framework Construction Travel Plan [Document Reference 7.13 (6)]</p>	Matter Agreed

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			Plans as required. The FCTP further commits to monitoring of workforce resident location. Relevant timescales for each action (such as review of the Site-Specific Travel Plans) is also provided.		
Construction traffic impacts Wider Effects	2.1.39	Gravesham Borough Council considers that the construction phase impacts on local residents and businesses will be significant, both perceived and real. Gravesham Borough Council considers that the changes to traffic flow may increase journey times and impact on access to services and businesses locally and across Kent.	The Applicant has assessed effects on local residents and businesses as part of ES Chapter 13 Population and Human Health, ES Chapter 16 Cumulative Effects Assessment, and the Health and Equalities Impact Assessment. Impacts on traffic and transport are presented in the Transport Assessment. All mitigation measures are presented in a range of control documents most notably the Outline Traffic Management Plan for Construction; Code of Construction Practice (including the Register of Environmental Actions and Commitments), and the Design Principles, drafts of which were consulted on at CIC in 2021. It should be noted that an environmental management plan, developed post DCO consent by the contractor in line with the controls and commitments in the Code of Construction Practice and Register of Environmental Actions and Commitments, would provide further details on these mitigation measures. Gravesham Borough	ES Chapter 13: Population and Human Health [APP-151] ES Chapter 16 Cumulative Effects [APP-154] Health and Equalities Impact Assessment [REP7-144] Transport Assessment [REP4-148 to REP4-152] Outline Traffic Management Plan for Construction [Document Reference 7.14 (9)] ES Appendix 2.2: Code of Construction	Matter Not Agreed

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			Council would be a consultee to this document.	Practice [Document Reference 6.3 ES Appendix 2.2 (9)] Design Principles [Document Reference 7.5 (7)]	
Mitigation Local Effects	2.1.40	Gravesham Borough Council is concerned about the implications for residents close to the construction activity particularly at Marling Cross, properties adjacent land south of Riverview Park, Thong Village residents, and all residents on Thong Lane, in Chalk along the A226 and Castle Lane, Church Lane and St Mary's church in terms of noise and disturbance, traffic, loss of amenity, possible 24 hour working, a 2.4m high hoarding (in some locations).	Working hours are outlined in Section 6 of the Code of Construction Practice. All potential impacts of construction activities are covered in the ES. Effects on local residents and businesses are included as part of ES Chapter 13 Population and Human Health, ES Chapter 16 Cumulative Effects Assessment and the Health and Equalities Impact Assessment (HEqIA), and summarised and reported in terms of specific communities and their local receptors within the Community Impact Report. Impacts on traffic and transport are covered in the Transport Assessment. All mitigation measures are presented in a range of control documents most notably the Outline Traffic Management Plan for Construction; Code of Construction Practice (including the Register of Environmental Actions and Commitments); and the Design	ES Appendix 2.2: Code of Construction Practice [Document Reference 6.3 ES Appendix 2.2 (9)] ES Chapter 13: Population and Human Health [APP-151] ES Chapter 16: Cumulative Effects [APP-154] Health and Equalities Impact Assessment (HEqIA) [REP7-144]	Matter Not Agreed

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			<p>Principles, drafts of which were consulted on at CIC in 2021.</p> <p>The Register of Environmental Actions and Commitments, specifically, presents good practice mitigation related to all ES topics including air quality, noise and amenity impacts. It also presents a framework for dealing with exceedances. It should be noted that an environmental management plan, developed post DCO consent by the contractor in line with the controls and commitments in the Code of Construction Practice and Register of Environmental Actions and Commitments, would provide further details on these mitigation measures. Gravesham Borough Council would be a consultee to this document.</p>	<p>Community Impact Report [REP2-032 to REP2-038]</p> <p>Transport Assessment [REP4-148 to REP4-152]</p> <p>Outline Traffic Management Plan for Construction [Document Reference 7.14 (9)]</p> <p>Design Principles [Document Reference 7.5 (7)]</p> <p>Environmental Statement [APP-138 to APP-486]</p>	
Construction traffic impacts	2.1.41	Gravesham Borough Council is concerned about the volume of material to be imported via the A2 during construction, particularly where vehicles will need to route to access CA2/3.	<p>The approach to options assessment for routes is set out in the Approach to Design, Construction and Operation Report (shared at Statutory Consultation) and the Need for the Project.</p> <p>The outline Materials Handling Plan sets out the Project's approach to the volume of</p>	<p>Need for the Project [APP-494]</p> <p>Outline Traffic Management Plan for Construction [Document</p>	Matter Agreed

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Construction Traffic Highway Effects			<p>material needed to be moved and the approach to logistics routes that relate to it. Table 2.2 of the oTMPfC sets out the measures incorporated into the Project as a result of engagement on matters such as this, confirming construction HGV bans on Brewers Road (Between Park Pale and the A226 (including The Ridgeway and Peartree Lane), Thong Lane (Between the A2 compound access off Thong lane and the A226) and The Street (Cobham) (entire road) as well as Lower Higham Road and Castle Lane (entire road – also introducing a primary access to the A226 Gravesend Road compound from the A226 Gravesend Road) in order to protect Shorne.</p> <p>Additionally, the Project would introduce a right-turn-only movement for construction HGVs when exiting the southern tunnel entrance compound, joining the A226. The Project will introduce additional temporary overnight closure on local roads to minimise rat-running associated with overnight closures of the A2/M2.</p> <p>Proposed HGV restrictions are set out at Table 4.4 and these can be reviewed and amended via TMPs as they are adopted.</p>	<p>Reference 7.14 (9) ES Appendix 2.2: CoCP Annex B: Outline Materials Handling Plan [Document Reference 6.3 ES Appendix 2.2 Annex B (5)]</p>	
Mitigation	2.1.42	Gravesham Borough Council considered at Supplementary Consultation that in terms of the additional land-take around the	It is not agreed that impacts on noise or air quality have been downplayed during consultation, but the Applicant note that a full	Environmental Statement	Matter Not Agreed

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Construction effects from Southern Portal and ULHs		southern tunnel portal, insufficient information has been provided on potential impacts as a result of construction activity and subsequent mitigation. Gravesham Borough Council consider that Noise and Air quality effects were downplayed in Community Impact Consultation documents around the Southern Tunnel compound and at ULHs in terms of adverse impacts on local residents and existing access routes.	assessment has been set out within the Environmental Statement. It is noted that since Community Impact Consultation the Applicant has submitted its application with a full ES and Gravesham Borough Council has provided representations and a Local Impact Report relating to this matter.	[APP-138 to APP-486] ES Appendix 2.2: Code of Construction Practice [Document Reference 6.3 ES Appendix 2.2 (9)]	
Closures and diversions Temporary Diversions of Highway during Construction	2.1.43 RRE	Gravesham Borough Council is concerned about reductions in capacity and diversions along Halfpence Lane and Brewers Road when the bridge over the A2 is shut for rebuilding (19 months), affecting access to Shorne Woods Country Park, Ashenbank Wood, Cobham Hall School, Rochester and Cobham Park Golf Course, the Inn on the Lake Motel and the Nook Pet Hotel.	The Applicant has actively engaged with stakeholders with statutory duties to the local highway network, community facilities and businesses regarding the traffic impacts of the Project, and supplied outputs from modelling and held appropriate technical meetings, supported by further data assistance where necessary. The Environmental Statement, the Register of Environmental Actions and Commitments (within the Code of Construction Practice) and Framework Construction Travel Plan sets out the approach to impact assessment on identified receptors, and any mitigation in place to reduce significant effects.	Environmental Statement [APP-138 to APP-486] ES Appendix 2.2: Code of Construction Practice [Document Reference 6.3 ES Appendix 2.2 (9)] Framework Construction Travel Plan [Document	Matter Not Agreed

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				Reference 7.13 (6)]	
Operations and Maintenance					
HGV Parking Lack of RASA in Project	2.1.44 RRE	Gravesham Borough Council opposes the removal of a dedicated RASA and maintenance depot for the Lower Thames Crossing (LTC) and consider that replacement RASA and lorry parking facilities should be provided within the Project.	It is not agreed that additional provision should be considered as part of the Project, but will be considered by National Highways' Operational Directorate across the Strategic Road Network. Recognising that lorry parking is a multi-agency issue, National Highways' Operational Directorate will be setting out its position across the strategic road network through its Route Strategies and in considerations for RIS3 (see Vision for Route Strategies). This will be informed by a consultation exercise looking into why there has not been more roadside facilities and lorry parks developed in the north east quadrant of the M25.	N/A	Matter Not Agreed
Emergency Services Access to Incidents and Response Times (Wider Network)	2.1.45	Gravesham Borough Council notes that the Emergency Services are concerned about access to incidents and effects on response times - especially due to the lack of a hard shoulder on the A122) – on the wider network	The Applicant recognises Gravesham Borough Council's concerns and notes that this is being addressed by the Emergency Services Spatial Planning Group (ESSPG) under their Community Impacts Consultation response recommendation 5.7. The Applicant is comfortable that it can demonstrate how to access incidents and access to the network can be achieved in the current design.	N/A	Matter Not Agreed

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			Emergency Response Plans will be developed for the tunnel, and where applicable national plans/procedures will be used for the open road.		
Emergency Services Evacuation from Tunnels	2.1.46	Gravesham Borough Council notes that the Emergency Services are concerned about the frequency of cross-passages within the tunnels affecting rescue and evacuation from the tunnels, as well as concerns of detail relating to the emergency access roads and helicopter landing points.	Engagement with the Emergency Services and their Safety Partners is undertaken through the ESSPG. This has resulted in changes to the Project including identifying location and requirements for rendezvous point (RVP) locations and agreeing the provision of helicopter landing points during the construction and operation of the Project for emergency services. The Applicant acknowledges the preference for cross-passages to be spaced at 100m but remain confident that 150m spacing provides an appropriate level of safety.	N/A	Matter Not Agreed
Smart motorway systems	2.1.161 (DL-1) RRN	Gravesham Borough Council notes that the applicant claims that the project will increase the number of accidents due the length of new road, but that the rate of accidents will fall. The A122 is not proposed to be a motorway but is being designed to 'smart motorway' standards. That standard is now under review, with a moratorium on	The Lower Thames Crossing is not affected by the decisions relating to smart motorways as it is an all-purpose trunk road. The Transport Assessment predicts that over the study area as a whole there is predicted to be a decrease in the number of accidents per vehicle kilometre driven, but due to the increase in the total number of vehicle kilometres driven as a result of the Project there is predicted to be an overall increase in the number of accidents. The study area	Transport Assessment [REP4-148 to REP4-152] Draft Development Consent Order [Document Reference 3.1 (11)]	Matter Not Agreed

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		<p>implementing such schemes, which if made permanent would have implications for this project.</p> <p>Gravesham Borough Council further note that the Design Standard proposed for the A122 has raised concerns over safety.</p>	<p>includes sections of the M25, A2, M2, A13, M20, A282 and A1089.</p> <p>The Lower Thames Crossing will be classed as a trunk road, the A122. The draft Development Consent Order confirms that the Lower Thames Crossing is a trunk road and not motorway or smart motorway.</p> <p>The Lower Thames Crossing is being designed to the requirements set out in National Highways' Design Manual for Roads and Bridges GD 300: 'Requirements for new and upgraded all-purpose trunk roads (expressways)', which introduces best-in-class safety design and technology interventions for a dual carriageway A-road. These interventions are not normally found on conventional A-road dual carriageways.</p>		
Charging					
<p>Local Resident Discount Scheme</p> <p>Principle of Discount for Local Residents</p>	<p>2.1.47</p> <p>RRE</p>	<p>Notwithstanding matters not agreed below (timing of the start of local discounts, and discounts for Gravesham residents on both the LTC and the Dartford Crossing), Gravesham Borough Council considers that discounted or free crossing use for Gravesham residents should be implemented as a way of mitigating the ongoing</p>	<p>The Applicant's position is that the Local Residents Discount Scheme will be offered to residents living in Boroughs hosting a tunnel portal for the crossing in question, mirroring the same provision at Dartford.</p> <p>A Road User Charging Statement has been submitted as part of the DCO application that sets out the justification for the Project's approach to local discounts.</p>	<p>Road User Charging Statement</p> <p>[APP-517]</p>	<p>Matter Agreed</p>

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		environmental, social and ecological harm that will be caused by the crossing.			
Local Resident Discount Scheme Timing and Approach to Equity (Dartford Crossing)	2.1.48 RRE	Gravesham Borough Council considers that a charge reduction should apply to both the Dartford and Lower Thames Crossings and be implemented from the point at which construction starts.	The Applicant's position is that extending the discount received by Gravesham residents to use of the Dartford crossing would lead to additional traffic at Dartford, whereas the objective of the Project is to reduce traffic volumes on that crossing.	N/A	Matter Not Agreed
Charging regime Peak Charges	2.1.49	Gravesham Borough Council considers that there should be no peak charges for use of the LTC.	The Applicant confirms that there will be no differential peak charging for use of the Lower Thames Crossing.	N/A	Matter Agreed
Charging DCO/ policy issues Community Fund (Revenue from Charging)	2.1.50	Gravesham Borough Council considers that a proportion of revenues for charging should be paid to a Community Fund	The Applicant notes that revenues raised by the charge will be accounted for in the DfT's Main Supply Estimate which is voted for annually by Parliament and are not part of the funding mechanism for the crossing or any local community funds. The Project has committed to a Community Fund.	N/A	Matter Not Agreed
Charging regime Charging for HGVs	2.1.51	Gravesham Borough Council supports the logic that charging for HGV's should be differential to encourage use of LTC rather than the Dartford Crossing.	The Applicant notes that stakeholder feedback received from the 2018 Statutory Consultation was generally in favour of equal charges at both crossings.	N/A	Matter Agreed

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			There is no proposal to have differential charging of HGVs between the Dartford and the Lower Thames crossings.		
Traffic and Economics					
Local plan growth Local Growth Assumptions	2.1.52 RRE	Gravesham Borough Council is concerned that the Project does not fully assess the likely significant effects from traffic, due to its approach to consideration of development/growth within the model. Key areas of disagreement include: <ul style="list-style-type: none"> The model does not take into account the Government's approach to Objectively Assessed Need; and The model does not account for all allocated growth within the Local Plans. 	The Applicant considers that the Project's transport model was built following the principles and processes set out in the Transport Analysis Guidance (TAG) (Department for Transport (DfT) 2022). Growth within the transport model is capped in line with DfT traffic forecasts (TEMPro Version 7.2) and adjusted locally to account for developments close to the Project that are under construction, have a planning application and planning permission (as of 30 September 2021 for the DCO submission). A high growth scenario is also undertaken and reported within the ComMA Appendix C – Transport Forecasting Package, a copy of which has been provided to the authority dated October 2020.	Combined Modelling and Appraisal Report (ComMA) Appendix C - Transport Forecasting Package [APP-522]	Matter Not Agreed
Modelling methodology Interpretation of DMRB Guidance	2.1.53 RRE	Gravesham Borough Council considers that the DMRB advice in relation to traffic modelling has been interpreted in a very narrow way.	The model has been independently assured confirming that it is suitable to assess the impacts of the Project.	N/A	Matter Not Agreed

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<p>Modelling methodology</p> <p>Compliance with EIA Regulations and Reliability of LTAM</p>	<p>2.1.54</p> <p>RRE</p>	<p>Gravesham Borough Council is concerned that due to the approach to consideration of development within the Transport Model, the application fails to meet the requirements of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 in assessing likely significant effects.</p> <p>Gravesham Borough Council considers that the Lower Thames Area Model (LTAM) is weak and unreliable when used to consider the Local Road Network (LRN).</p> <p>Gravesham Borough Council consider that the LTAM does not include the full local road network and is not validated against it, is focused on links between nodes rather than their operation, is out of date (2016-based) and is incorrect in that it doesn't account for the Applicant's proposed 2-year delay.</p>	<p>The Applicant notes that the LTAM is a strategic transport model and covers a vast area; and has been calibrated and validated in line with DMRB guidance.</p> <p>Details of this are contained within the ComMA Appendix B - Transport Model Package.</p> <p>In the Applicant's view, given the scale and detail of the model, it is not possible to achieve validation on every road, although care has been taken in the areas close to where the Project would interface with the existing road network.</p> <p>The LTAM has been developed in line with Transport Analysis Guidance (TAG) (DfT, 2022), which advises on best practice in transport models that provide evidence for use in the appraisal of transport schemes and policies. The development of the LTAM forecasts is detailed fully in the Combined Modelling and Appraisal Report. The Applicant has engaged with Gravesham Borough Council to understand their concerns regarding the Project's transport model, and has shared detailed outputs to aid their understanding of the forecast impacts of the Project on the road network. The Applicant notes that the LTAM is a strategic transport model and covers a vast area, and has been calibrated and validated in line with DMRB guidance. Details of this are contained</p>	<p>ComMA Appendix B – Transport Model Package [APP-520]</p> <p>Combined Modelling and Appraisal Report [APP-518]</p> <p>Localised Traffic Modelling Appendix H: Traffic Operational Appraisal - VISSIM Forecasting Report [REP1-194]</p> <p>Draft DCO [Document Reference 3.1 (11)]</p>	<p>Matter Not Agreed</p>

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			<p>within the ComMA Appendix B: Transport Model Package. In the Applicant's view, given the scale and detail of the model, it is not possible to achieve validation on every road, although care has been taken in the areas close to where the Project would interface with the existing road network.</p> <p>The Applicant does not agree that the age of the baseline data would reduce the reliability of the model. The Applicant notes that the last "pre-COVID" year is 2019, which is only three years after the LTAM base year. Traffic levels have returned after COVID and the pattern of travel on the highway network in the area remains similar to that observed in 2016.</p> <p>Microsimulation modelling has been carried out on the Marling Cross junction of the A2 and the A122 junction with the A2, as detailed within Localised Traffic Modelling Appendix H: Traffic Operational Appraisal - VISSIM Forecasting Report, submitted at Deadline 1.</p> <p>The DCO application has been developed in line with standard practice. The draft DCO sets a time limit on the start of works (Requirement 2) as follows: <i>'The authorised development must begin no later than the expiration of 5 years beginning with the date that this Order comes into force'</i>. A two year rephasing sits within this five year time limit.</p>		

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			That five-year period is heavily precedented in DCOs across all sectors, and is intended to accommodate circumstances such as this type of delay. DCO applications typically do not provide any sensitivity assessments associated with that five year period of commencement flexibility, but instead reflect a reasonable worst-case scenario to provide adequate information for the Examining Authority and Secretary of State to reach conclusions on likely significant effects. Consequently, the DCO, if granted as drafted, would allow for this two-year rephase without any need for change in the application documents, including the submitted assessments and the proposed powers sought within the draft DCO.		
Modelling methodology Assessment Years	2.1.55	Gravesham Borough Council considers that focusing transport modelling on the opening year rather than the design year understates the impacts on air quality.	The Applicant considers that Air quality data in the Environment Statement Chapter 5 Air Quality, need only be presented for the opening year, as that is considered to represent the worst case in terms of emissions and follows the approach determined by EIA legislation and guidance.	ES Chapter 5: Air Quality [APP-143]	Matter Not Agreed
Modelling methodology	2.1.56 RRE	Gravesham Borough Council notes that the restoration of the Tilbury junction arrangement presented at Local Refinement Consultation	As Gravesham Borough Council is aware, the Tilbury Link Road is not part of the Project, and never has been, and is being progressed by the Applicant as a separate project to Lower Thames Crossing, as part of Roads Investment Strategy (RIS) 2.	N/A	Matter Not Agreed

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Tilbury Junction Arrangement		<p>is a revision to original proposals.</p> <p>Gravesham Borough Council considers that it would be reasonable to assume that a link running due West into the Port of Tilbury would offer a more direct route from south of the river into parts of Thurrock could exist in year 15 and should be modelled in the context of flows across the crossings.</p>	<p>The Applicant has not yet identified a preferred route and therefore cannot include this within modelling as proposed by Gravesham Borough Council.</p>		
Modelling output interpretations	<p>2.1.167 (DL-1)</p> <p>RRN</p>	<p>Most of the traffic on the M25/A282 is going 'round' London in some sense, for which diverting east of Gravesend is a much longer trip and therefore unlikely to happen.</p> <p>The modelling shows the initial relief at the Dartford Crossing evaporates in 15 years, and based on past experience, when the toll booths were removed, will happen much faster than projected.</p> <p>The problems at the Dartford Crossing highlighted in the objectives are not actually</p>	<p>The Combined Modelling and Appraisal Report - Appendix C - Transport Forecasting Package provides a series of plates which graphically show the origin/destinations of traffic using the Dartford Crossing in the Do-Minimum (without the Project), in the Do-Something (with the Project) and for the Project itself. For example, Plates 8.1-8.3 show this for the 2030 AM peak. These plates show that very little traffic that uses the M25 as an orbital around London would divert to the Project as is suggested by the authority.</p> <p>The traffic forecasts set out in the Traffic Forecasts Non-Technical Summary in Table 5.1 show the forecast flows across both the Dartford and Lower Thames Crossings. This shows that whilst traffic flows in 2045 across</p>	<p>Combined Modelling and Appraisal Report - Appendix C - Transport Forecasting Package [APP-522]</p> <p>Traffic Forecasts Non-Technical Summary [APP-528]</p>	Matter Not Agreed

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		<p>being addressed and will remain an issue.</p> <p>The Dartford Crossing was designed for 135,000 vehicles per day, it is now operating over capacity and is regularly used by over 150,000 vehicles per day.</p> <p>Thurrock Council's analysis of the official National Highways data shows that the proposed new crossing would take as little as 4% of traffic away in the morning peak hour, and 11% in the pm peak hour.</p>	<p>the Dartford Crossing are forecast to be close to those from 2016, these flows would still be lower than if the Project had not been built. The traffic forecasts derived from the Project's transport model include growth in line with DfT traffic forecasts from NTEM as published in TEMPro 7.2> The forecast growth means the Project would not maintain the same level of relief to the Dartford Crossing over time.</p> <p>The figures published by Thurrock Council and referenced in Gravesham's Relevant Representation, relating to the forecast relief that the Project would bring to the Dartford Crossing are not considered to be correct. As set out in the Traffic Forecasts Non-Technical Summary at paragraph 5.2.11 part a, the Project's transport model forecasts that the average reduction in traffic during the peak hours at the Dartford Crossing as a result of the Project would be 19% in 2030.</p>		
Modelling output interpretations	2.1.168 (DL-1) RRN	Robustness has been claimed as a benefit, and objective, but there has been no substantive analysis of how the road network (M25/A282/A13/A2/A122) would function in the event of major disruption, since the current issues with the	National Highways 2019 incident data for the Dartford crossing shows that in 2019 the average duration of incidents at the Dartford Crossing was approximately 10 minutes (as stated in Need for the Project) Full closures of the Dartford Crossing in either or both directions are extremely rare, therefore it will be an infrequent occurrence that one crossing would be expected to accommodate the combined flows (as set out	Need for the Project [APP-494] Combined Modelling and Appraisal Report – Appendix D – Economic Appraisal Package: Economic	Matter Not Agreed

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		<p>northbound tunnels at Dartford would largely remain.</p> <p>Disruption, especially northbound as the Dartford crossing, regularly occurs and it is clear from the projected flow numbers that one crossing cannot accommodate the combined flow.</p>	<p>in the Combined Modelling and Appraisal Report – Appendix D – Economic Appraisal Package: Economic Appraisal Report.</p> <p>The Dartford Crossing has many operational modes meaning that capacity can usually be maintained at a minimum of 50% in each direction.</p> <p>The Project’s modern design would reduce the risk of incidents occurring. Particular features of the Dartford Crossing are its restrictions on vehicle dimensions in the northbound tunnels and on vehicles carrying hazardous loads leading to delays when vehicles do not follow the operational requirements. Many hazardous load vehicles are currently required to be escorted through the northbound tunnels, due to the restrictions. This requires normal traffic to be held approximately every 15 minutes for the escort to take place. This causes traffic to build up on the approach to the northbound crossings.</p> <p>In contrast, the tunnel for the Project: has been designed as a Category A tunnel which can be used by vehicles carrying hazardous loads; would have dual three-lanes which would enable it to accommodate higher and wider vehicles; and has been designed as a free flow addition to the road network and does not have closely spaced junctions (as set out in Combined Modelling and Appraisal</p>	<p>Appraisal Report [APP-526]</p> <p>Traffic Forecasts Non-Technical Summary [APP-528]</p>	

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			<p>Report – Appendix D – Economic Appraisal Package: Economic Appraisal Report).</p> <p>Traffic flows are forecast to reduce at the Dartford crossing by an average of 19% in the peak hours as a result of the Project (as set out in Traffic Forecasts Non-Technical Summary) which would reduce the likelihood of incidents at Dartford and make the crossing more resilient.</p> <p>Therefore, it is anticipated to be rare that either crossing will fully close for incident purposes, and therefore rare that all traffic would need to be diverted to/from the Project.</p> <p>Both crossings would be managed by the Applicant, in accordance with standard National Highways Incident Management Processes (DMRB GM703), to provide a co-ordinated response to incidents at either crossing, including:</p> <ul style="list-style-type: none"> • Management through the Regional Operations Centre; • Traffic Officer resources for both crossings; • National management escalation structure for dealing with the response to different levels of incident; and • Communications resources for advanced warnings (Message signs, social media, press, radio etc.) 		

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<p>Combined Modelling and Appraisal Report (ComMA)</p>	<p>2.1.169 (DL-1) RRN</p>	<p>The proposal rests on an economic case that claims benefits exceed disbenefits.</p> <p>The BCR of this scheme has been declining as costs rise and can be expected to fall further as more appropriate mitigation and compensation requirements are included.</p> <p>Gravesham Borough Council considers that the headline BCR of 1.22 is very low for a project of this scale.</p> <p>The net result of the Environmental Assessment, Planning Statement and Appraisal Report it to seek to justify the scheme on the basis of the claimed public benefits whilst accepting that there are significant impacts for heritage, ecology, landscape and people etc.</p>	<p>There is a positive case for the Project as set out in the Need for the Project.</p> <p>The impacts of the project and the benefits delivered are weighed in the planning balance as reported in Section 8.7 in Chapter 8 of the Planning Statement which concludes that there is 'a clear, overriding and compelling case in the public interest for the project'.</p> <p>The economic appraisal is set out within Combined Modelling and Appraisal Report, and in more detail within Combined Modelling and Appraisal Report - Appendix D - Economic Appraisal Package: Economic Appraisal and Combined Modelling and Appraisal Report - Appendix D - Economic Appraisal Package: Level 3 Wider Economic Impacts Report.</p> <p>The Environmental Statement assesses the impact of the Project on a variety of environmental topics, including heritage, ecology, landscape and population and human health. The Environmental Statement - Non-Technical Summary (NTS) provides an overview of the work undertaken and signposts to the detailed assessments. The detailed assessments include details of how the Applicant is proposing to mitigate the forecast environmental effects of the Project. The reported impacts and mitigation are</p>	<p>Need for the Project [APP-494]</p> <p>Planning Statement [Document Reference 7.2 (2)]</p> <p>Combined Modelling and Appraisal Report [APP-518]</p> <p>Combined Modelling and Appraisal Report – Appendix D – Economic Appraisal Package: Economic Appraisal Report [APP-526]</p> <p>Appraisal Report - Appendix D - Economic Appraisal Package: Level 3 Wider Economic Impacts Report [APP-527]</p>	<p>Matter Not Agreed</p>

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			<p>included in the economic appraisal detailed above.</p> <p>The Project has a series of Scheme Objectives, which are set out in Need for the Project. One of these is to “To support sustainable local development and regional economic growth in the medium to long term”. The Need for the Project document sets out at Section 5.6 how the Project supports the Scheme Objectives.</p>	<p>ES Non-Technical Summary (NTS) [APP-486] Transport Assessment [REP4-148 to REP4-152]</p>	
Business Case	2.1.175 (DL-6)	<p>Gravesham Borough Council considers that:</p> <ul style="list-style-type: none"> a) The business case is not up to date b) NTEM 8.0 came into operation in December 2022 and should be used; and c) The shift from an initial BCR of 0.48 to 1.22 (table 7.17 of [APP-518]) depends on critical assumptions which may be invalidated by changing circumstances and nebulous ‘agglomeration benefits’. 	<p>The Applicant considers that the Project does provide value for money. Appendix D of the Combined Modelling and Appraisal (ComMA) Report is an Economic Appraisal Report, which details the latest scheme cost estimates, calculated benefits and Project BCR. The BCR of the Project has been updated at each stage of the assessment. Whilst it is acknowledged that the BCR has changed over time, the BCRs from each stage cannot be compared on a like-for-like basis as the changes have reflected updates to government guidance. The economic appraisal of the Project has been produced following the guidance at the time the valuation was made. For the DCO application, this is as is set out in the ComMA Report. The initial BCR of 0.48 is based on Level 1 benefits alone. The adjusted BCR of 1.22 is based on Level 1 and Level 2 benefits. The benefits have been calculated</p>	<p>Appendix D of the Combined Modelling and Appraisal (ComMA) Report [APP-526] ComMA Report [APP-518]</p>	Matter Not Agreed

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			following DfT's Transport Appraisal Guidance (TAG) and using the DfT's TUBA and WITA software. The Applicant does not agree that agglomeration benefits are nebulous. The Applicant notes that NTEM 7.2 was used for the assessment for the DCO application which was submitted in October 2022. The revised DfT traffic growth forecasts, known as NTEM 8.0, were not definitely released until November 2022, which was after the submission of the DCO application.		
Wider Network Impacts					
WNI approach Effect on Dartford Crossing	2.1.57	Gravesham Borough Council considers that National Highways assessment of benefits to reducing congestion at the Dartford Crossing are over-stated, and in the longer term the crossing remains capacity limited.	The Project is forecast to reduce traffic flows at the Dartford Crossing by around 20% in its opening year. As a result of continuing forecast traffic growth, traffic levels at Dartford are forecast to increase, returning broadly to 2016 levels in the mid-2040s. However, even at this time, flows at Dartford would be lower than if the Lower Thames Crossing had not been built. It is not possible for any infrastructure scheme to maintain the benefits it offers in its opening year forever in a climate of ever-increasing traffic growth.	N/A	Matter Not Agreed
Local WNI concerns	2.1.58	Gravesham Borough Council is concerned about the wider impacts of the Project on the highway network in Kent, in	The Applicant recognises that as a result of the Lower Thames Crossing opening, people will choose to make different journeys. In many places on the network, and within Kent,	Transport Assessment [REP4-148 to REP4-152]	Matter Not Agreed

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Impacts/Mitigation on the WNI – e.g. A227, A228, A229 and M2		<p>particular the A227, A228, A229 and M2, Blue Bell Hill Junction and consider a full assessment should be undertaken.</p> <p>Gravesham Borough Council considers that where the Project generates additional trips on the surrounding road network, these should be mitigated by the Project where they constitute a significant adverse impact.</p>	<p>this will lead to beneficial transport impacts on the network, and in some cases will lead to adverse transport impacts. Overall, the benefits on the road network outweigh the adverse transport impacts, and this is reflected in the positive economic benefit of the Project within Kent.</p> <p>The Applicant has identified the adverse transport impacts on traffic flows across the local road network, and this assessment has been set out in the Transport Assessment and wider Environmental Statement documentation within the DCO submission.</p> <p>The Applicant has assessed the wider network impacts of the Project and has considered these against the requirements set out in the National Policy Statement for National Networks (DfT, 2014), and based on this does not agree that the adverse impacts are unacceptable under this policy.</p> <p>The Applicant is obligated to work with local highway authorities and others to align national and local plans and investments, balance national and local needs and support better end to end journeys for road users (National Highways' Licence from DfT para 5.19) and will continue to deliver against this obligation in its collaborative work with local authorities.</p> <p>The Applicant has produced a Wider Network Impacts Management and Monitoring Plan</p>	<p>Environmental Statement [APP-138 to APP-486]</p> <p>Wider Network Impacts Management and Monitoring Plan (WNIMMP) [Document Reference 7.12 (2)]</p>	

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			<p>(WNIMMP), which has been updated to take on board comments received to date - If the monitoring outputs from the monitoring plan identify issues/opportunities related to the road network as a result of traffic growth or new third party developments, local authorities will be able to use this as evidence within their intervention case making.</p> <p>The WNIMMP provides clarity on the proposition, including the expectations on funding streams.</p>		
<p>Road alteration and maintenance</p> <p>Road Asset Maintenance</p>	2.1.59	<p>Gravesham Borough Council notes that Kent County Council has concerns over the physical impact of the construction traffic on the local road network, and that various physical works and maintenance may be needed to prior to commencement of construction to provide a robust network for use.</p>	<p>The Applicant has added a requirement to the oTMPfC at Deadline 7 which states that: <i>“The Traffic Management Plan will require the Contractor to conduct a joint inspection with the relevant local highway authority. This inspection will specifically focus on the access routes associated with main works compounds. The objective is to assess the condition of these routes and the major diversion routes detailed in Table 4.5, and thereafter prior to the commencement of construction using all reasonable endeavours to ensure the implementation of works to those routes”</i></p> <p>The Applicant confirms that as set out above, the proposed works form part of the TMP and therefore fall under the remit of works that the Undertaker has explicitly agreed to fund –</p>	oTMPfC [REP7-148]	Matter Agreed

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			<p>Paragraph E.10.1 of the oTMPfC states that National Highways would fund the preparation, implementation and operation of the oTMPfC, including the activities related to the implementation of the TMF. The preparation of the TMPs and the implementation and monitoring of TMP measures would be a requirement of Contractors' appointment and so would be funded by those Contractors.</p> <p>National Highways considers that the addition of this clause commits to the pre-emptive works suggested by KCC. The oTMPfC is secured by draft DCO Schedule 2 Requirement 10 and would be delivered through a Traffic Management Plan (TMP) which must be substantially in accordance with the oTMPfC.</p>		
<p>Monitoring approach</p> <p>Monitoring of Wider Network Impacts</p>	2.1.60	<p>Gravesham Borough Council notes the content of the Wider Network Impacts Management and Monitoring Plan in relation to traffic monitoring after the opening of the Lower Thames Crossing, but considers that a strategy needs to be in place during the construction period and after opening covering all areas of potential impact, along with indicative actions that might be taken to remedy</p>	<p>During construction, the outline Traffic Management Plan for Construction (oTMPfC) sets out that monitoring will be in place to capture real-time data that provides confirmation that traffic and vehicle control measures are effective, and vehicle arrival and departure times from compounds are controlled. A Monitoring Report will be provided to the TMF. This report will be based on traffic monitoring measures such as automatic number plate recognition, traffic flow monitors and possibly web-based camera systems. Actual monitoring to be</p>	<p>Outline Traffic Management Plan for Construction (oTMPfC) [Document Reference 7.14 (9)] Wider Network Impacts Management and Monitoring Plan (WNIMMP)</p>	<p>Matter Not Agreed</p>

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		any impacts that are larger than expected, or possibly unforeseen.	implemented will be selected as part of the TMP on a case-by-case basis, by road or section. The Contractor will support interventions and/or changes to traffic management measures required to ensure that disruption.	[Document Reference 7.12 (2)]	
EIA Methodology					
Monitoring Comprehensive Monitoring Strategy	2.1.61 RRE	Gravesham Borough Council considers that engagement is required on the process and funding needed to monitor and react to effects through a comprehensive monitoring strategy across all topic areas to validate the EIA is correct and flag (if impacts do occur) what might be done to address any issues that arise. Gravesham Borough Council has submitted (at Deadline 4) proposed amendments to the Draft DCO based on requirement 7 and article 66 of the Silvertown Tunnel Order 2018 which it considers are appropriate with regards to traffic, air quality, noise and socio-economic monitoring and the implementation of mitigation.	The Applicant agrees that an effective and proportionate approach to monitoring and mitigation is critical. The Applicant has outlined Enforcement and Control Procedures in outlined in the Code of Construction Practice which explains that the environmental management plan (EMP2) will set out the arrangements and responsibilities for implementing, monitoring, auditing and enforcing the environmental mitigation. The outline Landscape and Ecology Management Plan outlines the basis for monitoring requirements for land planted for landscaping and habitat provision to ensure attainment of agreed success measures. Monitoring requirements in relation for specific environmental topics e.g. for air quality, noise, protected species, ground water, etc., are presented as individual commitments in the Register of Environmental Actions and Commitments (within the Code of Construction Practice)	ES Appendix 2.2: Code of Construction Practice [Document Reference 6.3 ES Appendix 2.2 (9)] Outline Landscape and Ecology Management Plan [Document Reference 6.7 (7)] Draft Development Consent Order [Document Reference 3.1 (11)]	Matter Not Agreed

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			<p>where the need for this is identified in the ES to mitigate potential significant adverse effects.</p> <p>The Applicant's draft Development Consent Order (DCO) and Control Plans offer flexibility to amend proposed mitigation, based on formal consultation and review of actual on-the-ground monitoring – for example, those related to the Landscape and Ecology Management Plan (LEMP), Environmental Masterplan and Traffic Management Plans (during construction). These plans are examples of long-term monitoring and management commitments developed by the Applicant. The Wider Network Impacts Management and Monitoring Plan (WNIMMP) is fundamentally a reactive management strategy enabling local highway authorities to gather evidence and seek interventions through pre-existing channels. Where monitoring is not included, it is because, based on the requirements of Design Manual for Roads and Bridges (DMRB)/Environmental Impact Assessment (EIA) guidance and application of relevant methodologies, modelling and thresholds (and the clear terms of the National Policy Statement for National Networks (NPSNN) (DfT, 2014)), it is not considered to be required.</p>		

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<p>Project design and mitigation</p> <p>Comprehensive and Interactive Mitigation Strategy (LVIA, Biodiversity, Historic Environment)</p>	<p>2.1.62</p> <p>RRE</p>	<p>Gravesham Borough Council is concerned about impacts on the Kent Downs AoNB from the widened A2, with the loss of the central reservation, noting that there are complex interactions between the landscape, biodiversity and historic features in this area, which require a comprehensive mitigation strategy.</p>	<p>The Applicant agrees that a comprehensive and interactive mitigation strategy is needed. A full assessment has been set out within the ES and Transport Assessment, with mitigation set out in each topic-specific chapter and secured in the Register of Environmental Actions and Commitments within the Code of Construction Practice.</p> <p>The Applicant has assessed the complex interactions between the Project, landscape, biodiversity and historic features in the area, and these are brought together in the Environmental Masterplan.</p> <p>The Design Principles set out area-specific design principles, including principles for the A2/M2 corridor with reference to the AONB.</p> <p>The Applicant notes that there is a committed Community Fund that could be accessed by qualifying community groups to deliver small-scale projects, and that additionally (within the AONB area i.e. including part of SWCP and the Cobham/Ashenbank areas) the Applicant is in discussions with KCC and Kent Downs AONB in relation to the proposed Compensatory Enhancement Fund that eligible applicants, including the AONB Unit would apply for, with applications for funding proposed to be considered by KCC, the AONB and Natural England.</p>	<p>Environmental Statement [APP-138 to APP-486]</p> <p>Transport Assessment [REP4-148 to REP4-152]</p> <p>ES Appendix 2.2: Code of Construction Practice [Document Reference 6.3 ES Appendix 2.2 (9)]</p> <p>Design Principles [Document Reference 7.5 (7)]</p> <p>Environmental Masterplan [Document Reference 6.2 ES Figure 2.4 Sections 1 and 1a (4), Section 2 (5), Section 3 (4), Section 4 (2), Section 9 (6),</p>	<p>Matter Not Agreed</p>

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			<p>This would provide funding for measures for enhancement of the AONB in order to compensate for and moderate any detrimental (landscape and visual) effect on the Kent Downs AONB as a result of the Project.</p> <p>This matter remains under discussion subject to Gravesham Borough Council's review of the application documents and further engagement relating to Gravesham Borough Council's request for a fund for landscape and cultural heritage projects to mitigate for effects on the AONB and historic environment. The Applicant recognises Gravesham Borough Council's submission setting out a request for a mitigation fund and has requested further information on the scale and type of projects the Council considers are appropriate to be funded by this proposal.</p>	<p>Section 10 (4), Section 11 (3), Section 12 (3), Section 13 (3), Section 14 (3)] Section 106 Agreements - Heads of Terms [REP4-144]</p>	
<p>Assessment methodology</p> <p>Approach to EIA Regulations and DMRB</p>	<p>2.1.63</p> <p>RRE</p>	<p>Gravesham Borough Council cites PINS s.51 advice note from 18 March 2021 which says, "<i>DMRB guidance does not constitute policy or law. Developers / applicants should be able to answer questions about the particular anticipated effects of the Proposed Development, and the methodologies of assessment</i></p>	<p>The Applicant agrees that the EIA regulations represent the law which has been followed in the development of the ES.</p> <p>The Applicant has adopted the DMRB as a standard for assessments to ensure transparency and consistency.</p> <p>The ES takes account of other relevant professional guidance to inform its thresholds and interpretation of likely significant effects, and does not solely rely on DMRB.</p>	<p>Environmental Statement [APP-138 to APP-486]</p>	<p>Matter Not Agreed</p>

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		<p><i>undertaken in the ES – and not solely rely on referring back to DMRB guidance”. It goes on to say, “the assessment should with professional judgement fit the Proposed Development – the relevant EIA Regulations are what should be applied to the content of an ES”.</i></p> <p>Gravesham Borough Council is concerned that this approach needs to be reflected in the application material.</p>			
<p>Assessment of likely significant effects</p> <p>Assessment of Impacts on the AONB</p>	2.1.64	<p>Gravesham Borough Council considers that the Project needs to address the major impact on the Kent Downs AONB in landscape, heritage and biodiversity terms.</p>	<p>The Applicant has considered the assessment of effects on the Kent Downs Area of Outstanding Natural Beauty (AONB) robustly within the ES Chapter 6: Cultural Heritage, Chapter 7: Landscape and Visual, and Chapter 8: Terrestrial Biodiversity, and will continue to engage on mitigation and compensation measures.</p> <p>Mitigation is detailed in the Environmental Masterplan which shows features such as proposed false cuttings, green bridges and planting proposed within the AONB and its setting, the outline Landscape and Ecology Management Plan and in the Design Principles for the Project, which contain the planting palettes, indicative species mixes and ongoing management and monitoring</p>	<p>ES Chapter 6: Cultural Heritage [REP4-116]</p> <p>ES Chapter 7: Landscape and Visual [Document Reference 6.1 ES Chapter 7 (2)]</p> <p>Chapter 8: Terrestrial Biodiversity [APP-146]</p> <p>Environmental Masterplan [Document Reference 6.2]</p>	Matter Not Agreed

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			<p>requirements associated with areas of landscape and ecological planting.</p> <p>Discussions regarding the remaining residual impacts to the AONB (i.e. those not able to be fully addressed by the mitigation for the Project) are ongoing with the AONB Unit and Natural England, giving consideration to the impact of the Project on the quality and character of this nationally important area.</p>	<p>ES Figure 2.4 Sections 1 and 1a (4), Section 2 (5), Section 3 (4), Section 4 (2), Section 9 (6), Section 10 (4), Section 11 (3), Section 12 (3), Section 13 (3), Section 14 (3)]</p> <p>Outline Landscape and Ecology Management Plan [Document Reference 6.7 (7)] Design Principles [Document Reference 7.5 (7)]</p>	
Impacts Impacts on Landscape during Construction	2.1.65	Gravesham Borough Council considers that assessments should consider the setting of retained features, and had been concerned that documents provided at Community Impacts Consultation did not adequately deal with impacts	<p>The Applicant is comfortable that the setting of heritage assets has been considered appropriately and mitigation measures set out to reduce the impact has been proposed – within ES Chapter 6: Cultural Heritage.</p> <p>Further mitigation is provided in a range of control documents, notably the Register of Environmental Actions and Commitments</p>	<p>ES Chapter 6: Cultural Heritage [REP4-116] ES Appendix 2.2: Code of Construction Practice [Document</p>	Matter Not Agreed

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		<p>on landscape character during construction.</p> <p>Gravesham Borough Council agrees that construction compounds should not be within the AONB or have a negative impact on its setting, with particular concern around Park Pale ULH.</p>	<p>(within the Code of Construction Practice), the outline Landscape and Ecology Management Plan, the Environmental Masterplan and the Design Principles.</p> <p>A full assessment of the effects of the Project on landscape and visual amenity has been included in ES Chapter 7 Landscape and Visual, undertaken in accordance with best practice guidance.</p> <p>The location of the Park Pale ULH is limited to where utility works must be carried out.</p> <p>Discussions regarding the remaining residual impacts to the AONB (i.e. those not able to be fully addressed by the mitigation for the Project) are ongoing with the AONB Unit and Natural England, giving consideration to the impact of the Project on the quality and character of this nationally important area.</p>	<p>Reference 6.3 ES Appendix 2.2 (9)</p> <p>Outline Landscape and Ecology Management Plan [Document Reference 6.7 (7)]</p> <p>Environmental Masterplan [Document Reference 6.2 ES Figure 2.4 Sections 1 and 1a (4), Section 2 (5), Section 3 (4), Section 4 (2), Section 9 (6), Section 10 (4), Section 11 (3), Section 12 (3), Section 13 (3), Section 14 (3)]</p> <p>Design Principles [Document Reference 7.5 (7)]</p> <p>ES Chapter 7: Landscape and</p>	

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				Visual [Document Reference 6.1 ES Chapter 7 (2)]	
Assessment of likely significant effects Consideration of Operational Impacts	2.1.66	Gravesham Borough Council is concerned that landscape impacts along the A2/M2 corridor in terms of the effect on the AONB were played down in Community Impact Consultation materials.	<p>The Applicant notes that the Operations Update (July 2021 Community impacts consultation) provides a brief overview of the landscape impacts of the Project only.</p> <p>A more detailed landscape and visual impact assessment of the Project along the M2/A2 corridor is set out in Environmental Statement Chapter 7 Landscape and Visual, and necessary mitigation is provided in a range of control documents, notably the Register of Environmental Actions and Commitments (within the Code of Construction Practice), the outline Landscape and Ecology Management Plan, the Environmental Masterplan and the Design Principles.</p> <p>Discussions regarding the remaining residual impacts to the AONB (i.e. those not able to be fully addressed by the mitigation for the Project) are ongoing with the AONB Unit and Natural England, giving consideration to the impact of the Project on the quality and character of this nationally important area.</p>	<p>ES Chapter 7: Landscape and Visual [Document Reference 6.1 ES Chapter 7 (2)]</p> <p>ES Appendix 2.2: Code of Construction Practice [Document Reference 6.3 ES Appendix 2.2 (9)]</p> <p>Outline Landscape and Ecology Management Plan [Document Reference 6.7 (7)]</p> <p>Environmental Masterplan [Document Reference 6.2 ES Figure 2.4]</p>	Matter Not Agreed

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				<p>Sections 1 and 1a (4), Section 2 (5), Section 3 (4), Section 4 (2), Section 9 (6), Section 10 (4), Section 11 (3), Section 12 (3), Section 13 (3), Section 14 (3)]</p> <p>Design Principles [Document Reference 7.5 (7)]</p> <p>Consultation Report Appendix S – Community impacts consultation material [APP-087]</p>	
<p>Project design and mitigation</p> <p>Cumulative, In-Combination Impacts on Local Communities</p>	<p>2.1.67</p> <p>RRE</p>	<p>Gravesham Borough Council is concerned that the Community Impacts Consultation identified substantial and multiple environmental effects on places and residents of Westcourt and Riverview Wards but propose limited mitigation, and in particular a</p>	<p>A full assessment of effects per environmental topic, and cumulative effects, is set out in the ES Chapters 5 to 16. Effects on health and equality from these environmental effects are considered in the Health and Equalities Impact Assessment. All mitigation measures are presented in a range of control documents most notably the Design Principles; the Register of</p>	<p>ES Chapters 5 to 16 [APP-143 to APP-154]</p> <p>Health and Equalities Impact Assessment [REP7-144]</p> <p>ES Appendix 2.2: Code of</p>	<p>Matter Not Agreed</p>

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		<p>lack of detail on how the completed works will be screened.</p>	<p>Environmental Actions and Commitments (within the Code of Construction Practice); Framework Construction Travel Plan; and the Outline Traffic Management Plan for Construction. The Register of Environmental Actions and Commitments, specifically, presents good practice mitigation related to all ES topics including air quality, noise and amenity impacts. It also presents a framework for dealing with potential exceedances. Draft versions of these documents were provided at Community Impacts Consultation.</p> <p>Further detailed responses on issues relating to assessment of effects of the proposed infiltration ponds, and details of proposed screening, have been provided to Gravesham Borough Council following Community Impacts Consultation.</p> <p>Effects on specific locations are summarised in the Community Impact Report.</p> <p>Measures to monitor and manage community safety related to the construction phase are set out within the Code of Construction Practice and Control Documents, along with the commitment to an Environmental Management Plan. Community Liaison and communication is embedded in the CoCP and oTMPfC.</p> <p>Furthermore the Applicant has included a clause within the SAC-R (at Deadline 8) that</p>	<p>Construction Practice [Document Reference 6.3 ES Appendix 2.2 (9)]</p> <p>Design Principles [Document Reference 7.5 (7)]</p> <p>Framework Construction Travel Plan [Document Reference 7.13 (6)]</p> <p>Outline Traffic Management Plan for Construction [Document Reference 7.14 (9)]</p> <p>Community Impact Report [REP2-032 to REP2-038]</p> <p>Stakeholder Actions and Commitments</p>	

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			provides Kent County Council with monitoring and funding for targeted engagement relating to effects on WCH routes during the construction phase.	Register [Document Reference 7.21 (7)]	
Project design and mitigation Land Reinstatement / Vegetation	2.1.68	Gravesham Borough Council considers that the success criteria for Land Reinstatement should ensure that vegetation is replanted and successfully reinstated in as short a time as possible and this should be included in the REAC.	The Applicant has set out criteria for success for vegetation establishment are presented in the outline Landscape and Ecology Management Plan in line with Gravesham Borough Council's recommendation. The Applicant refers to the outline Landscape and Ecology Management Plan Section 8 on 'Measures of Success' and the Register of Environmental Actions and Commitments (within the Code of Construction Practice) clauses LV002 and LV003.	Outline Landscape and Ecology Management Plan [Document Reference 6.7 (7)] ES Appendix 2.2 : Code of Construction Practice [Document Reference 6.3 ES Appendix 2.2 (9)]	Matter Agreed
Assessment of likely significant effects	2.1.157 (DL-1) RRN	The submitted documentation provides a timeline for construction but this depends on the permission process not being delayed, the potential for judicial review and whether funding will be made available. The area has suffered from uncertainty in that regard since at least 2016.	With reference to the Council's comment on the uncertainty around the construction programme, the draft Development Consent Order sets a time limit on the start of works (Schedule 2) as follows: ' <i>The authorised development must begin no later than the expiration of 5 years beginning with the date that this Order comes into force.</i> ' DCO applications typically do not provide any sensitivity assessments associated with that five-year period of commencement flexibility,	Draft Development Consent Order [Document Reference 3.1 (11)]	Matter Not Agreed

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			<p>but instead reflect a reasonable worst-case scenario to provide adequate information for the Examining Authority and Secretary of State to reach conclusions on likely significant effects.</p> <p>The programme assumptions set out in the environmental impact assessment are indicative to enable a representative assessment of likely significant effects.</p> <p>In terms of reducing uncertainty for the local community, Schedule 2 (Requirements) of the draft Development Consent Order secures a number of control measures, including a requirement to consult stakeholders in developing the detailed design for the Project.</p> <p>It is considered that the Project has provided sufficient certainty regarding the construction programme to allow residents to have confidence that the delivery of the project would be effectively managed.</p>		
Recreational Disturbance	2.1.176 (DL-6)	Gravesham Borough Council notes that Table 16.2 of [APP-154] considers the potential for intra-project effects on receptor groups from other topics. This table shows for each receptor group where other topic effects could result	Recreational disturbance to the North Kent Marshes is covered in paragraphs 6.2.38–6.2.39, 7.2.38–7.1.41 and 7.2.20–7.2.21 of the Habitats Regulations Assessment – Screening Report and Statement to Inform an Appropriate Assessment, which concludes there would be no effect during construction or operation of the Project on this European site.	Habitats Regulations Assessment – Screening Report and Statement to Inform an Appropriate Assessment [APP-487]	Matter Not Agreed

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		<p>in potential intra-project effects (represented by a Y). Gravesham Borough Council is concerned that the intra-project effects for the 'population and health' chapter on biodiversity receptors has not been considered (represented by a N), when National Highways are aware of the Council's concerns about the potential impact on the North Kent Marshes and its bird populations from changes in people's recreational offer during the construction phase but no mitigation has been proposed. Gravesham Borough Council consider there to be an indirect effect during construction related to increased pressure on the Ramsar/SPA as alternative to routes towards Shorne/Thong that are not available during construction. Gravesham Borough Council request that usage of NG2/NG3 and NG5/NS172 should be monitored to ensure</p>	<p>In summary, there is not deemed to be an impact as the areas that the dog walkers would move to are already used by dog walkers and therefore there is a level of habituation to recreational pressure and dog walking by species.</p>		

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		that there are no negative impacts.			
Socio-economic					
SEE Strategy and Supply Chain Use of Local Labour	2.1.69 RRE	Gravesham Borough Council considers that contractors should be required to use local labour whenever possible, including apprenticeships to provide a long-term legacy.	The Applicant has shared a Skills, Employment and Education (SEE) Strategy which sets out the Project's ambition to support local labour progression, skills attainment, and pathways to sustainable employment. An updated draft of the SEE Strategy has been shared with Gravesham Borough Council in July 2022, and some measures are already being implemented (where practicable). The SEE Strategy (appended to the Section 106 Agreements) and subsequently the SAC-R includes a number of obligations on the Project and its contractors to promote apprenticeships, and generally achieve estimates for local recruitment.	SEE Strategy (appended to the Section 106 Agreements [Document Reference 9.166 (2)]) SAC-R [Document Reference 7.21 (7)]	Matter Agreed
SEE Strategy and Supply Chain Implementation of SEE Measures	2.1.70 RRE	Gravesham Borough Council considers that the construction jobs provided by the Project will be a major benefit, but only if a proactive strategy is implemented in good time. Gravesham Borough Council considers that the Project	It is agreed that construction jobs provided by the Project will be a major benefit if a proactive strategy is implemented in good time, however the Project is still developing detail around the approach to skills and training hubs. The SEE Strategy (secured by the SAC-R) also provides a framework to support business growth. This includes development	SAC-R [Document Reference 7.21 (7)]	Matter Agreed

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		<p>should commit to a skills and training hub in Gravesham.</p> <p>Gravesham Borough Council considers that the Applicant needs to satisfy the Council that it will ensure appropriate training is provided to enable local people within the Borough are able to access the employment opportunities; and also needs to demonstrate that measures will be put in place to develop local supply capacity and capability to maximise opportunities for local supply chain businesses</p>	<p>of a supply chain with local businesses, and commits the Applicant, in line with the Department for Transport's Small and Medium Enterprise Action Plan, to track spend of at least £1 in £3 of construction spend with SMEs, to use a free supplier platform to enable local businesses to compete for contract opportunities, to work closely with local authorities and the Local Enterprise Partnership to build and deliver a local supply chain.</p>		
<p>Community Facilities</p> <p>Southern Valley Golf Course</p>	<p>2.1.71</p> <p>RRE</p>	<p>Gravesham Borough Council does not consider that the removal (without replacement) of Southern Valley Golf Course is justified in leisure terms (surplus to recreational requirements) in-line with NSPNN Para 5.166.</p>	<p>The Applicant notes that Southern Valley Golf Course ceased operations in August 2022 and is now in the ownership of the Applicant.</p> <p>The Applicant proposes to replace the area with equivalent scale of space in the form of public open space (Chalk Park which will be accessible and improve connectivity across the area and provide a recreational asset that is currently deficient in the area).</p> <p>The Applicant has provided further information as part of the updated Planning Statement (Appendix D).</p>	<p>Planning Statement [Document Reference 7.2 (2)]</p> <p>Planning Statement Appendix D: Open Space [REP7-136]</p>	<p>Matter Not Agreed</p>

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<p>Traffic Effects on Business / Local Economy</p> <p>Shorne Woods Country Park (SWCP) Access - Closure of Brewers Road</p>	<p>2.1.72</p> <p>RRE</p>	<p>Gravesham Borough Council is concerned that closure of Brewers Road Bridge for 19 months would reduce access to SWCP.</p>	<p>The Applicant recognises that Brewers Road will be closed for a period of likely between 16-19 months, and this is necessary in order to demolish the existing structure and construct the new Green Bridge which is considered a positive measure and one agreed upon with Gravesham Borough Council.</p> <p>More information is provided on the justification for this closure in the Outline Traffic Management Plan for Construction which sets out that there would be an increase in journey times (around six minutes) due to the closure and diversion (via Three Crutches roundabout), but that access would be maintained through illustrative diversion routes, which are subject to refinement on engagement with relevant authorities (as other factors may need to be taken into account, such as other works in the nearby area at the time of closure).</p> <p>The main access to the Country Park would not be impacted, and direct access to the site from the central carpark within the Country Park would be retained. It is considered that the proposals for replacement open space and additional links between isolated parcels of woodland would add benefits to the wider community and Shorne Wood Country Park users, with re-provided land being more accessible by PRowS.</p>	<p>Outline Traffic Management Plan for Construction [Document Reference 7.14 (9)]</p>	<p>Matter Not Agreed</p>

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Traffic Effects on Business / Local Economy Shorne Woods Country Park (SWCP) Access - Closure of Brewers Road	2.1.201 (DL-9A)	Gravesham Borough Council is concerned that reduced access to SWCP would therefore impact on its visitor numbers and income and appropriate compensation is required.	Following Issue Specific Hearings in September 2023, the Applicant is developing an approach to delivering compensation to Shorne Woods Country Park (under the Compensation Code) via a Side Agreement that sets a methodology for KCC to claim quarterly against losses based on baseline variance where it can be demonstrated that the loss is caused directly by the Project which is agreed in principle subject to finalisation following Deadline 9A.	N/A	Matter Agreed
Effects on tourist economy	2.1.177 (DL-6)	Gravesham Borough Council has identified a number of receptors including facilities, heritage assets, public spaces, experiential assets and events which it considers would be adversely affected by construction and operational effects which would damage the area's tourist economy.	The Applicant does not consider that residual effects on facilities, heritage assets, public spaces, experiential assets and events would result in significant adverse effects on the area's tourist economy. In the Applicant's Comments on LIRs – Appendix D – Gravesham Borough Council, the Applicant sets out how each receptor identified has been considered and where appropriate, assessed in terms of the potential effects of the Project, including the consideration of embedded mitigation where applicable. In relation to Gravesham Borough Council's comment about impacts during construction, the oTMPfC identifies a range of stakeholder considerations in Table 2.3, many of which are relevant to the types of facilities referred to,	Comments on LIRs – Appendix D – Gravesham Borough Council [REP2-058] oTMPfC [Document Reference 7.14 (9)]	Matter Not Agreed

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			<p>including events and covering the need for advance warning and sensitivity.</p> <p>Section 5.3 of the oTMPfC relates to significant events and seasonal traffic and highlights that, through engagement, relevant authorities may highlight seasonal peaks and events that they consider require the removal of traffic management.</p>		
Business Displacement	2.1.178 (DL-6)	<p>Gravesham Borough Council note that the proposed works will result in the displacement of a number of businesses for which alternative locations have often not been agreed. There are likely to be significant effects associated with moving business locations including loss of custom and the costs and expenditure associated with relocation.</p>	<p>ES Chapter 13: Population and Human Health identifies those businesses that would be subject to property demolition to enable construction activities and states that business owners and tenants would be able to claim compensation when their land or property is being compulsorily purchased, including, for example, the market value of the land, disturbance compensation and injurious affection compensation (where the construction or use of the Project has reduced the value of the remaining land).</p> <p>Paragraph 13.6.105 of ES Chapter 13: Population and Human Health identifies a number of businesses otherwise affected during construction (for example, subject to temporary possession of land or directly impacted by construction activities) to the south of the River Thames. The Applicant has engaged with all known landowners and occupiers by writing to them to inform them of its willingness to discuss impacts of the proposals on their business, and</p>	<p>ES Chapter 13: Population and Human Health [APP-151] Statement of Reasons [Document Reference 4.1 (8)]</p>	Matter Not Agreed

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			<p>compensation that may be available to them. They have also invited dialogue to acquire the land by agreement. As a result, the Applicant is in the process of engaging with a number of business owners and tenants regarding the Project.</p> <p>The status of such negotiations is set out in Annex B of the Statement of Reasons.</p>		
Business disruption during construction and compensation	2.1.179 (DL-6)	Gravesham Borough Council consider that business interruption insurance should be provided to cover any (pre-tax) shortfall in profits and any increased costs of running a business as a result of traffic effects changing passing trade and access to market during construction.	The Applicant considers that compensation is available to those who have land affected by the Project, and this includes businesses along the route. Where no land is taken or physically impacted, no compensation will be payable but the Applicant has developed a comprehensive set of mitigation measures set out in control documents (referred to in Table 14.1 of the Introduction to the Application.	Introduction to the Application [REP4-002]	Matter Not Agreed
Community Facilities Effects on Cascades Leisure Centre	2.1.73 RRE	Gravesham Borough Council is concerned that there would be detrimental environmental and traffic/access impacts on the users of sport and leisure facilities at Cascades, and its viability due to change in operations at Cascades as a result of the Project.	The Applicant does not consider that the Project is likely to result in significant adverse effects to the operation of Cascades Leisure Centre in terms of commercial viability, or environmental effects on users of facilities – there are no significant effects and no mitigation required in this area. The latest air quality assessment is yet to be completed. However, based on earlier data from the community impacts consultation, the assessment of receptors in this area (not	ES Appendix 2.2: Code of Construction Practice [Document Reference 6.3 ES Appendix 2.2 (9)]	Matter Not Agreed

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			<p>specifically Cascades) found no significant effects in terms of air quality or health.</p> <p>Where there may be temporary changes to land or amenity of land, the Code of Construction Practice covers potential mitigation for example related to protection of existing infrastructure and buildings, and worksite security).</p>		
Gravesend Golf Centre	2.1.198 (DL-9A)	<p>Gravesham Borough Council agree in principle to a settlement regarding the funding, consenting and delivery of a replacement recreational facility for the Gravesend Golf Centre Par 3 course.</p> <p>While this is agreed in principle in terms of the scale of financial remuneration and the phasing of such funding, and the outline roles and responsibilities of each party, at Deadline 9A a formal land agreement has not been reached. Both parties are confident that this will be finalised following Deadline 9A and will address concerns (including potential</p>	<p>The Applicant has worked with Gravesham Borough Council to agree the principle of a settlement regarding the funding, consenting and delivery of a replacement recreational facility for the Gravesend Golf Centre Par 3 course, subject to a final land agreement being finalised.</p> <p>A commitment has been added to the SAC-R (at Deadline 9) to confirm that National Highways will work with GBC to assess whether there is any contamination risk and agree any required remediation on the land identified as a replacement recreational area at Design Principle S3.17. Any remediation required would be carried out by or at the expense of National Highways and would be to a standard suitable for the intended use by GBC as a recreational facility.</p> <p>As such, while this is technically not agreed in detail and finality at this stage, both parties are confident that this agreement will be</p>	<p>Stakeholder Action and Commitments Register [Document Reference 7.21 (7)] Design Principles [Document Reference 7.5 (7)]</p>	Matter Not Agreed

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		contamination and remediation requirements) of each party.	reached and will confirm this to the Examining Authority and Secretary of State following Deadline 9A.		
Community Facilities Effects on Thames View Crematorium and St Marys Church	2.1.180 (DL-6)	Gravesham Borough Council has concerns relating to the proximity of construction works to the Thames View Crematorium and Cemetery relating to traffic congestion leading to uncertain journey times. The primary access to the A226 Gravesend Road compound will be from the A226 Gravesend Road, which also is the only route for accessing the Thames View Crematorium and Cemetery. Currently the area is a very tranquil setting to enable relatives and friends to grieve, and Gravesham Borough Council considers that this will be degraded as a resource for the grieving process by the nearby works. The works will also impact on the important role that St Mary's Church at Chalk has within the community and the well-being support and guidance it provides.	The Applicant is aware of the sensitivity of facilities such as the Thames View Crematorium, Cemetery and associated Memorial Park, and of the vital role these facilities play at a key time in people's lives. It is for these reasons that the oTMPfC highlights cemeteries and crematoria specifically as stakeholders with particular requirements and that these would be addressed in the TMP, particularly in relation to access and egress and the need for advance warning and particular sensitivity around events at evenings and weekends. The role of St Mary's Church at Chalk is noted. The oTMPfC similarly lists places of worship as stakeholders which may have specific requirements that need to be addressed in the Traffic Management Plan. In order to mitigate the potential for significant noise effects during construction, best practice measures (BPM) and other construction phase mitigation would be implemented through the controls inherent within the REAC (Chapter 7 of the ES Appendix 2.2: CoCP). Additionally, under the controls within the CoCP, when further details of the construction method and design are known, the Contractors would develop a	oTMPfC [Document Reference 7.14 (9)] Chapter 7 of the ES Appendix 2.2: CoCP [Document Reference 6.3 ES Appendix 2.2 (9)] Project Design Report Part G: Design Evolution [APP-514]	Matter Not Agreed

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			<p>Noise and Vibration Management Plan (commitment NV002) to control noise as far as reasonably possible under BPM.</p> <p>As part of the design evolution for the Project, comments received during the 2016 public consultation were taken into account, which led to the South Portal being moved further to the south, thereby having a lesser impact on St Mary's Church and its relationship with the nearby community of Chalk. This is set out in the Project Design Report Part G: Design Evolution.</p> <p>The oTMPfC (Section 4) outlines the routes HGV construction-related traffic would use, which include the A226.</p> <p>The Applicant understands the sensitivity and has listed the crematorium as an affected stakeholder in Table 2.3 of the oTMPfC. While it is likely there will be some impact during construction, the TMF would be the appropriate place to discuss and develop mitigation measures with the appointed Contractor. This may include discussing particular sensitive times and working with the crematorium to reduce use of the A226 at certain times where possible to reduce impact and disturbance.</p>		
Community Fund	2.1.74	Gravesham Borough Council considered that a Community Fund should be provided and	It is agreed that a Community Fund will be provided and secured within the SAC-R.	S 106 Agreements Heads of	Matter Agreed

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Community Fund (Principle)		secured by S 106 Agreement but is also content that it is secured by the SAC-R.	It is noted that although the principle of the fund is agreed, Gravesham Borough Council does not agree with the Applicant's approach to detailed drafting within the SAC-R, including indexation method.	Terms [REP4-144] Stakeholder Actions and Commitments Register [Document Reference 7.21 (7)]	
Community Fund (Criteria)	2.1.75	Gravesham Borough Council considers that the Community Fund should fund and facilitate community and environmental enhancement projects within a certain distance of the Project, and include criteria for environmental enhancement projects should include historic landscapes and heritage assets as well as the natural environment.	The Applicant has set out the proposed criteria for the Community Fund within the SAC-R, which does not exclude those suggested by Gravesham Borough Council but sets out additional parameters for the Funds.	S 106 Agreements Heads of Terms [REP4-144] Stakeholder Actions and Commitments Register [Document Reference 7.21 (7)]	Matter Agreed
Community Fund (Scale)	2.1.76	Gravesham Borough Council and the Applicant are in agreement on the scale of proposed Community Funds.	Noted.	N/A	Matter Agreed
Community Fund	2.1.77	Gravesham Borough Council agree with the proposed implementation and governance measures secured	Noted – following engagement, the terms of reference for the Community Fund Panel were amended within the SAC-R to include	Stakeholder Actions and Commitments Register	Matter Agreed

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Community Fund (Implementation and Governance)		for the Community Fund within the SAC-R.	two members of the local community representing Gravesham.	[Document Reference 7.21 (7)]	
Air Quality					
Assessment methodology Methodology: Air Quality, General (PEIR)	2.1.78	Gravesham Borough Council considers that analysis of air quality should be based on the latest version of the Emissions Factor Toolkit (or alternative / updated as relevant) to ensure that its use still represents a conservative approach.	<p>The Applicant can confirm that the latest Emission Factor Toolkit (which is incorporated into the speed band emissions) has been used for the assessment in ES Chapter 5 Air Quality and this has been shared with Gravesham Borough Council for their review.</p> <p>The approach used by the Project is more pessimistic than utilising only Defra tools, as the gap analysis factors applied uplift the modelled concentrations (sometimes by a substantial margin).</p> <p>Gravesham Borough Council's Local Impact Report Appendix 5 (Air Quality) notes that <i>"The latest available tools, including the Emissions Factors Toolkit (EFT) and NO_x to NO₂ conversion tool are all appropriately used in the assessment"</i>.</p>	ES Chapter 5: Air Quality [APP-143] Gravesham Borough Council's Local Impact Report Appendix 5 (Air Quality) [REP1-231]	Matter Agreed
Assessment methodology	2.1.79	Gravesham Borough Council is concerned that the assessment of Air Quality effects does not include appropriate monitoring, modelling or assessment of PM _{2.5} concentrations in-line	<p>The Applicant considers that ES Chapter 5 Air Quality appropriately assesses the impact from both PM₁₀ and PM_{2.5}.</p> <p>PM₁₀ has been modelled using road traffic emissions factors and Defra background pollution maps.</p>	ES Chapter 5: Air Quality [APP-143]	Matter Not Agreed

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Methodology: Assessment of PM 2.5		with the Public Health Outcomes Framework. Gravesham Borough Council consider that there is a need for monitoring of this pollutant that it considers has no safe limit.	All road traffic-related PM ₁₀ is equivalent to PM _{2.5} , which is a worst-case assumption given that PM _{2.5} typically makes up less than 70% of PM ₁₀ . The concentrations predicted have been based on up-to-date modelling, and assessed against national air quality objectives and limit values. The Applicant considers that air quality monitoring would only be required if there was a significant air quality effect which required mitigation, and the assessment has predicted no significant air quality effects in relation to AQS objectives and Limit Values. Air quality monitoring is therefore not required, and could not be used to determine the impacts of the Project as year to year variability in weather would be expected to have a far greater impact on the monitoring results.		
Monitoring Mitigation: Air quality Management and Monitoring	2.1.80	Gravesham Borough Council considers that monitoring should be continued indefinitely after the opening year. Gravesham Borough Council consider that a section 106 agreement would secure additional controls, including funding of post(s) to monitor	Subject to detailed arrangements, proposed pre-construction monitoring equipment may remain post-opening for Gravesham Borough Council's use. This is now secured (at Deadline 9) by the SAC-R. The Applicant has considered requests from Gravesham Borough Council related to S 106 funding for monitoring and enforcement but primarily these controls will be secured via the Register of Environmental Actions and	ES Appendix 2.2: Code of Construction Practice [Document Reference 6.3 ES Appendix 2.2 (9)] Stakeholder Actions and	Matter Not Agreed

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		air quality, respond to requests, investigate potential breaches and support on other matters during the construction process and the initial phases or operation.	Commitments (within the Code of Construction Practice). The Applicant and GBC have signed a Section 106 Agreement relating to officer contributions for a planning officer and environmental health officer.	Commitments Register [Document Reference 7.21 (7)]	
Cultural Heritage					
Archaeology Methodology: Archaeological investigation	2.1.81	Gravesham Borough Council notes that archaeological investigation which has discovered some below surface features might result in some limited adjustments to ancillary aspects of the Project.	The Applicant has set out all the significant impacts on heritage assets and their mitigation within ES Chapter 6: Cultural Heritage and ES Appendix 6.9: Draft Archaeological Mitigation Strategy and Outline Written Scheme of Investigation. The Applicant has amended the Project in areas subject to appropriate thresholds. Following engagement between the Applicant and Kent County Council to resolve outstanding clarifications on this matter, this is also resolved with Gravesham Borough Council.	ES Chapter 6: Cultural Heritage [REP4-116] ES Appendix 6.9: Draft Archaeological Mitigation Strategy and Outline Written Scheme of Investigation [Document Reference 6.3 ES Appendix 6.9 (6)]	Matter Agreed
Heritage Assets: Impacts Impacts: Setting of Heritage Assets	2.1.82	Gravesham Borough Council considers that National Highways assessment during (Community Impacts) Consultation that the " <i>built project is unlikely to change the setting of any heritage</i>	The Applicant has reviewed the wording of the relevant ward summary and made necessary amendments to reflect accurate position. This is reflected in the DCO submission at ES Chapter 6: Cultural Heritage.	ES Chapter 6: Cultural Heritage [REP4-116]	Matter Agreed

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		assets" is incorrect – considering that there is a major impact on heritage assets, particularly on the village of Thong and its conservation area.	Following engagement, the parties have agreed that this matter is superseded and therefore resolved.		
Landscape: Impacts Impacts: Landscape / Historic Character	2.1.83	Gravesham Borough Council considers that the proposals for Project pay limited regard to historic landscapes in the Cobham/Shorne area. Gravesham Borough Council considers that Landscape Character and Historic Characterisation should be afforded greater priority in the list of design principles, and a re-evaluation of the impact of the project on landscape and historic character may be necessary to prevent a piecemeal approach and a loss of 'character'. Gravesham Borough Council is concerned that the ES does not go beyond a high level Historic Landscape Categorisation (HLC) assessment to consider the importance of local landscape	The Applicant considers that the landscape design will protect views across historic landscape and topography and will be influenced by historic features, land use, patterns and boundaries but there are some areas where the historic landscape has already been significantly compromised, such as around the A2 corridor, and in these areas it would not be possible to take it into account given the scale of existing change. In these areas the intention is to provide a landscape design that most effectively screens the additional infrastructure that would be introduced by the Project to avoid or reduce impacts to heritage assets (and other receptors) in the surrounding area. The Applicant believes the use of Historic Landscape Characterisation is proportionate and was set out in Chapter 7 of the Environmental Impact Assessment - Scoping Report and was accepted by the Planning Inspectorate and not questioned in their Scoping Opinion. The draft Archaeological Mitigation Strategy and Outline Written Scheme of Investigation allows for additional	Design Principles [Document Reference 7.5 (7)] ES Chapter 6 Cultural Heritage [REP4-116] ES Appendix 6.9: Draft Archaeological Mitigation Strategy and Outline Written Scheme of Investigation [Document Reference 6.3 ES Appendix 6.9 (6)]	Matter Not Agreed

Topic	Item No.	Gravesham Borough Council Comment	The Applicant's Response	Application Document Reference	Status
		development at a more localised level.	research and recording of any historic landscape identified as part of the Project.		
Landscape: Impacts Mitigation: Cultural Heritage Mitigation Strategy	2.1.84 RRE	Gravesham Borough Council considers that the impact on the village of Thong (with its Conservation area) and the overall setting of Cobham Park will be significantly impacted, as well as any direct physical impacts from construction of the Project, and that an integrated approach needs to be taken to fully appraise the impacts and produce a comprehensive and sensitive strategy for this area across landscape, biodiversity and historic impacts, rather than prioritising engineering.	The Applicant is content that the ES Chapter 6 appropriately considers the likely significant effects and propose mitigation for each. Where physical embedded mitigation is proposed, it is integrated into the design of the Project and considered as such by the EIA in reaching its conclusion – so has evolved in such a way to reduce all environmental effects in an integrated way. This of the Applicant refers to ES Chapter 6, the Register of Environmental Actions and Commitments (within the Code of Construction Practice) and Design Principles.	ES Chapter 6: Cultural Heritage [REP4-116] ES Appendix 2.2: Code of Construction Practice [Document Reference 6.3 ES Appendix 2.2 (9)] Design Principles [Document Reference 7.5 (7)]	Matter Not Agreed
Assessment methodology	2.1.152 (DL-1) RRN	Gravesham Borough Council considers that the appraisal is confused in methodological terms and as to what guidance is being followed. As noted above the entire route in Kent is on land that historically formed part of the Cobham Estate. Dramatic change has occurred over time (e.g. development on the east side	The Applicant is confident that the established methodology for the assessment of impacts on cultural heritage is robust, accurate and demonstrates accordance with policy. The methodology and guidance is clearly set out in Section 6.3 Assessment and Methodology, of ES Chapter 6: Cultural Heritage. The Cobham Estate is referenced throughout the relevant section of Chapter 6: Cultural	ES Chapter 6: Cultural Heritage [REP4-116] ES Appendix 6.1: Cultural Heritage Desk-based Assessment (1 of 4) [APP-351] ES Appendix 6.15: Master Gazetteer of	Matter Not Agreed

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		<p>of Gravesend as well as the A2 itself), but this background supplies the historic framework for considering impact and future change, as set out in guidance. The area is rich in archaeological remains (especially along Watling Street).</p> <p>The village of Thong (Conservation Area with a number of non-designated buildings) is impacted by A122 to the west and proposed planting schemes around it, which will significantly alter its character as a settlement in open countryside framed by woodland. The Milton construction site, CA3b, as shown in the plane could involve the towpath (NCN1/NG2) and the Thames & Medway canal (a non-designated heritage asset).</p>	<p>Heritage, paragraphs 6.4.186 to 6.4.188; and Cultural Heritage Desk-based Assessment (1 of 4), in particular paragraphs 5.1.61 to 5.1.66, 5.4.18 to 5.4.23, 7.2.40 to 7.2.56 and 7.2.61.</p> <p>The Project has identified 1,305 archaeological sites or examples of remains within Kent, which are reported in the application documents, these assets are set out in ES Appendix 6.15: Master Gazetteer of Heritage Assets. The Thong Conservation Area and the non-designated buildings within are described in ES Chapter 6: Cultural Heritage in paragraphs 6.4.155 to 6.4.161 and assessed in paragraphs 6.6.18, 6.6.22, 6.6.250 and paragraphs 6.6.262 to 6.6.269. The effects of the Project on the Thames and Medway Canal are assessed in Chapter 6: Cultural Heritage at paragraphs 6.6.25 and 6.6.297.</p>	<p>Heritage Assets [APP-373]</p>	
Assessment Methodology	2.1.153 (DL-1) RRN	Gravesham Borough Council notes that while considerable archaeological investigations have been carried out, with significant results, this has not been done for the Southern	<p>While over 4,500 archaeological trial trenches have been carried out across the Project, access for intrusive fieldwork was not possible at Southern Valley Golf Course.</p> <p>However, archaeological investigations in the form of a geophysical survey were carried out</p>	<p>ES Appendix 6.7: Geophysical Survey Reports (1 of 2) [AS-051]</p> <p>ES Appendix 6.1: Cultural Heritage</p>	Matter Agreed

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		<p>Valley Golf Course or the areas of new planting proposed to compensate for ammonia deposition.</p> <p>It is not therefore known whether these are deliverable in archaeological terms.</p> <p>Gravesham Borough Council considers that sufficient flexibility be built into the dDCO to allow for preservation of archaeology in-situ, in a way that is commensurate with its significance and that the final design and layout of the construction site/Chalk Park only be agreed once the necessary archaeological fieldwork has taken place and the results reviewed by KCC archaeology.</p>	<p>at Southern Valley Golf Course between November 2018 and January 2019. This is reported in Appendix 6.7 - Geophysical Survey Reports (1 of 2). This geophysical survey, Appendix 6.1 - Cultural Heritage Desk-based Assessment (1 of 4), and the results of nearby archaeological trial trenching, reported in Appendix 6.8 - Trial Trenching Reports - Volumes D (4 of 5) and E (5 of 5), provide sufficient information for appropriate and deliverable mitigation. This is being developed with KCC who are the archaeological advisors to Gravesham Borough Council and a draft mitigation strategy is presented in Appendix 6.9 - Draft Archaeological Mitigation Strategy and Outline Written Scheme of Investigation.</p> <p>Those areas identified for new planting proposed to compensate for ammonia deposition (referred to in the submission documents as Nitrogen Deposition Compensation Sites) were included within the wider area reviewed as part of ES Appendix 6.1: Cultural Heritage Desk-based Assessment (1 of 4) and are assessed within ES Chapter 6: Cultural Heritage. Further geophysical surveys have been commissioned on the Nitrogen Deposition Compensation Sites and, in discussion with KCC, further archaeological investigation may be carried out to inform the detailed</p>	<p>Desk-based Assessment (1 of 4) [APP-351]</p> <p>ES Appendix 6.8: Trial Trenching Reports - Volume D (4 of 5) [APP-365]</p> <p>ES Appendix 6.8: Trial Trenching Reports - Volume E (5 of 5) [APP-366]</p> <p>ES Appendix 6.9: Draft Archaeological Mitigation Strategy and Outline Written Scheme of Investigation [Document Reference 6.3 ES Appendix 6.9 (6)]</p> <p>ES Chapter 6: Cultural Heritage [REP4-116]</p>	

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			<p>design of the Nitrogen Deposition Compensation Sites to deliver appropriate planting (e.g. species rich grassland) to avoid impacts on buried archaeology where this is confirmed to be present.</p> <p>A programme of evaluation has been discussed with Kent County Council as archaeological advisors to Gravesham Borough Council. This builds on the earlier assessments and will include controlled metal detecting and fieldwalking. Timing of the archaeological trial trenching here is constrained by the controlled metal detecting and fieldwalking which should be completed prior to any intrusive archaeological work in this area.</p> <p>The Applicant and KCC recognise that this matter is anticipated to be resolved on agreement of a revised dAMS-OWSI to be submitted at Deadline 9.</p>		
Categorisation of 'harm'	2.1.181 (DL-6)	Gravesham Borough Council is concerned that the ES is not consistent with national policy in terms of the 'value' assigned to heritage assets or categorisation of 'harm'.	In terms of value, Gravesham Borough Council has concerns with the approach the Applicant has taken to use the criteria set out in DMRB LA 104 (Highways England, 2020) to assign value, based on the asset's international, national, regional and local significance. This differs from the NPSNN (DfT, 2014) in two respects: firstly it separates out the very highest category of asset, the World Heritage Site, acknowledging that in order to be inscribed	ES Chapter 6: Cultural Heritage [REP4-116]	Matter Not Agreed

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			<p>on the Register, UNESCO must judge the site to be of “outstanding value to humanity”. As this is clearly a level of value beyond normal, it is appropriate to create a very high value category. Secondly, all nationally designated assets are assigned a high value, meaning that Grade II buildings are given a high value. But importantly, the difference in value does not change the implementation of policy and the decision over whether harm should be exceptional or wholly exceptional.</p> <p>For designated heritage assets, the Applicant recognises that there can only be three categories of harm in policy terms: substantial harm; less than substantial harm; and no harm (and note that for heritage this does not fully align with the “typical description” in Table 3.7 of DMRB LA 104). The Applicant has regarded the category of “less than substantial harm” to cover any harm below the level of substantial. This means that designated assets that have been assessed as having a slight effect are still regarded as experiencing a degree of harm. In order to ensure any designated asset experiencing “less than substantial harm” is considered, detailed descriptions of the impact on designated heritage assets where an effect that is not significant has been predicted, are included within ES Chapter 6: Cultural Heritage.</p>		

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Individual Heritage Assets and Wider Effects	2.1.182 (DL-6)	Gravesham Borough Council is concerned that the ES concentrates on harm to individual heritage assets and does not consider harm to cultural heritage 'in the round'.	Heritage assets have been considered by period and geographical region in ES Appendix 6.1: Cultural Heritage Desk-based Assessment, which provides an overarching assessment of the Project's heritage effects. The assessment of individual heritage assets is, however, entirely aligned with the relevant policy tests in the NPSNN at paragraphs 5.120 - 5.142 – which are definitive in requiring assessment of impact on heritage assets.	ES Appendix 6.1: Cultural Heritage Desk-based Assessment [APP-351 to APP-354]	Matter Not Agreed
Landscape and Visual					
Plants & Woodlands Effects on the setting of the AONB	2.1.85 RRE	Gravesham Borough Council is concerned that the selection of the route has serious implications for the Kent Downs Area of Outstanding Natural Beauty, including: <ul style="list-style-type: none"> The effects on views which are part of the cultural heritage; and The erosion of landscape and visual quality due to a change in the nature of the landscape to a hard-edged and urban environment, out of scale with the existing landscape and stripped of screening vegetation. 	The Applicant acknowledges that there would be some unavoidable loss of existing vegetation, along the A2 corridor, however, a landscape strip would be maintained between the widened A2 and HS1 and replacement planting would be undertaken wherever practicable. The Applicant considers that the provision of two green bridges crossing the A2 along Brewers Road and Thong Lane would help to further reduce the urban character of the widened A2 corridor. Potential impacts to views that are relevant to cultural heritage have been assessed through viewpoint photography and in some cases photomontages. This is documented in the ES Chapter 7: Landscape and Visual.	ES Chapter 7: Landscape and Visual [Document Reference 6.1 ES Chapter 7 (2)]	Matter Not Agreed

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Plants & Woodlands Principle to Retain Planting	2.1.86	Gravesham Borough Council considers that National Highways should retain as much planting as possible along the A2/M2 corridor in order to retain essential screening and continuity of planting in - and in the setting of the AONB.	The Applicant agrees with this principle - as stated in Design Principle S1.01 and S1.02 (Design Principles), existing planting along the northern edge of the A2 corridor and south of the A2 shall be retained as far as reasonably practicable.	Design Principles [Document Reference 7.5 (7)]	Matter Agreed
Impacts Severance of the AONB	2.1.87	Gravesham Borough Council is concerned about the proposed severance of the northern part of the Kent Downs AONB along the widened A2 corridor and A2/LTC junction, including removal of central reservation from the A2 along this section. Gravesham Borough Council considers that the experience of walkers, riders and cyclists crossing the newly widened road corridor will be significantly affected by the proposal.	The Applicant notes that the Kent Downs AONB is already severed by the existing A2 corridor, but that the two proposed green bridges along Brewers Road and Thong Lane would help reduce this severance by enhancing connectivity across the A2 corridor for recreational use and wildlife. The Applicant considers that the experience of walkers, riders and cyclists crossing the newly widened road corridor would be enhanced by the proposed green bridges.	N/A	Matter Not Agreed
Impacts	2.1.88	Gravesham Borough Council considers that the size, massing, design elements and siting of the A2/LTC junction, and its proposed cuttings, is	The Applicant notes that extensive woodland planting is proposed adjoining the eastern edge of Gravesend in the vicinity of the proposed M2/A2/A122 Lower Thames Crossing junction, and no landscape	ES Chapter 7: Landscape and Visual [Document	Matter Not Agreed

Topic	Item No.	Gravesham Borough Council Comment	The Applicant's Response	Application Document Reference	Status
Visual Intrusion of the A2/LTC Junction		<p>out of scale and character with the surrounding AONB landscape.</p> <p>Gravesham Borough Council is concerned that consultation documents have not provided appropriate visual imagery showing the size, height and mass of the A2/LTC junction and associated road infrastructure, from the users' viewpoints.</p> <p>Gravesham Borough Council note that planting trees around the main junction will help to soften its visual impact, but should be close to the communities affected, and may require some consideration of landscape treatment outside of the red line boundary/order limits.</p> <p>Gravesham Borough Council consider that the junction would introduce a number of levels of carriageway, in cuttings and flyovers, and would introduce significant new urbanising elements into the setting of the KDAONB. This is of particular concern</p>	<p>treatment is proposed outside the Order Limits.</p> <p>The Applicant is content that mitigation including proposed false cuttings and extensive woodland planting would soften the appearance of the M2/A2/A122 Lower Thames Crossing junction and help integrate the junction into the landscape.</p> <p>The Project design has evolved throughout stages of consultation, and the assessment in ES Chapter 7: Landscape and Visual, has been updated accordingly.</p> <p>The Applicant is content that adequate material has been shared through consultation to give people an appropriate sense of the size, height and mass of the M2/A2/A122 Lower Thames Crossing junction.</p> <p>A preliminary selection of landscape cross-sections has been shared with Gravesham Borough Council (via email on 12 May 2023), showing the scale of the M2/A2/A122 Lower Thames Crossing junction in the landscape.</p> <p>A further series of landscape cross-sections showing the size, height and mass of the M2/A2/A122 Lower Thames Crossing junction and associated road infrastructure was submitted at Deadline 2, in conjunction with engineering cross-sections requested by the Examining Authority.</p>	<p>Reference 6.1 ES Chapter 7 (2)</p> <p>Project Design Report Part D: General Design South of the River [APP-509]</p> <p>ES Figure 7.19: Photomontages - Winter Year 1 and Summer Year 15 (1 & 2 of 4) [Document Reference 6.2 ES Figure 7.19 1 of 4 (5), 2 of 4 (3)]</p> <p>ES Appendix 7.9: Schedule of Landscape Effects [Document Reference 6.3 ES Appendix 7.9 (2)]</p> <p>ES Appendix 7.10: Schedule of Visual Effects [Document Reference 6.3]</p>	

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		<p>when considered together with the increase in severance of the KDAONB, with its increased urbanisation and opening-up of the landscape along the A2 transport corridor.</p>	<p>Other visual images illustrating the M2/A2/A122 Lower Thames Crossing junction are provided in Section 5 of the Project Design Report Part D: General Design South of the River; photomontage S-22 in ES Figure 7.19: Photomontages - Winter Year 1 and Summer Year 15 (1 of 4); and in photomontages S-25 and S-28 in ES Figure 7.19: Photomontages - Winter Year 1 and Summer Year 15 (2 of 4).</p> <p>Landscape and visual effects associated with the M2/A2/A122 Lower Thames Crossing junction on the setting of the Kent Downs AONB are assessed in ES Appendix 7.9: Schedule of Landscape Effects, and ES Appendix 7.10: Schedule of Visual Effects. Effects would be most apparent during construction, due to vegetation clearance and construction of the large-scale M2/A2/A122 Lower Thames Crossing junction. However, by the design year, these effects would be substantially reduced due to the establishment of extensive woodland planting at the proposed junction, which would be in keeping with the adjoining wooded character of the AONB. There would be few locations within the AONB where the new junction would be visible.</p> <p>As all but the very eastern edge of the M2/A2/A122 Lower Thames Crossing</p>	<p>ES Appendix 7.10 (2)]</p>	

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			junction lies outside the Kent Downs AONB, the issue of severance does not apply.		
Mitigation Planting as screening	2.1.183 (DL-6)	Gravesham Borough Council consider that that the project has an over-reliance on planting to provide effective screening by the Design Year (within 15 years) - The stated rates of plant growth will depend on a range of factors, e.g. size at time of planting, density of planting, soils, maintenance and watering regime.	The Applicant considers that heights of established mitigation planting that have been assumed in the Landscape and Visual Impact Assessment at design year are stated in paragraph 7.3.92 of ES Chapter 7: Landscape and Visual. These heights are considered to be a reasonable reflection of likely growth rates over a 15-year period.	ES Chapter 7: Landscape and Visual [Document Reference 6.1 ES Chapter 7 (2)]	Matter Not Agreed
Impacts Loss of Central Reservation	2.1.89	Gravesham Borough Council considers that the loss of the vegetated central reservation will have a significant impact on the landscape and views from the east, increasing the urbanisation of this stretch of the Kent Downs AONB and the severance of the woodlands north and south of the A2.	The Applicant considers that the visual effects of the A2 widening in views from the east would be negligible and there would little visual impact in views from the south, given the retention of existing trees and woodland adjoining HS1. The Applicant notes that the woodlands north and south of the A2 are already severed by the existing A2 corridor. The Applicant considers that retention of the existing central reservation planting would result in further vegetation removal to the north of the road corridor, to accommodate the required width of widening. After careful consideration, it was therefore considered preferable to remove the central	N/A	Matter Not Agreed

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			reservation planting rather than impact further impact on woodland to the north, including designated woodland.		
Infrastructure/ Landscape Integration Loss of HS1 Landscaping	2.1.90	Gravesham Borough Council considers that the entire corridor, including HS1, needs to be treated as a whole. Gravesham Borough Council considers that National Highways needs to address the loss of HS1 landscaping and consider widening the corridor on the north side. Gravesham Borough Council considers that under the proposed Project, the transport corridor would become far more urban in character and much of this landscaping would be lost.	The Applicant acknowledges that there would be some unavoidable loss of existing vegetation, along the A2 corridor, however, a landscape strip would be maintained between the widened A2 and HS1 and replacement planting would be undertaken wherever practicable. The Applicant considers it preferable to remove the central reservation planting rather than impact further impact on woodland to the north, including designated woodland.	N/A	Matter Not Agreed
Infrastructure/ Landscape Integration Visual Effects of the Approach to South Portal	2.1.91	Gravesham Borough Council is concerned that the approach road to the southern tunnel portal would be in deep cutting from Thong Lane northwards, which would be an intrusive and jarring feature in the local landscape.	The Applicant notes that the cutting leading up to Thong Lane is shown on the Environmental Masterplan as LE 1.4 (rock and scree), where natural colonisation would be encouraged on the chalk face, to visually soften the bare faces of the chalk cutting. Outline management requirements are set out in the outline Landscape and Ecology Management Plan.	Outline Landscape and Ecology Management Plan [Document Reference 6.7 (7)] Environmental Masterplan [Document	Matter Not Agreed

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			Tunnel portal buildings would be located in deep cutting and would not therefore be visible from the surrounding landscape.	Reference 6.2 ES Figure 2.4 Sections 1 and 1a (4), Section 2 (5), Section 3 (4), Section 4 (2), Section 9 (6), Section 10 (4), Section 11 (3), Section 12 (3), Section 13 (3), Section 14 (3)]	
Infrastructure/ Landscape Integration Road/Landscape Integration	2.1.92	Gravesham Borough Council is concerned about the Project leading to a piecemeal approach to the issue of integrating the scheme into the landscape rather than a more strategic approach to analysing and re-appraising the landscape character. Gravesham Borough Council considers that introducing different landforms and planting results in a landscape with little cohesion, with some references to past land uses. Gravesham Borough Council agrees in principle to LSP.03,	The Applicant notes that, as stated in LSP.03 (Design Principles), the earthworks shall be graded into the wider landscape as appropriate to the context and shall respect the local topography and landscape character where reasonably practicable. Planting would therefore be used, if required, to provide further visual softening of earthworks to help integrate the Project into the landscape. The location of proposed planting is shown on the Environmental Masterplan, which provides comprehensive proposals for the whole Project, rather than a piecemeal approach and has regard to the character of the existing landscape.	Design Principles [Document Reference 7.5 (7)] Environmental Masterplan [Document Reference 6.2 ES Figure 2.4 Sections 1 and 1a (4), Section 2 (5), Section 3 (4), Section 4 (2), Section 9 (6), Section 10 (4), Section 11 (3), Section 12 (3),	Matter Not Agreed

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		but consider that using planting as a means of screening (which may not 'fit' in the landscape), needs to be implemented carefully and appropriately.	The detailed design shall use planting to soften the edge of the earthworks and integrate the Project as defined in the Environmental Masterplan.	Section 13 (3), Section 14 (3)]	
Plants & Woodlands Woodland North of A2 Corridor	2.1.93	Gravesham Borough Council considers that for woodland north of A2 Corridor, there is a need to preserve views and enhance setting and extend/reinforce the woodland landscape where appropriate.	The Applicant agrees with the need to preserve views and enhance setting and extend/reinforce the woodland landscape where appropriate – where tree loss is unavoidable, landscape proposals shall maximise reinstatement of woodland within the A2 corridor as defined in the Environmental Masterplan. The Applicant refers Gravesham Borough Council to application documents including the Environmental Masterplan and Design Principles and their detail on the type of planting, its ecological potential and relationship to existing habitat, appropriate type of landscape and access routes (where appropriate).	Environmental Masterplan [Document Reference 6.2 ES Figure 2.4 Sections 1 and 1a (4), Section 2 (5), Section 3 (4), Section 4 (2), Section 9 (6), Section 10 (4), Section 11 (3), Section 12 (3), Section 13 (3), Section 14 (3)] Design Principles [Document Reference 7.5 (7)]	Matter Not Agreed
Lighting	2.1.16	Gravesham Borough Council considers that if street lighting is introduced in new areas where it is not currently present, in some cases this	The Applicant notes that Design Principle LSP.02 (Planting Strategy) applies across the whole of the Project: <i>"To preserve the rural and historic nocturnal character of the landscape along the Project</i>	Design Principles [Document Reference 7.5 (7)]	Matter Agreed

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Operational – Street Lighting		would be intrusive and alien to the surrounding landscape.	<p><i>route, only junctions and approaches to the portals shall be lit. Lighting will be minimised wherever it is reasonably practicable and safe to do so, but shall remain in accordance with relevant standards.</i></p> <p>The Applicant confirms that lighting will be designed to 'reduction of obtrusive lighting' standards to control light spill.</p> <p>Where lighting is in cutting the height of the columns will be designed to keep them below ground level where possible. Within the junction, lighting will be kept as far as technically practicable to a minimum, while meeting the required Design Manual for Roads and Bridges (DMRB) standards (no floodlights are proposed within the area).</p> <p>Additionally, there is woodland planting within the junction and around the perimeter, along with earth embankments (false cuttings) to mitigate the visual impact of the highway.</p>	ES Appendix 2.2: Code of Construction Practice [Document Reference 6.3 ES Appendix 2.2 (9)]	
Light Spill	2.1.172 (DL-6)	Gravesham Borough Council is concerned that minimal information has been provided for the anticipated light spill (APP-199) from the operational phase of the Project, with only a small section highlighting the expected light spill upon key receptors. Without this	<p>The Applicant notes that the location of operational lighting is shown on the General Arrangement Plans (Volume B) and (Volume C).</p> <p>As described in ES Chapter 2: Project Description, proposed lighting has been designed with consideration of associated environmental impacts including the use of luminaires that emit no light above the horizontal to reduce skyglow, directing</p>	ES Chapter 2: Project Description [APP-140] Design Principles [Document Reference 7.5 (7)] Habitats Regulations	Matter Not Agreed

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		information interested parties are unable to determine the full extent of the impacts.	<p>lighting to reduce light spill, and the use of warm white LEDs to reduce the impact of light spill. ES Appendix 8.15: Construction and Operational Light Spill Calculations provides details on changes in light levels during the operational phase. These measures are reinforced in principle LST.02 and principle LST.03 of the Design Principles to preserve the nocturnal character of the landscape'.</p> <p>The effect of light spill on European sites is assessed in paragraphs 6.2.107 to 6.2.115 of the Habitats Regulations Assessment - Screening Report and Statement to Inform an Appropriate Assessment. The effects of light spill on all other terrestrial biodiversity receptors is reported in ES Chapter 8: Terrestrial Biodiversity.</p> <p>The calculations that support the assessment of the effects of light spill on ecological receptors are reported in ES Appendix 8.15: Construction and Operational Light Spill Calculations.</p>	<p>Assessment - Screening Report and Statement to Inform an Appropriate Assessment [APP-487]</p> <p>ES Chapter 8: Terrestrial Biodiversity [Document Reference 6.1 ES Chapter 8 (2)]</p> <p>ES Appendix 8.15: Construction and Operational Light Spill Calculations [APP-407]</p>	
Mitigation Setting of Thong Village	2.1.94	Gravesham Borough Council considers that the Project is bringing about a significant landscape change, and this requires a creative approach to landscape in order to ensure that Thong retains its character, while also providing	<p>The Applicant considers that the landscape design around Thong aims to balance mitigating impacts of the Project with retaining an open setting to the west of Thong village.</p> <p>This has taken into account the setting of the conservation area and, where possible,</p>	N/A	Matter Not Agreed

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		adequate screening to reduce the noise and visual intrusion of the Project. Gravesham Borough Council considers that some planting areas should be considered – potentially close to the village – and that there is a need to balance shielding the settlement from the new road with the maintenance of its historic setting as part of the Darnley Estate.	sought to preserve the aspects of its setting that contribute to the significance of the conservation area. However, given the scale of the A2 junction the intention is to provide a landscape design that most effectively screens the additional infrastructure of the junction that would be introduced by the Project, to reduce impacts to Thong from this direction.		
Impacts Views from Thong Village	2.1.95	Gravesham Borough Council is concerned that the Operations Update Document published for Community Impacts Consultation (July 2021) show optimistic and possibly misleading views from Thong village looking south-west, and suggest that the junction is likely to be visible.	The Applicant considers that the images are taken from a photomontage prepared from a Public Right of Way on the edge of Thong village and are consider that they are an accurate portrayal of the Project from this viewpoint. The illustrations show the top of lighting columns and signage visible on the junction before woodland planting mitigation on the false cutting establishes.	N/A	Matter Not Agreed
Plants & Woodlands Chalk Park	2.1.96 RRE	Gravesham Borough Council is concerned that the design and layout of this new open space at Chalk Park should be developed in close liaison with Gravesham Borough Council and local communities.	Proposals for a cohesive landscape design, including the proposed Chalk Park, are shown on the Environmental Masterplan - Sections 3, 4 and 5, including the proposed Chalk Park takes into consideration landscape, biodiversity, cultural heritage, access and recreation issues.	Environmental Masterplan [Document Reference 6.2 ES Figure 2.4 Sections 1 and 1a (4), Section 2	Matter Not Agreed

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		<p>Gravesham Borough Council is disappointed that such a large and extensive construction compound is required in this area, as Gravesham Borough Council consider that early structure planting for the new park would help to establish the site.</p> <p>Gravesham Borough Council also raises concern that the design of the surrounding Chalk Park is supposed to mimic the open fields with wooded heights found in the Shorne/Cobham Woods area, but this landscape feature is however on a much larger scale than Chalk Park.</p> <p>Gravesham Borough Council considers that an appraisal of the whole area would consider the landscape in the context of its rich heritage, biodiversity and access interests, and provide a more strategic response to the introduction of the Project into the landscape.</p>	<p>As stated in Design Principles at LSP.03, the earthworks shall be graded into the wider landscape as appropriate for its context and shall respect the local topography and landscape character where reasonably practicable. The detailed design shall use planting to soften the edge of the earthworks and integrate the Project as defined in the Environmental Masterplan.</p> <p>Design Principle LSP.23 identifies that where reasonably practicable, planting shall be undertaken early in the construction programme to maximise the maturity of the planting scheme at road opening.</p> <p>Following engagement, the Applicant has agreed to provide Gravesham Borough Council with more clarity on the boundaries of Chalk Park and how that feeds through to design and management of the area in order to resolve this matter (noting that Figure 5.12 of the oLEMP shows Chalk Park and Environs, showing the boundaries of the Park).</p> <p>As noted in paragraph 4.1.13 of the oLEMP, local planning authorities such as Gravesham Borough Council would be part of the advisory group for development of the LEMP. In addition, Gravesham Borough Council is listed in Table 2.1 of the oLEMP and would therefore be consulted on the detailed LEMP, which would include details of hard and soft</p>	<p>(5), Section 3 (4), Section 4 (2), Section 9 (6), Section 10 (4), Section 11 (3), Section 12 (3), Section 13 (3), Section 14 (3)]</p> <p>Design Principles [Document Reference 7.5 (7)]</p> <p>Draft DCO [Document Reference 3.1 (11)]</p> <p>oLEMP [Document Reference 6.7 (7)]</p>	

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			landscaping works, as stated in Requirement 5 of the draft DCO.		
Plants & Woodlands Shorne Ifield Road	2.1.97	<p>Gravesham Borough Council notes that at Local Refinement Consultation, National Highways proposed to move an area of planting north of Shorne Ifield Road to the south.</p> <p>Gravesham Borough Council is concerned that the boundary of this site may appear artificial, and consider that the inclusion of an area of land to the immediate east of the land parcel would enable a link to SSSI land on its eastern and southern boundaries.</p> <p>Gravesham Borough Council is concerned that the proposal for woodland at this location would block valuable views across the Thames.</p>	<p>The Applicant recognises Gravesham Borough Council's consideration that additional planting (over and above the quantum identified as needed to compensate for loss of ancient woodland) would provide additional connectivity to the SSSI to the east and south of the site proposed by Gravesham.</p> <p>While it is agreed that this would benefit connectivity to the SSSI, the Applicant considers that the site chosen would improve the woodland link between the Thong Lane Green Bridge and the woodlands within the Site of Special Scientific Interest (SSSI) and Shorne Woods Country Park compared with present arrangements, compensate for the effect of loss of ancient woodland, and avoid additional effects on views and archaeology.</p> <p>The landscape in this location is currently an agricultural field with a woodland edge, and the Applicant considers that the proposed site would relate well to existing woodland in Shorne Woods Country Park and therefore achieve a fit with the existing landscape.</p> <p>The Applicant has produced a number of relevant Design Principles, and is committed to the development of a LEMP, post DCO consent, to be developed in line with the</p>	<p>Design Principles [Document Reference 7.5 (7)]</p> <p>Outline Landscape and Ecology Management Plan [Document Reference 6.7 (7)]</p> <p>ES Appendix 2.2: Code of Construction Practice [Document Reference 6.3 ES Appendix 2.2 (9)]</p> <p>Environmental Masterplan [Document Reference 6.2 ES Figure 2.4 Sections 1 and 1a (4), Section 2 (5), Section 3 (4), Section 4 (2),</p>	Matter Agreed

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			controls and commitments in the outline Landscape and Ecology Management Plan, Design Principles, and the Register of Environmental Actions and Commitments (within the Code of Construction Practice), which refer to the approach to design and planting that respects natural environmental and landscape character. Gravesham Borough Council will be a consultee to the development of this document. The Environmental Masterplan shows amended planting north of Shorne Ifield Road (Section 2, Sheet 20).	Section 9 (6), Section 10 (4), Section 11 (3), Section 12 (3), Section 13 (3), Section 14 (3)]	
Impacts Remodelling of Tilbury Fields	2.1.98	Gravesham Borough Council notes that Tilbury Fields is visible from Gravesham and sites in a generally flat landscape where the forts are main development on the riverside. Gravesham Borough Council is concerned that the proposals to introduce new landforms affect the Green Belt and the setting of the various forts and their sightlines. Gravesham Borough Council considers that this proposal may result in a significant	The Applicant notes Gravesham Borough Council's concerns but does not agree that changes would be significant or adverse. The design of proposed environmental mitigation has had regard to the historic character of the landscape, for example, LSP.07 of the Design Principles states that to protect views across historic landscape and topography, the new landscape design will take account of local landscape character, respect historic features and reference historic land use, patterns and boundaries. The Applicant has assessed the significance of any effect of the introduction of the proposed 24m landform at Tilbury Fields, with respect to views across the River Thames from Shornemead Fort and in the context of	Design Principles [Document Reference 7.5 (7)] ES Chapter 7: Landscape and Visual [Document Reference 6.1 ES Chapter 7 (2)]	Matter Not Agreed

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		change to local and long views, and consideration should be taken to re-assess the landscape and visual impacts.	landscape and views where considered relevant within ES Chapter 7: Landscape and Visual.		
Assessment methodology	2.1.159 (DL-1) RRN	<p>The methodology used in the landscape assessment lacks clarity and is applied inconsistently.</p> <p>It is not clear how this relates to the overall impact of the scheme. As in other topic areas there is tendency to average the impacts rather than taking the worst as required by guidance. The major impact on the landscape is not mitigatable given the existing space and constraints, and some of the major planting proposals round Thong go against the historical context.</p> <p>The areas of planting proposed (including ammonia compensation areas) constitute a major change to the landscape in their own right which has not been assessed and have been in long term agricultural use.</p>	<p>The methodology for the landscape and visual impact assessment is clearly set out in Section 7.3 of Environmental Statement Chapter 7: Landscape and Visual and Environmental Statement Appendix 7.2: Landscape and Visual Assessment Methodology and has been appropriately applied to assess the realistic worst-case effects likely to arise from the Project.</p> <p>The assessment does not, as suggested, 'average the impacts' of the Project. The worst-case effects are set out in Environmental Statement Appendix 7.9: Schedule of Landscape Effects and Environmental Statement Appendix 7.10: Schedule of Visual Effects.</p> <p>Substantial areas of landscape mitigation have been proposed as part of the Project to the south of the River Thames, as shown on Environmental Statement Figure 2.4: Environmental Masterplan Sections 1 & 1A (1 of 10), Environmental Statement Figure 2.4: Environmental Masterplan Section 2 (2 of 10), Environmental Statement Figure 2.4: Environmental Masterplan Section 3 (3 of 10) and Environmental Statement Figure 2.4:</p>	<p>Environmental Statement Chapter 7: Landscape and Visual [Document Reference 6.1 ES Chapter 7 (2)]</p> <p>Environmental Statement Appendix 7.2: Landscape and Visual Assessment Methodology [APP-377]</p> <p>Environmental Statement Appendix 7.9: Schedule of Landscape Effects [Document Reference 6.3]</p>	Matter Not Agreed

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			<p>Environmental Masterplan Section 4 (4 of 10).</p> <p>The effect of proposed landscape mitigation is reported in Environmental Statement Appendix 7.9: Schedule of Landscape Effects and Environmental Statement Appendix 7.10: Schedule of Visual Effects. For example, the significance of effect on the West Kent Downs (sub-area Shorne) Local Landscape Character Area (LLCA) within the Kent Downs Area of Outstanding Natural Beauty (AONB) reduces from a large adverse effect in the opening year to a moderate adverse effect in the design year, due to the establishment of mitigation planting along the modified M2/A2 corridor. An example of the effect of proposed mitigation on views is at Representative Viewpoint S-08, a view from the Kent Downs AONB on footpath NS 179 on the northern periphery of Cobham Hall Grade II* Registered Park and Garden, where the significance of effect reduces from a moderate adverse effect in the opening year to a slight adverse effect in the design year, due to the establishment of mitigation planting.</p> <p>The rationale for proposed landscape and environmental mitigation is set out in Project Design Report Part D: General Design South of the River, which explains in Section 3 that an important aspect of the landscape</p>	<p>ES Appendix 7.9 (2)] Environmental Statement Appendix 7.10: Schedule of Visual Effects [Document Reference 6.3 ES Appendix 7.10 (2)] Environmental Statement Figure 2.4: Environmental Masterplan [Document Reference 6.2 ES Figure 2.4 Sections 1 and 1a (4), Section 2 (5), Section 3 (4), Section 4 (2), Section 9 (6), Section 10 (4), Section 11 (3), Section 12 (3), Section 13 (3), Section 14 (3)] Project Design Report Part D:</p>	

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			<p>proposals around Thong is to provide visual separation between the village and the M2/A2/A122 Lower Thames Crossing junction, achieved through an area of sensitively designed woodland planting. Specifically, the proposed planting around Thong shown on Environmental Statement Figure 2.4: Environmental Masterplan Section 2 (2 of 10) has been designed to retain the historic open rural setting of the village by use of species-rich grassland and wildflower meadow planting, as set out in section-specific design principle S2.01 within Design Principles.</p> <p>The landscape and visual effects of the proposed nitrogen deposition compensation sites on each relevant LLCA and Representative Viewpoint have been assessed in Environmental Statement Appendix 7.9: Schedule of Landscape Effects and Environmental Statement Appendix 7.10: Schedule of Visual Effects. For example, an assessment of the permanent conversion of arable fields to a mix of woodland with grassland habitat and the potential use of protective guards to establish planting in the Mid Kent Downs (sub area Bredhurst) LLCA, is set out on page 123 of Appendix 7.9: Schedule of Landscape Effects.</p> <p>Changes in agricultural land use are discussed in Environmental Statement</p>	<p>General Design South of the River [APP-509]</p> <p>Design Principles [Document Reference 7.5 (7)]</p> <p>Environmental Statement Chapter 13: Population and Human Health [APP-151]</p> <p>Environmental Statement Chapter 10: Geology and Soils [APP-148]</p>	

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			Chapter 13: Population and Human Health. The assessment of impacts to agricultural land are provided in Chapter 10: Geology and Soils.		
Assessment Methodology Sensitivity	2.1.184 (DL-6)	Gravesham Borough Council does not agree with the Applicant's rating of sensitivity or magnitude and therefore significance reported in the ES regarding several receptors and effects, and considers that the Applicant has not accurately applied guidance from DMRB LA 107. Full details are set out in the Council's Local Impact Report Appendix 7a Landscape and Visual [REP1-233] .	The methodology for assessing the sensitivity of users of the Project route is set out in paragraphs 1.3.7 to 1.3.15 of ES Appendix 7.13: Views from the Road Assessment. Details of the Applicant's position relating to the application of this methodology to specific locations, receptors and effects is set out in Comments on LIRs - Appendix D - Gravesham Borough Council.	ES Appendix 7.13: Views from the Road Assessment [APP-388] Comments on LIRs - Appendix D - Gravesham Borough Council [REP2-058] Local Impact Report Appendix 7a Landscape and Visual [REP1-233]	Matter Not Agreed
Assessment Methodology Consideration of baseline	2.1.185 (DL-6)	Gravesham Borough Council notes that the Applicant's assessment assumes the opening year of the completed road to be the baseline, and that this does not accord with DMRB LA 104 (Highways England, 2020c) or The Landscape Institute's Technical Information Note 01/21 'GLVIA webinar Q&As'.	The Applicant notes that existing visual receptors at nearby Representative Viewpoints would be of a different type and sensitivity to future road users of the Project route on road opening. Furthermore, views experienced at existing ground levels are very different to those that would be experienced from a new road in cutting. An assessment using Representative Viewpoints as the baseline was therefore not considered	ES Appendix 7.13: Views from the Road Assessment [APP-388] ES Appendix 7.9: Schedule of Landscape Effects [Document Reference 6.3]	Matter Not Agreed

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		Gravesham Borough Council consider that there is currently no road present, and therefore no road users, so this cannot be a valid - or reasonable - starting point. As there is no current 'view from the road' a better starting point would be to review the nearby Representative Viewpoints from the LVIA. The difference would then be far greater and negative.	appropriate for offline sections of the Project route. Paragraph 1.2.2 of ES Appendix 7.13: Views from the Road Assessment, explains that this document is 'an appropriate design tool' that is used to inform 'the development of the road design, particularly the landscape and architectural elements'. Effects relating to the Project on the existing landscape and views have been fully assessed in ES Appendix 7.9: Schedule of Landscape Effects, and ES Appendix 7.10: Schedule of Visual Effects.	ES Appendix 7.9 (2) ES Appendix 7.10: Schedule of Visual Effects [Document Reference 6.3 ES Appendix 7.10 (2)]	
Terrestrial Biodiversity					
Impacts Environmental Impact of LTC/A2/M2 Junction	2.1.99	Gravesham Borough Council is concerned about the environmental impact of the new LTC/A2/M2 junction on the A2 corridor in terms of the loss of HS1 landscaping and effects on the Kent Downs AONB, effects on nature conservation and historic environment.	The Applicant has set out through the evolution of the design through Consultation how the junction has adapted in-line with DMRB standards where practicable. Additionally, the Applicant has amended the width of the Thong Lane South green bridge to allow for additional planting. The design has sought to retain mature vegetation where possible and the assessment is showing a reasonable worse case for vegetation loss. There are two Design Principles that require contractors to maximise opportunities to retain vegetation and/or replant areas cleared so far as possible and/or ensure that the landscape design takes into account local	Design Principles [Document Reference 7.5 (7)]	Matter Not Agreed

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			<p>landscape character to protect views across the historic landscape - LSP.07 and S3.09.</p> <p>More widely, larger areas of woodland planting have been provided to help offset these impacts along with those associated with habitat loss south of the A2.</p> <p>There are extensive areas of woodland planting proposed as part of the landscape design for the junction to help integrate the junction into the wider areas of woodland that line the A2 and this forms part of a wider regional strategy to provide a woodland loop encircling the junction.</p> <p>The Applicant considers that the above represents the best available course of action to balance the need for the route with the potential for environmental harm to the AONB and natural and historic environment.</p> <p>Within the AONB area (i.e. including part of SWCP and the Cobham/Ashenbank areas) there will be a Compensation Fund that the AONB Unit can draw upon, with applications for funding considered by KCC, Kent Downs AONB and Natural England.</p> <p>This would provide funding for measures for enhancement of the AONB in order to compensate for and moderate any detrimental landscape and visual effect on the Kent Downs AONB as a result of the Project.</p>		

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Mitigation Hedgerow Reinstatement	2.1.100	<p>Gravesham Borough Council considers that hedgerow reinstatement needs to be sympathetic to the overall landscape and reinstate where possible historic boundaries.</p> <p>Gravesham Borough Council consider that the layout of planting should strive to recreate the field pattern with hedgerows to replace those lost by the scheme where possible.</p> <p>Gravesham Borough Council considers that some reappraisal of the landscape is needed in areas where the project cannot be accommodated within the existing landscape character.</p>	<p>The Applicant has developed LSP.13 (Design Principles) which relates to the reinstatement of field boundaries with hedgerows, with the intention is to protect the local historic character of the landscape, provide additional screening and enhance biodiversity where reasonably practicable.</p> <p>The hedgerow planting around the South Portal has been designed to put back hedgerows that previously existed (to link up to fragments of retained hedgerows or to reinstate ones that are lost).</p> <p>Where the Applicant cannot re-establish hedgerows (e.g. due to utilities) footpaths have been used to delineate historic hedgerow locations instead so that there is still a linear feature in the landscape.</p> <p>In terms of recreating the existing field pattern, Clause LSP.02 (Planting Strategy) of the Design Principles states that:</p> <p><i>'The species mix and pattern shall take into account the historic landscape, underlying geology, aspect, level of disturbance/potential for remediation, and other local character features to ensure it will be suitable within its environs'</i>.</p> <p>Where possible, historic hedgerow patterns have been recreated, such as at the maintenance access track to the South Portal, which follows an historic lane.</p>	<p>Design Principles [Document Reference 7.5 (7)]</p> <p>ES Chapter 8: Terrestrial Biodiversity [APP-146]</p>	Matter Agreed

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			Following engagement (see Appendix A) Gravesham Borough Council was directed to review Table 8.31 of ES Chapter 8: Terrestrial Biodiversity, pages 126-127) on the matter.		
Mitigation Marsh Restoration	2.1.101	Gravesham Borough Council considers that the marshes that National Highways will restore and manage to encourage use by birds (added at Community Impacts Consultation) should be expanded, made permanent, and include restoration of historic drainage patterns. Gravesham Borough Council is particularly concerned about the impact on North Kent Marshes from ground stabilisation tunnel and enhancements to habitat, and requires clarification on remedial actions.	<p>The Applicant has included three fields in the Order Limits to mitigate any temporary disturbance to wetland birds associated with the Special Protection Area (SPA) and Ramsar site from construction activities nearby.</p> <p>These areas will continue to be farmed during construction, with a cropping regime that ensures the presence of winter stubble for the benefit of wading birds.</p> <p>This is agreed with Natural England and the landowner.</p> <p>All functionally linked land associated with the relevant construction areas will be restored afterwards.</p> <p>The Applicant notes that a Stability Report has been submitted to support the DCO application and demonstrates how land instability through geo-hazards and settlement have been addressed within the design and will continue to be managed by the Project through detailed design and construction.</p>	ES Appendix 10.2: Stability Report [APP-423]	Matter Not Agreed

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			The Applicant does not consider that there is a requirement to provide permanent mitigation in this location.		
Mitigation North Kent Marshes	2.1.186 (DL-6)	Gravesham Borough Council consider that on the North Kent Marshes, the basic concerns are impact of noise and disturbance from Chalk and Milton construction sites and the possible impact on the water table from the tunnelling operations and therefore the birds on the marshes. Gravesham Borough Council consider that all aspects of air quality, dust, lighting, noise and vibration should be monitored, and appropriate menu of actions laid out to be implemented if the proposed standards are breached.	The Applicant considers that the REAC within ES Appendix 2.2: CoCP sets out the air quality, dust and noise and vibration monitoring commitments to be undertaken by the Contractor during construction (AQ005-AQ008, NV005, NV009 and NV015). Actions to be undertaken by the Contractor in the event of air quality and noise monitoring exceedances are also set out in REAC commitments AQ008 and NV015. Construction lighting will also be controlled to avoid adverse effects on sensitive ecological receptors as per REAC commitment TB024. The impacts of noise, disturbance and possible impacts on the water table from the Chalk and Milton construction sites on the Thames Estuary and Marshes SPA/Ramsar site have been assessed within the Habitats Regulations Assessment Screening Report and Statement to Inform an Appropriate Assessment. The measures in place to avoid and reduce the impacts are set out within Sections 3.3 and 7.	ES Appendix 2.2: CoCP [Document Reference 6.3 ES Appendix 2.2 (9)] Habitats Regulations Assessment Screening Report and Statement to Inform an Appropriate Assessment [APP-487]	Matter Agreed
Plants & woodland Effects on existing habitat	2.1.102 RRE	Gravesham Borough Council is concerned that the Project will remove habitat replacement put in place under	The Applicant's landscape design for woodland planting through the A2 corridor and around the M2/A2/A122 Lower Thames Crossing junction have sought to address the	N/A	Matter Not Agreed

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replacement (CTRL)		the Channel Tunnel Rail Link Act 1996, which included the translocation of ancient woodland soils.	<p>loss of Sites of Special Scientific Interest (SSSI) and ancient woodland impacted by the Project, including the areas of SSSI compensatory planting provided by HS1, by linking to areas of retained woodland and providing greater woodland connectivity for retained areas of woodland.</p> <p>South of the A2, areas of new planting have been limited by the presence of designated woodlands and the Registered Park and Gardens and golf course.</p> <p>In light of that, the Applicant is proposing compensatory woodland planting to the west of Jeskyns Country Park and will replant retained areas between the Project and HS1 where practicable.</p>		
Native Planting	2.1.187 (DL-6)	Gravesham Borough Council consider that native planting should be used wherever possible.	The Applicant agrees that where practicable this will be the case. It is not proposed to use non-native species within the Kent Downs AONB. Outside of the AONB, proposed planting mixes would predominantly comprise native species, with a small percentage of non-native species considered where appropriate, in accordance with Clause LSP.02 Planting Strategy in the Design Principles.	Design Principles [Document Reference 7.5 (7)]	Matter Agreed
Impacts Utility Diversion effects on Ancient	2.1.103 RRE	Gravesham Borough Council is concerned that loss of Ancient Woodland cannot be mitigated.	Throughout the Project development, the amount of land required by the Project for utility diversions has substantially decreased, resulting in a reduction in the loss of Ancient	N/A	Matter Not Agreed

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Woodland and Planting			Woodland. Alternatives have been considered. There is a small amount of removal required, and while the Applicant recognises that this cannot be mitigated, compensation has been identified and committed to.		
Compensation of Ancient Woodland	2.1.149 (DL-1)	Notwithstanding the principle of the loss of Ancient Woodland, Gravesham Borough Council considers that the approach to compensatory planting is not considered appropriate, practicable and reasonable.	The Applicant acknowledges the impact on irreplaceable habitats and is proposing compensatory habitat. Ancient woodland soils will be salvaged where possible for use in new areas of compensatory planting. The contractor will still be obliged to retain all existing vegetation as far as reasonably practicable as is set out in Clause no. LSP.01 of the Register of Environmental Actions and Commitments (within the Code of Construction Practice) which, together with the Design Principles, will commit the contractors to limit and mitigate their impact to areas such as Claylane Wood so far as reasonably possible and will be considered further at the detailed design stage.	ES Appendix 2.2: Code of Construction Practice [Document Reference 6.3 ES Appendix 2.2 (9)] Design Principles [Document Reference 7.5 (7)]	Matter Not Agreed
Mitigation Incremental Changes and Environmental Masterplan	2.1.104	Gravesham Borough Council is concerned that incremental changes during the development of the Project has resulted in a lack of clarity on the integration of measures related to landscape, ecology, management access, land	The design rationale and the iterative approach the Applicant has taken to developing the Project design is detailed in the Project Design Report. The specific design for the Project, including both the highways works and the landscape scale approach to mitigation, is controlled via the Design Principles. The area-specific design	Project Design Report [APP-506 to APP-515] Design Principles [Document Reference 7.5 (7)]	Matter Not Agreed

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		<p>viability, historic environment and maintenance.</p> <p>Gravesham Borough Council considers that this may warrant a re-evaluation of the (sum of) effects/impacts to the landscape character and visual amenity.</p> <p>Gravesham Borough Council consider that a masterplan approach to the whole area affected by the Project, south of the River Thames, would enable examination of the issues resulting from the Project and take a strategic approach to the development and integration of 'new' land parcels.</p>	<p>principles reflect the various factors which have influenced the design (including but not limited to landscape, ecology, access, agriculture, archaeology etc. For areas of habitat creation success criteria and management objectives are included within the outline Landscape and Ecology Management Plan. The responsibility for the long-term management of sites within the DCO application lies with National Highways as the Applicant. However, it is anticipated that the Applicant will develop long-term partnerships to manage these sites. This would be detailed through the development of Landscape and Ecology Management Plans with the contractors once the Project has been consented.</p>	<p>Outline Landscape and Ecology Management Plan [Document Reference 6.7 (7)]</p>	
<p>Mitigation</p> <p>Environmental Management Plan / Group</p>	2.1.105	<p>Gravesham Borough Council considers it desirable for National Highways to facilitate an overall management plan across the Cobham/Shorne area involving Plantlife, National Trust, Rochester and Cobham Park Golf Club, Cobham Hall School, Gravesham Borough Council, Woodland Trust, Forest England, and Kent County</p>	<p>The Applicant is broadly in agreement with Gravesham Borough Council's proposal - the development and ongoing management of the Lower Thames Crossing sites will be conducted in line with the principles of an Advisory Group (set out in the outline Landscape and Ecology Management Plan) which will include statutory and non-statutory stakeholders. The intention of the advisory group is to shape the design and management of the sites through stakeholder input. This will include any of the Project sites</p>	<p>Outline Landscape and Ecology Management Plan [Document Reference 6.7 (7)]</p>	<p>Matter Not Agreed</p>

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		<p>Council in order to obtain the best landscape, ecological, recreational and historic environment plans for the area and adopt a coordinated approach to land development and management.</p> <p>Gravesham Borough Council requires a comprehensive environmental package covering all aspects of the proposal</p>	<p>within the Cobham/Shorne area. It is anticipated that the advisory group will look collectively at sites within similar areas to ensure that high level landscape scale principles are applied in an appropriate manner which maximises the benefits. The proposed approach to this was included within the draft oLEMP shared at Community Impact Consultation.</p> <p>The Applicant also notes that there is also a legacy and benefits biodiversity working group which is working with local stakeholders to identify projects that could benefit from National Highways Designated Funding.</p> <p>The Applicant has confirmed funding for a programme of environmental and visitor focussed enhancements across the Cobham and Shorne area.</p> <p>Additionally Lower Thames Crossing is supporting Kent Downs AONB to develop a plan for achieving National Nature Reserve status and creating a further pipeline of projects that could be supported.</p>		
Project Design and Mitigation	2.1.166 (DL-1) RRN	As an overall point the precise form of mitigation via land use proposals and the connection back to impacts is not always clear.	Section 8.6 – Assessment of likely significant effects in Chapter 8: Terrestrial Biodiversity, reports the potential effects of the Project on all relevant ecological receptors and details specific measures proposed, including planting and habitat creation.	ES Chapter 8: Terrestrial Biodiversity [Document Reference 6.1 ES Chapter 8 (2)]	Matter Not Agreed

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		<p>In particular is not transparent how some of the planting proposals relate to the impacts of the scheme.</p>	<p>The creation of new areas of semi-natural habitat planting would offset those areas impacted as a result of the Project, the precise areas of which are detailed in Table 8.31 of Environmental Statement Chapter 8: Terrestrial Biodiversity. Their setting within the Project is illustrated in Environmental Statement - Figure 2.4 - Environmental Masterplan Sections and their long-term management is reported in Outline Landscape and Ecology Management Plan.</p> <p>The design of these newly created habitats would link up other areas of existing semi-natural habitats and strengthen the network of these habitats across the landscape, building resilience in them for future challenges such as climate change. This in turn helps support the Government's proposals for a Nature Recovery Network, set out in its 25 Year Environment Plan and enacted by the Environment Act 2021.</p> <p>Further detail on specific mitigation measures is provided within the Register of Environment Actions and Commitments within Environmental Statement - Appendix 2.2 - Code of Construction Practice, First Iteration of Environmental Management Plan.</p>	<p>Outline Landscape and Ecology Management Plan [Document Reference 6.7 (7)]</p> <p>ES Appendix 2.2: Code of Construction Practice, First Iteration of Environmental Management Plan [Document Reference 6.3 ES Appendix 2.2 (9)]</p> <p>ES Figure 2.4: Environmental Masterplan [Document Reference 6.2 ES Figure 2.4 Sections 1 and 1a (4), Section 2 (5), Section 3 (4), Section 4 (2), Section 9 (6), Section 10 (4), Section 11 (3),</p>	

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				Section 12 (3), Section 13 (3), Section 14 (3)]	
Pre-construction Surveys	2.1.188 (DL-6)	<p>Gravesham Borough Council note that other stakeholders have raised concerns over whether sufficient survey work has been completed on some species (moths, bats etc.).</p> <p>Gravesham Borough Council consider that given the two year construction delay there is no reason why this work, as agreed with the relevant authorities, should not be completed to the appropriate standard prior to construction commencing.</p>	<p>The Applicant is confident the data submitted with the DCO application is appropriate for the assessment of the Project.</p> <p>Requirement 7 of the draft DCO secures the need for pre-construction surveys, including the following commitment:</p> <p><i>'7.-(1) No part of the authorised development is to begin until for that part final pre-construction survey work has been carried out to establish whether European or nationally protected species are present on any of the land affected or likely to be affected by that part of the authorised development, or in any of the trees and shrubs to be lopped or felled as part of the relevant works'.</i></p> <p>The timing of these pre-construction surveys will be informed by the proposed start dates for impactful work to ensure that the data gathered is as up-to-date as possible to inform relevant mitigation strategies and, if required, protected species mitigation licences.</p>	Draft DCO [Document Reference 3.1 (11)]	Matter Agreed
Biodiversity Net Gain	2.1.197 (DL-6)	Gravesham Borough Council notes that the requirement for 10% Biodiversity Net Gain (BNG) does not currently apply	In the Project's design, the Applicant has focused on maximising biodiversity value through being ambitious in terms of the habitats proposed for essential mitigation	N/A	Matter Not Agreed

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		<p>to NSIPs but notes that the NNNPS requires 'good design' and connects this with biodiversity improvements. Gravesham Borough Council considers that a requirement should be included in the DCO for the extent of BNG achievable to be reviewed during detailed design with a view to at least achieving 10% BNG.</p>	<p>requirements, and their long-term management, with a focus on the Lawton principles of more habitat extent, bigger parcels of land, better quality and joined up to other good quality habitats.</p> <p>It is recognised that the ambition demonstrated in the design does not necessarily maximise the value calculated by the Biodiversity Metric (v3.1), but it is the view of the Applicant that the Project delivers a design of high biodiversity value. It is expected that the forecast Metric performance would improve during detailed design as design refinements would seek to further reduce habitat loss during construction, minimise lags between habitat loss and creation and maximise the condition and distinctiveness of habitats created. The Applicant is seeking to maximise biodiversity performance over the full Project lifecycle.</p> <p>It is not agreed that a requirement is necessary or proportionate.</p>		
Noise and Vibration					
Assessment of likely significant events	2.1.106	Gravesham Borough Council is concerned that the effects related to noise from the Southern Tunnel Compound are underplayed, and 24-hour working will contribute to significant issues.	<p>It is not agreed that effects related to noise from the Southern Tunnel Compound are underplayed.</p> <p>Construction noise associated with the Project has been assessed in accordance with appropriate UK guidance on construction noise, BS 5228-2:2009+A1:2014 Code of</p>	<p>ES Chapter 12: Noise and Vibration [APP-150] ES Appendix 2.2: Code of Construction</p>	Matter Not Agreed

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Effects at Southern Tunnel Compound / 24H Working			practice for noise and vibration control on construction and open sites (parts 1 and 2). ES Chapter 12 Noise and Vibration fully considers noise associated with the South Portal as part of the study (including the implications of 24hr working).	Practice [Document Reference 6.3 ES Appendix 2.2 (9)]	
HGV Monitoring	2.1.160 (DL-1) RRN	It is noted that there is a 60% increase in traffic flow on Henhurst Road, Cobham, including more HGV's, which raised issues on the impact on local roads, which needs monitoring.	The Applicant acknowledges that there is predicted to be an increase in traffic flow along Henhurst Road. This increase in traffic flow along Henhurst Road is due to changes in the access onto the A2 corridor. The approach to operational noise monitoring is outlined within paragraphs 12.8.5 to 12.8.8 of Chapter 12: Noise and vibration. This approach to monitoring explains that physical monitoring of noise levels will not be undertaken as part of the Project. The Applicant has set out an approach to mitigation at this location via a financial contribution secured by a Unilateral Undertaking that would provide for KCC to implement HGV restrictions.	ES Chapter 12: Noise and Vibration [APP-150]	Matter Not Agreed
Construction Noise Monitoring	2.1.189 (DL-6)	Noise and vibration monitoring will be required during the construction phase and should be agreed with the Council prior to works commencing, via an approved Section 61	Commitments made within ES Appendix 2.2: CoCP under REAC item NV009 (Noise and Vibration Monitoring) requires monitoring to be undertaken, with NV001, NV002 and NV004 securing the need for further noise assessment once exact specifics of the	ES Appendix 2.2: CoCP [Document Reference 6.3 ES Appendix 2.2 (9)]	Matter Not Agreed

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		consent. As a minimum, it is expected that continuous vibration monitoring will be conducted at Kartar House, Watling Street (CV2) during piling of retaining wall RWN0000102 (Plate 3.1 in APP-444). Vibration should also be undertaken at representative locations where properties are within 65m or proposed percussive piling or 45m of vibratory piling.	working practices and programme are fully understood in consultation with the relevant local authorities. With regard to the monitoring of vibration at “Kartar House, Watling Street (CV2) during piling of retaining wall RWN0000102”, REAC commitment NV017 (Vibration from Piling) specifically covers the issue of vibration from piling and the mechanisms in place to control this. These requirements would be consulted on, and where appropriate included within the scope of any Control of Pollution Act 1974 s61 applications made under NV004 to Gravesham Borough Council. The need for continuous monitoring will be considered during the drafting of the Section 61 applications.		
Road Surfacing	2.1.190 (DL-6)	REAC Ref. NV013 refers to Figure 12.6) which identifies where new and altered roads will be surfaced with a Thin Surface Course or Low Noise Surface. Gravesham Borough Council is concerned that the Applicant is relying on this measure to reduce unacceptable road traffic noise increases due to the Project, when there is insufficient evidence provided to demonstrate that such	The mitigation for the operational phase of the Project is set out in Section 12.5 of ES Chapter 12: Noise and Vibration, and presents a balanced mitigation scheme. This is based around earthworks keeping the Project low in the environment and maximising noise reduction through physical screening (cuttings of up to 20m deep are proposed through Gravesham); the provision of noise reduction at source through Low Noise Surfacing (LNS) products; and where a balanced consideration of the performance and the potential for other significant effects outside of noise (ES Appendix 12.10: Road	ES Chapter 12: Noise and Vibration [APP-150] ES Appendix 12.10: Road Traffic Noise Mitigation and Cost Benefit Analysis [APP-450] ES Appendix 2.2: CoCP	Matter Not Agreed

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		surfacing products can achieve the required noise reductions, especially in the medium to long-term	<p>Traffic Noise Mitigation and Cost Benefit Analysis) permits, acoustic fencing provision.</p> <p>Provision of Low Noise Surfacing is a key element and effective mitigation option, with the Project implementing the highest Highway Authorities Product Approval Scheme (HAPAS) certified surface available at the time of writing, secured within ES Appendix 2.2: CoCP, REAC commitment NV013. Provision of LNS is a key element of noise mitigation on all road schemes presented within the UK.</p> <p>Assessment and consideration of the performance of the LNS has been undertaken wholly in accordance with the guidance of the DMRB LA 111 (Highways England, 2020).</p>	[Document Reference 6.3 ES Appendix 2.2 (9)]	
Operational Noise Monitoring	2.1.191 (DL-6)	Gravesham Borough Council would like road traffic noise levels to be continuously monitored over the long-term to demonstrate that the low noise road surfacing proposals achieve the performance assumed in the assessment. This should comprise a single monitoring location in the Riverside Park/Thong Lane area, adjacent to the new road. This data should be audited annually to assess the need	<p>As set out in Section 12.8 of ES Chapter 12: Noise and Vibration, for the reasons stated, it is not intended to undertake post completion noise monitoring in lieu of other mechanisms for compliance monitoring.</p> <p>The assessment completed for the Environmental Statement, set out in Chapter 12: Noise and Vibration, is based on calculated annual average road traffic noise levels with and without the Project to ensure a like-for-like comparison. Ambient noise levels are not constant and vary on a day-to-day basis depending on the contributions to</p>	<p>ES Chapter 12: Noise and Vibration [APP-150]</p> <p>ES Appendix 2.2: CoCP [Document Reference 6.3 ES Appendix 2.2 (9)]</p>	Matter Not Agreed

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		for earlier than scheduled intervention (surface replacement).	<p>the noise climate from factors such as traffic, railways, agriculture, industry, human activity, as well as weather conditions.</p> <p>To account for the varying nature of environmental noise, any monitoring would need to be over a very long period to gain average levels. Additionally, any noise measurement captured as part of the monitoring would likely be influenced by contributions from extraneous sources such as people, agriculture activities, and rail, etc.</p> <p>For these reasons, the comparison of a measured noise level with that predicted in a model space scenario is considered to provide an unreliable indication of scheme performance and cannot therefore be reasonably relied upon to base the conclusions of earlier surface replacement interventions.</p> <p>Section 4.2 of the Design Manual for Roads and Bridges (DMRB) LA 111 (Highways England, 2020), as referenced in Section 12.8 of the ES, states that routine operational noise monitoring 'cannot provide a reliable gauge for whether the predicted magnitude and extent of operational adverse impacts are greater or less than those predicted in the assessment' citing the reasons stated in the paragraph above.</p> <p>Checking that mitigation measures will perform as they should is best undertaken</p>		

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			<p>prior to or during installation. This would be undertaken through checks on the performance specification sheets of the products being supplied, confirmations of lateral extents, and locations of mitigation and on-site checks during installation. This way, any deviation can be identified early while there is still time to change, and any costly rectification is avoided.</p> <p>The product performance specification of operational mitigation measures (e.g. low noise surfacing, noise barriers) would be confirmed at the detailed design stage to ensure the chosen product meets the performance assumed in the noise assessment.</p> <p>The Examining Authority (ExA) on other DCO applications, including the A428 Black Cat to Caxton Gibbet, A1 Birtley to Coal House and A1 Morpeth to Ellingham, accepted that through similar mechanisms inherent within their First Iteration EMPs, as those within the ES Appendix 2.2: CoCP, mitigation measures would be delivered to required design standards ensuring their effectiveness and the subsequent retention. In these cases, the ExA was satisfied that no operational noise monitoring would be necessary while ensuring mitigation as secured is both delivered and effective.</p>		

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			<p>It is therefore considered that these arguments from the A428, and other schemes quoted, relate to similar major road projects where the demands and expectations from stakeholders would be similar. As such, the mechanisms proposed in Section 12.8 of ES Chapter 12: Noise and Vibration and advocated by the DMRB LA 111, are concluded to represent a balanced and proportionate view on the issue of long-term noise monitoring in the conclusion of the performance of the mitigation proposed.</p>		
Acoustic Barriers	2.1.192 (DL-6)	<p>Gravesham Borough Council consider that in addition to the proposed low noise road surfaces, acoustic barriers should be reconsidered for the Riverview Park / Thong Lane area to provide more reliable long-term road traffic noise mitigation.</p> <p>Gravesham Borough Council considers that the calculated TAG values for barrier options presented in Tables 4.1 and 4.2 of Appendix 12.10 are underestimated, as they assume that the road surface noise performance will not reduce over time, as it degrades.</p>	<p>Full consideration of the mitigation package was given within the scope of the noise assessment, with the justification for the inclusion or not of noise barriers in certain locations given in ES Appendix 12.10: Road Traffic Noise Mitigation and Cost Benefit Analysis.</p> <p>Barrier Option 1 as listed in Appendix 12.10 was fully considered relating to noise performance and the potential for other significant effects other than noise. The results of this are presented in Table 4.1 Barrier Option 1 appraisal, of said document. Consideration was given to a 1m, 2m and 3m barrier in this location.</p> <p>The general conclusion with regard to noise, was that while the barriers did remove significant effects below a significant observed adverse effect level (SOAEL), the</p>	<p>ES Appendix 12.10: Road Traffic Noise Mitigation and Cost Benefit Analysis [APP-450]</p>	<p>Matter Not Agreed</p>

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			<p>Value for Money (VfM) calculations did not present a cost-effective measure; returning a VfM of less than 1 in all cases.</p> <ul style="list-style-type: none"> • The barrier at 1m removed one significant effect during the daytime and reduced the significance of effect at two (major to moderate) during the night, all below a SOAEL. • The barrier at 2m removed one significant effect during the daytime and reduced the significance of effect at two (major to moderate) during the night, all below a SOAEL. • The barrier at 3m removed one significant effect during the daytime and reduced the significance of effect at two (major to moderate) during the night, all below a SOAEL. <p>The provision of the barrier from an acoustic perspective did not remove all significant effects and did not represent VfM, and increasing the height did not provide better performance in terms of removing significant effects. In addition, implementation of the measure into the design above 1m would present the potential to introduce new significant effects relating to Landscape, and to Cultural Heritage, as presented in Table 4.1. Hence, on balance, the decision was made to not include the measure.</p>		

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			<p>Barrier Option 2 as listed in Appendix 12.10 was fully considered relating to noise performance and the potential for other significant impacts outside of noise. The results of this are presented in Table 4.2 Barrier Option 2 appraisal of said document. Consideration was given to a 1m, 2m and 3m barrier in this location.</p> <p>The general conclusion with regard to noise was that while the barriers did remove significant effects below a SOAEL, the value for Money (VfM) calculations did not present a cost-effective measure; returning a VfM of less than 1 in all cases.</p> <ul style="list-style-type: none"> • The barrier at 1m removed 11 significant effects during the daytime and seven during the night, all below a SOAEL. • The barrier at 2m removed 18 significant effects during the daytime and 13 during the night, all below a SOAEL. • The barrier at 3m removed 25 significant effects during the daytime and 20 during the night, all below a SOAEL. <p>The provision of the barrier from an acoustic perspective did not remove all significant effects and did not represent VfM, but with increased height came increased performance. In addition, the implementation of the measure into the design above 1m would present the potential to introduce new</p>		

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			<p>significant effects relating to Landscape, and to Cultural Heritage, as presented in Table 4.2. Hence, on balance, the decision was made to not include the measure.</p> <p>The barrier, therefore, would not be an appropriate or proportionate response.</p> <p>From a landscape and visual perspective, a 422m long barrier extending south from Thong Lane south would result in a new visual impact; it would interrupt the relatively open landscape character of Chalk Park and conflict with the landscape design objectives in this location by drawing attention to the line of the Lower Thames Crossing. The higher the barrier, the greater the visual impact.</p> <p>From a Cultural Heritage perspective, the introduction of a barrier would further detract from the setting of Thong Conservation Area and the non-designated historic buildings within it. While this would be unlikely to result in additional significant effects from a Cultural Heritage perspective, it would compound the harm to these assets by further changing the open character of the rural setting to the west of Thong (including the former site of Gravesend Airfield).</p> <p>Provision of Low Noise Surfacing is a key element and effective mitigation option, with the Project implementing the highest HAPAS certified surface available at the time of</p>		

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			writing, secured within commitment NV013 in ES Appendix 2.2: CoCP. Provision of LNS is a key element of noise mitigation on all road schemes presented within the UK, with the Applicant also using this measure to reduce noise within Noise Important Areas identified through Noise Action Plan: Noise. Assessment and consideration of the performance of the LNS has been undertaken wholly in accordance with the guidance of the DMRB LA111.		
Baseline Surveys	2.1.193 (DL-6)	Gravesham Borough Council consider that the scope and spread of the baseline surveys is appropriate and sufficient to obtain reliably inform the existing baseline situation, and that the threshold criteria upon which the assessment of construction vibration effects is based are reasonable and appropriate	The Applicant acknowledges this statement from Gravesham Borough Council.	N/A	Matter Agreed
Construction noise threshold criteria	2.1.194 (DL-6)	The threshold criteria upon which the assessment of construction noise effects is based are reasonable and appropriate. Further assessment based on actual proposed activity information provided by the Contractor,	Within ES Appendix 2.2: CoCP commitments NV001, NV002 and NV004 were specifically included to ensure noise and vibration from construction activities was fully considered and assessed, with mitigation provision set out prior to undertaking any works, once exact specifics of the working practices and programme are fully understood.	ES Appendix 2.2: CoCP [Document Reference 6.3 ES Appendix 2.2 (9)]	Matter Agreed

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		including site-specific mitigation measures, will be undertaken prior to the works to inform respective Section 61 Consent applications to the Council.	This would involve consultation with the relevant local authorities. REAC commitment NV009 sets out a requirement for monitoring of noise and vibration during construction to ensure measures set out in Control of Pollution Act 1974 s61 applications are working effectively and allow, in association with community engagement (NV008), for additional measures to be taken where identified as necessary. The Applicant acknowledges this statement from Gravesham Borough Council.		
Intra-project cumulative noise	2.1.195 (DL-6)	Gravesham Borough Council consider it a reasonable assumption that Intra-project cumulative noise associated with the new road, new/diverted OHLs and tunnel ventilation plant has not been assessed as road traffic noise from the new road is expected to be dominant at all assessment locations where all three elements might contribute.	The Applicant acknowledges this statement from Gravesham Borough Council.	N/A	Matter Agreed
Population and Human Health					
Public Open Space / Access to Recreation	2.1.107 RRE	Gravesham Borough Council recognises that there is an identified need for additional	The Applicant considers that despite the provision of a range of recreational facilities currently in and around the vicinity of Thong	ES Chapter 2: Project	Matter Not Agreed

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Timing, Form and Function of Replacement Open Space		<p>open space but is concerned that the form and functional relationship (to existing open spaces) for the open space (Chalk Park) proposed by the Project would not meet that need given the opportunities that exist locally.</p> <p>Gravesham Borough Council does not consider it clear what objectives from the Gravesham Open Space, Sport and Recreation Assessment and Strategy Chalk Park is intended to meet.</p> <p>Gravesham Borough Council is concerned about the period of time this land will be under construction and unavailable for public use.</p>	<p>Lane and Gravesend East, there remains an identifiable gap in provision of natural / semi-natural green space within walking distance of residents of Gravesend East (covering the urban area including Valley Drive / Riverside Park) which has been highlighted within the Council's Open Space Assessment (2016).</p> <p>As Chalk Park would be formed using material excavated from the tunnel approach cutting the placement of material would need to happen to a timetable dictated by the excavation of the cutting. ES Chapter 2 Project Description will set out construction assumptions and timing for the creation of Chalk Park.</p> <p>The timing and development of the landscape and ecology aspects of Chalk Park will be subject to the Landscape and Ecology Management Plan (LEMP) advisory group, secured via Schedule 2 requirement 5 of the draft DCO. This will give Gravesham Council a clear understanding of the final form and timescales for completion of Chalk Park as the detailed design develops.</p> <p>In order to provide an enhanced amenity for local residents, a new recreational site of over 35 hectares shall be provided to the west of the South Portal and approach cutting. Excavated material from the cutting shall be used to integrate the open space into the existing topography. A wooded hilltop</p>	<p>Description [APP-140]</p> <p>Draft Development Consent Order [Document Reference 3.1 (11)]</p> <p>Project Design Report - Part D - General Design South of the River [APP-509]</p> <p>Need for the Project [APP-494]</p>	

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			<p>shall be provided in a manner characteristic of the setting of nearby settlements at Thong and Shorne to soften the exposed urban edge of Gravesend. Chalk Park provides essential mitigation to mitigate the impact of the Project as well as integrate the portal and route alignment into the surrounding landscape. Chalk Park provides multifunctional benefits utilising the surrounding landscape character and available material from the cutting to provide landscape and visual mitigation, habitat creation and connectivity, recreational opportunities and an element of placemaking for the Project and for the nearby communities.</p> <p>The key drivers for the inclusion of Chalk Park within the Project proposals and its design rationale are set out in the Project Design Report - Part D - General Design South of the River, and include:</p> <ul style="list-style-type: none"> • The Department for Environment, Food and Rural Affairs (DEFRA) family objectives call for woodland creation, habitat buffering and creation of multifunctional accessible spaces to the east of Gravesend • A review of local policy and the existing context has identified a catchment gap for the open space typologies for parks and gardens, and natural and semi-natural 		

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			<p>green space for the Gravesham urban area. This is identified in the Gravesham Borough Council Open Space Assessment, April 2016</p> <ul style="list-style-type: none"> The design of Chalk Park addresses the local landscape character. Within the surrounding context of chalk sloping farmland to the east of Gravesend, development/settlements have generally been located adjacent to wooded hill tops, such as the residential properties in the village of Shorne. The hill proposal references the distinct local characteristic of settlements located on the slopes below a wooded hill – this is also set out within the Need for the Project report. 		
<p>WCH / Active Travel – Construction Effects</p> <p>Construction Effects, Closures and Diversions of PProW</p>	<p>2.1.108</p> <p>RRE</p>	<p>Gravesham Borough Council is concerned that materials consulted upon as part of the Community Impacts Consultation in 2021 show the direct loss of footpaths reducing amenity and access to the countryside for residents of Westcourt ward, with relatively long-term diversions that may not have an acceptable user experience.</p>	<p>The Applicant recognises that a short-term contraflow on the A226 (less than one month) is required to create a construction access from the A226 (detailed in the Outline Traffic Management Plan for Construction, but that there are no other plans to close the existing road, footway and cycle provision.</p> <p>Provision has been made within the Order Limits to temporarily widen the A226, should it be necessary to maintain the safety of vulnerable road users whilst the A226 is being used by the Project construction traffic and for the utilities diversion works.</p>	<p>Health and Equalities Impact Assessment [REP7-144]</p> <p>Outline Traffic Management Plan for Construction [Document Reference 7.14 (9)]</p> <p>Stakeholder Actions and Commitments</p>	<p>Matter Agreed</p>

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			<p>The Applicant is content that the Ward Impact Summary Section 3.5.1 (Community Impact Consultation) details the construction impacts to WCH routes in the Thong Lane area, which include proposals to maintain a temporary walking-cycling crossing throughout the construction period, maintaining east-west walking-cycling links.</p> <p>This crossing would connect the north and south of Thong Lane along a temporary realignment and provide links to Shorne Ifield Road. It is noted that this temporary route may be subject to intermittent closures to facilitate utility works, although these closures are expected to only be for a few days at a time.</p> <p>The Health and Equalities Impact Assessment (HEqIA) includes a section specifically relating to active travel routes, which does include the quality of the users' experience of those routes.</p> <p>Furthermore the Applicant has included a clause within the SAC-R (at Deadline 8) that provides Kent County Council with monitoring and funding for targeted engagement relating to effects on WCH routes during the construction phase.</p>	Register [Document Reference 7.21 (7)]	
WCH /Active Travel - Design	2.1.109	Gravesham Borough Council considers that provision for WCHs south of the river –	The Applicant held a briefing with Gravesham Borough Council and KCC (4/4/22) to set out the overall plans for WCH routes to the south	Project Design Report [APP-506 to APP-515]	Matter Agreed

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Principle and Design of Routes		including looping routes and links with existing routes, intersecting at Thong Lane – need detailed consideration in liaison with stakeholders on both the principle and the detailed routes.	<p>of the river, confirming that WCHs south of the river – including looping routes and links with existing routes, intersecting at Thong Lane – have been through detailed consideration in liaison with stakeholders on both the principle and the detailed routes. For more information about the proposed walking, cycling and horse-riding routes, see the Project Design Report.</p> <p>The WCH provision in the Project is set out in application documents, specifically the Rights of Way & Access Plans (2.7) and Schedule 5 of the draft Development Consent Order. Further information on the provision is set out in the Project Design Report.</p> <p>Following engagement (see Appendix A) the Applicant refers Gravesham Borough Council specifically to the Project Design Report which includes explanation of reasoning behind the design for the permanent network, and surfacing, and whether the approach to surfacing is appropriate in the Green Belt.</p>	<p>Rights of Way and Access Plans [Document Reference 2.7 Volume A (5), Volume B (5), Volume C (7)]</p> <p>Draft Development Consent Order [Document Reference 3.1 (11)]</p>	
<p>Cross-river WCH and Sustainable Travel</p> <p>Consideration of effects on the</p>	<p>2.1.110</p> <p>RRE</p>	Gravesham Borough Council notes that the impact of the Project on the Tilbury to Gravesend Ferry is not considered.	The Applicant has considered various options during the development of the Project to provide improved river crossings for walkers and cyclists. The options investigated included using the tunnel, upgrading the existing ferry, relocating the ferry, building a separate bridge or cable car, and providing a shuttle service through the tunnel.	N/A	Matter Not Agreed

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Tilbury-Gravesend Ferry			<p>All of these options have been rejected (as part of the Project itself, without prejudice to future Designated Funds works) for reasons including lack of technical feasibility, operational issues, lack of commercial viability, cost and poor safety.</p> <p>The Applicant does not anticipate that construction workers would use the ferry to commute to construction compounds.</p> <p>Latent demand for walking and cycling across the River Thames at the Project crossing point is low and therefore unlikely to unlock enough trips to make the required infrastructure for a shuttle service economically viable.</p>		
<p>Cross-river WCH and Sustainable Travel</p> <p>NMU Crossing of the LTC/River</p>	<p>2.1.111</p> <p>RRE</p>	<p>Gravesham Borough Council notes that there is potential to consider a more comprehensive transport package for the Project that also seeks to improve/fund ferry and bus services across the Thames as an alternative to the private car, providing a cycle link cross-river.</p>	<p>The Applicant recognises the opportunity to, and importance of, improving sustainable transport provision across and along the river, but as complementary measures to the Project which provides the infrastructure improvements that may facilitate measures. By providing the north-south connection and junction improvements, this facilitates that the whole of the Project route will be accessible to local and longer distance public transport routes, if operators choose to make use of it, including operators supporting e.g. cross-river WCH transit (by bus).</p> <p>The Applicant considers that Local Authorities are best placed to lead on the</p>	N/A	Matter Not Agreed

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			<p>development and appraisal of future public transport projects including ferry and bus services across the river.</p> <p>The Applicant has set up a Sustainable Transport Working Group involving local authority stakeholders to investigate sustainable travel and cross-river connectivity enhancements that could be delivered in future to complement the Project. The Group has proposed several local priorities and opportunities for feasibility studies for future funding applications for Designated Funds.</p> <p>Designated Funds are very much considered the appropriate mechanism for providing these measures, which fall outside of the remit of the DCO, but may be facilitated by it to lead to improvements in sustainable modes and forms of transport across the river.</p>		
<p>WCH / Active Travel – Construction Effects</p> <p>PRoW access during construction</p>	<p>2.1.112</p> <p>RRE</p>	<p>Gravesham Borough Council is concerned that construction works will limit the availability of PRoW to the east of Gravesend, particularly along the A226 and A2 and the area between these roads.</p> <p>Whilst it is recognised that the Applicant recognises that the number of people potentially impacted by changes in</p>	<p>ES Chapter 13 Population and Human Health sets out the effects of construction works on PRoWs.</p> <p>This sets out that 15 PRoWs (including NCR 177 – see below) would be affected during this time, in most cases resulting in route diversion to maintain connectivity (albeit with an increase in journey length) and in some cases resulting in intermittent closures or interference, temporary closures and some permanent closures.</p>	<p>ES Chapter 13 Population and Human Health [APP-151]</p> <p>oTMPfC [Document Reference 7.14 (9)]</p> <p>Stakeholder Actions and Commitments</p>	<p>Matter Not Agreed</p>

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		<p>accessibility during the construction period is likely to be high, relating to communities along the route and within a wider geographical area, their response is limited and focuses on communication. Gravesham Borough Council does not consider that this is sufficient.</p>	<p>Any diversions have been assessed in line with DMRB LA 112.</p> <p>During construction, a number of stakeholders are likely to be impacted as a result of the works. The oTMPfC, Table 2.3 lists the envisaged affected groups, lists their outline requirements, and also details how the Traffic Management Plans (developed by the Contractors) would address their requirements as a minimum.</p> <p>The Applicant refutes the assertion from Gravesham Borough Council that the response is limited and focuses on communication.</p> <p>Furthermore the Applicant has included a clause within the SAC-R (at Deadline 8) that provides Kent County Council (as the Local Highways Authority) with monitoring and funding for targeted engagement relating to effects on WCH routes during the construction phase.</p>	<p>Register [Document Reference 7.21 (7)]</p>	
<p>WCH / Active Travel - Design</p> <p>Effects on National Cycle Route 177 (NCR 177)</p>	<p>2.1.113</p> <p>RRE</p>	<p>Gravesham Borough Council is concerned that the Project would result in changes to NCR 177 including reduction of access and indirect disturbance.</p> <p>NCN177 is rerouted to run alongside the extended Darnley Lodge Lane, but still</p>	<p>The Applicant has identified that NCR 177 between Gravesend East junction and the Park Pale bridge over the A2 would initially be affected by utility works. The route would also be permanently closed to accommodate the new M2/A2/A122 Lower Thames Crossing junction. Upgrades to existing footpaths and tracks would be undertaken prior to the closure of the existing NCR177</p>	<p>ES Chapter 13 Population and Human Health [APP-151]</p>	<p>Matter Not Agreed</p>

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		next to the A2/A122 junction with its numerous slip roads. This involves a complicated route through Marling Cross Junction and the crossing of Darnley Lodge Lane at a point where it is carrying slip road traffic. This is a significantly worse route than the current one.	alignment to ensure that a suitable alternative route is available; once works are complete an alternative roadside route would be available as a permanent diversion. This is assessed within ES Chapter 13 Population and Human Health. Although both the temporary and permanent diversions to NCR 177 involve increased travel distances, the Applicant considers that these are not significant in terms of affecting their level of use by cyclists in terms of the overall distances typically travelled by cyclists using the route; both the temporary and permanent diversion routes allow for improved user experience.		
Monitoring Effects on Primary School Children (Construction)	2.1.114 RRE	Gravesham Borough Council is concerned that the length of the construction period increases its impact in terms of disruption and additional traffic on some children whose whole primary school education will be affected by the Project. Gravesham Borough Council does not consider that the Control Documents go far enough in terms of providing assurance of mitigation or engagement / communication with school, and has raised	The Applicant acknowledges this issue and has considered the duration of impacts as well as their nature. Duration affects significance, with longer durations resulting in greater magnitudes. Table 13.68 of ES Chapter 13: Population and Human Health notes that a range of measures are in place to ensure that active travel routes for children are not adversely impacted by the Project, and to enable communication and engagement with individual schools. These are set out in further detail in paragraphs 7.5.25 to 7.5.29 of the Health and Equalities Impact	Outline Traffic Management Plan for Construction (oTMPfC) [Document Reference 7.14 (9)] ES Chapter 13 Population and Human Health [APP-151] ES Chapter 2 Project	Matter Not Agreed

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		<p>concerns over construction disturbance with increased journey times making affected schools less attractive to staff and also cause problems for parents picking up / dropping off children. The Council suggests that the Applicant considers extended opening hours of schools so that children can be dropped off earlier and picked up later, whilst also highlighting that, in some cases, children may need alternatives ways to get to school i.e. bus pass, cycle, taxi. This is particular important when potentially life impacting events, such as examinations, are taking place and the children need to be supported to realise their potential.</p>	<p>Assessment (HEqIA) and include the following:</p> <ul style="list-style-type: none"> - Measures in place in the oTMPfC which must be addressed in the Traffic Management Plan in relation to access/egress to schools, and the requirements for local schools to have unhindered and safe walking and cycling routes. - The Schools Engagement Plan for the Project has been used to record feedback about matters/concerns that individual schools express and as a basis to discuss various environmental matters, including those relating to access/travel to school. - The ES Appendix 2.2: CoCP states that the Contractor's Engagement and Communications Plan (ECP) will specify a detailed programme of community engagement for specific stakeholder groups, including schools, identifying proposed methods and likely timing of consultation activities during the construction period. <p>In addition, the Stakeholder Actions and Commitments Register (SAC-R) includes a commitment for the Contractors to develop and provide an educational road safety programme for school-aged children at relevant local schools along the Project route.</p>	<p>Description [APP-140] Stakeholder Actions and Commitments Register (SAC-R) [Document Reference 7.21 (7)] ES Appendix 2.2: CoCP [Document Reference 6.3 ES Appendix 2.2 (9)] Health and Equalities Impact Assessment (HEqIA) [REP7-144]</p>	

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			<p>Table 2.3 of the oTMPfC is designed to give an outline of the groups likely to be impacted, their requirements, and how the Traffic Management Plans would address their requirements. The Traffic Management Forum (as detailed in the oTMPfC) would be the appropriate forum to discuss issues and develop mitigation measures where required.</p> <p>Table 2.3 of the oTMPfC does list “local schools” as an affected stakeholder, and includes how the Traffic Management Plans would address their requirements, including stating that Project-related HGV movements would not be allowed to pass school entrances during drop-off/pick-up times.</p> <p>The Applicant has drafted an Outline Traffic Management Plan for Construction, which includes, for example, avoiding HGV movements outside schools during start and finish times.</p> <p>Any schools that would be adversely affected by construction activities are included in the Applicant's liaison programme.</p>		
HEqIA Assessment Assessment of Cumulative Effects on Health	2.1.115 RRE	Gravesham Borough Council recognises that the Project has considered cumulative and in-combination effects on health (e.g. access, construction noise and perceptions of poor air quality) but is concerned	<p>The Applicant is in agreement that in-combination effects on health should be considered and this is done through the Health and Equalities Impact Assessment (HEqIA).</p> <p>This refers to mitigation measures to be implemented during construction that will be</p>	Health and Equalities Impact Assessment (HEqIA) [REP7-144] ES Appendix 2.2: Code of	Matter Not Agreed

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		that mitigation needs to be developed for this combined effect.	<p>secured by the Code of Construction Practice and within it, the Register of Environmental Actions and Commitments, including management at source, community information/liaison, mitigation for receptors and a consideration of how health inequality in local communities should be considered in terms of the scale of effects and delivery of mitigation.</p> <p>Chapter 5 of the Code of Construction Practice sets out the requirements for communication and community engagement to ensure that local residents and businesses are informed of construction activities and to maintain good relationship between parties.</p> <p>Chapter 6 of the Code of Construction Practice presents the requirements for general construction and site management which would be implemented to reduce disturbance associated with construction phase activities.</p>	Construction Practice [Document Reference 6.3 ES Appendix 2.2 (9)]	
HEqIA CIPHAG Independent Recommendations HIA recommendation from independent	2.1.116	Links between local health priorities and the assessment should be made clear. Where the local priorities identify topics or sensitive groups, these should be considered in the assessment (including in consideration of enhancement measures).	<p>Local health and equalities priorities have been set out within Appendix A of the Health and Equalities Impact Assessment (HEqIA). Appendix A was updated between the 2020 and 2022 versions of the HEqIA in line with updated priority and strategy documents produced by individual local authorities.</p> <p>A new section has been included within each of the assessment topics of the HEqIA itself,</p>	Health and Equalities Impact Assessment – Appendix A – Policy and Strategy Context [APP-540] Health and Equalities Impact	Matter Not Agreed

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review - Health Priorities			<p>setting out which of the local health and equalities priorities are relevant for that topic, together with findings from consultation and from baseline data.</p> <p>Paragraph 3.6.13 of the HEqIA sets out the factors which have been taken into account when assessing population health effects that may arise as a result of the Project, including the relationship with the health policy context and/or local health priorities. The assessment tables for each topic in Section 7 of the HEqIA include reference to the relevance / importance of local health and equalities priorities for each assessment topic.</p>	Assessment (HEqIA) [REP7-144]	
HEqIA CIPHAG Independent Recommendations HIA Recommendations from Independent review - Construction Phasing	2.1.117	Further information should be provided on construction phasing as part of HEqIA (when available) and indication of how this may influence assessment and an explanation of how HEqIA has been planned and timed to inform decision making.	<p>Further detail relating to construction phasing was presented and discussed at a CIPHAG meeting in June 2021.</p> <p>The Health and Equalities Impact Assessment includes a new section on Project construction phases and timelines (Section 4.3), providing further detail on construction activities across the four construction sections, information relating to individual construction compounds, and estimated timelines for construction in each section.</p> <p>Information relating to construction activities which may potentially impact individual assessment topics is included within the assessment sections as relevant. This</p>	Health and Equalities Impact Assessment [REP7-144]	Matter Not Agreed

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			includes information relating to the length of time construction activities are anticipated to last as well as to construction phasing.		
HEqIA CIPHAG Independent Recommendations HIA Recommendations from Independent review - Scope	2.1.118	Further commentary and evidence should be provided to understand how the scope of the HIA was identified and agreed. This could include provision of further information on the outcomes of discussions on scoping that were undertaken with the Community Impacts and Public Health (CIPH) advisory group.	Further commentary and evidence around outcomes of discussions with CIPHAG concerning the scope of the Health and Equalities Impact Assessment (HEqIA) has been included within it. Section 3.4 of the HEqIA covers screening and scoping. Table 3.1 summarises scoping discussions held as part of CIPHAG meetings between 2018 and 2021. The findings from the Independent Review and subsequent discussions with CIPHAG stakeholders included further information relating to the scoping and assessment of individual topics within the HEqIA. Paragraph 3.4.5 of the HEqIA includes a summary of the changes made to the original scope of the HEqIA as a result of subsequent discussions with stakeholders. Table 5.2 of the HEqIA details the CIPHAG meetings which have taken place between 2018 and 2022 (of which there were more than 20) and summarises the matters discussed at each meeting and outcomes of those discussions where relevant.	Health and Equalities Impact Assessment (HEqIA) [REP7-144]	Matter Not Agreed
HEqIA CIPHAG Independent Recommendations	2.1.119	Further information should be provided on the outcomes of stakeholder engagement	Section 5 of the Health and Equalities Impact Assessment (HEqIA) sets out the approach taken to consultation and engagement for the	Health and Equalities Impact Assessment	Matter Not Agreed

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HIA Recommendations from Independent review – Stakeholder Engagement		<p>exercises and how this has meaningfully informed the HEqIA and the Project.</p> <p>1. This includes providing further details of what was agreed at the CIPH advisory group and methods of engagement and issues raised at the focus groups and how these comments were addressed.</p> <p>2. Information should also be included on measures used to reach hard to reach groups. Wider concerns have also been raised regarding the consultation activities which should be addressed as part of the wider consultation strategy.</p>	<p>Project and how this has fed into / informed the HEqIA assessment. The section summarises activities and headline information from both non-statutory and statutory consultation, including the supplementary consultation, design refinement consultation, community impacts consultation and local refinement public consultation events.</p> <p>Following feedback from stakeholders including that received as part of the Independent Review, the Community Impacts Consultation included a comprehensive 'You Said, We Did' document, setting out how the Applicant has addressed issues and suggestions received at each of the previous consultations.</p> <p>Section 5.4 of the HEqIA sets out the Applicant's approach to consultation and engagement with hard-to-reach groups (more favourably referred to as under-represented groups). At a CIPHAG meeting held in June 2021 the Applicant's approach to engagement with under-represented groups was discussed with stakeholders; this included research undertaken by the Applicant into the presence of hard to reach communities along the route of the Project, which typically include older people, those with disabilities, those who may not be able to read, and those for whom English is not</p>	(HEqIA) [REP7-144]	

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			<p>their first language. The findings from this meeting helped to inform the approach to engagement during the Community Impacts Consultation.</p> <p>In relation to the focus groups held during 2019, the Applicant reiterates the view that these formed just one part of engagement with vulnerable groups and that wider conclusions were not drawn from this sample. This is explicitly stated in paragraph 5.4.6 of the HEqIA.</p> <p>The individual topic assessments contained in Section 7 of the HEqIA include a section summarising relevant findings to have arisen from consultation and engagement. The assessment methodology described in paragraph 3.6.13 of the HEqIA sets out the various factors which have informed the individual assessments; these include the extent to which stakeholders are concerned about particular determinants of health or health outcomes.</p>		
<p>HeqIA CIPHAG Independent Recommendations</p> <p>HIA Recommendations from Independent</p>	2.1.120	<p>NH should clarify how ward sensitivity has been determined through clear links to the baseline.</p>	<p>The approach to defining ward sensitivity was discussed and agreed with stakeholders at the CIPHAG meeting held in September 2021. The methodology for determining ward sensitivity is subsequently described in Section 3.6 of the Health and Equalities Impact Assessment (HEqIA). The sensitivity of individual wards has been identified as</p>	<p>Health and Equalities Impact Assessment (HEqIA) [REP7-144] ES Appendix 13.2: Ward</p>	<p>Matter Not Agreed</p>

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review – Ward sensitivity			high, medium or low based on the range of indicators identified. Draft ward sensitivity data and information was distributed to CIPHAG attendees; this information was subsequently included in the DCO submission in 2022. The assessment of sensitivity by ward is summarised in Table 3.3 of the HEqIA; data informing this assessment is set out in ES Appendix 13.2 of Chapter 13 Population and Human Health).	Sensitivities [APP-452] ES Chapter 13: Population and Human Health [APP-151]	
HEqIA CIPHAG Independent Recommendations HIA Recommendations from Independent review - Methodology for aggregating impacts	2.1.121	Justification / methodology for aggregating impacts at general population / ward level should be provided. Use of GIS mapping for baseline and assessment information would enable a clearer understanding of specific impacts including effects on health inequalities.	The Assumptions and Limitations section of the Health and Equalities Impact Assessment set out in paragraph 3.6.18 states that for all topics, the assessment has been aggregated to ward level unless otherwise specified.	Health and Equalities Impact Assessment [REP7-144]	Matter Not Agreed
HEqIA CIPHAG Independent Recommendations HIA Recommendations	2.1.122	Further information should be included about the duration of effects anticipated beyond if they are temporary or permanent. This is particularly relevant to the health outcomes identified during the construction phase as this phase is	Paragraph 3.6.9 of the Health and Equalities Impact Assessment (HEqIA) sets out the temporal scope for the assessment. This describes the duration of potential effects as being short, medium or long-term (with durations as appropriate) or permanent. This enables a more granular assessment to that provided at DCO 1.0, where effects were	Health and Equalities Impact Assessment (HEqIA) [REP7-144]	Matter Not Agreed

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from Independent review - Duration of effects		anticipated to last six years. Further information should be included on if effects are considered to be short term, medium term or long term and a definition provided which outlines what each of these terms mean (e.g. short term = 1-2 years).	simply described as temporary or permanent; this is as a direct result of discussions with stakeholders as part of CIPHAG meetings (as described in paragraph 3.6.11 of the HEqIA). The assessment methodology described in paragraph 3.6.13 of the HEqIA sets out the various factors which have informed the individual assessments; these include the duration of effect as described above.		
HEqIA CIPHAG Independent Recommendations HIA Recommendations from Independent review - Severity and Likelihood of health outcomes	2.1.123	The assessment should provide information on the severity and likelihood of the health outcomes. At present it is just stated whether a health outcome is considered to be positive, negative or neutral, however the assessment would benefit from further information being provided on the severity of the effect (e.g. minor, moderate or major positive/ negative) to help provide a more balanced assessment and increase understand of the level of health outcomes anticipated.	The methodology for assigning impacts on health outcomes is set out in DMRB LA 112, which states that health outcomes should be described as positive, negative, neutral or uncertain. Whilst LA 112 states that ' <i>it is not possible to quantify the severity or extent of the effects which give rise to these outcomes</i> ', the guidance also states that information should be presented relating to changes to health determinants as a result of a scheme or project, together with evidence provided to support conclusions. The Health and Equalities Impact Assessment (HEqIA) provides information around the plausibility of health outcomes as part of the review of evidence for each assessment topic. Further evidence has been presented in relation to the individual assessments to help increase understanding of the level of health outcomes anticipated. The assessment methodology described in paragraph 3.6.13 of the HEqIA sets out the	Health and Equalities Impact Assessment [REP7-144]	Matter Not Agreed

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			<p>various factors which have informed the individual assessments; these include an assessment of the severity of health outcome, for example whether this relates to changes in mortality/morbidity or whether the change may be more related to wellbeing or quality of life.</p> <p>The HEqIA submitted as part of DCO 2.0 in 2022 also identifies where health effects are likely to be significant; the guidance document 'Human health: ensuring a high level of protection. A reference paper on addressing human health in Environmental Impact Assessment' (International Association of Impact Assessment and European Public Health Association, 2020) has been used to inform an approach to identifying significance, taking into account multiple criteria, including severity of health outcome as described above. This has enabled the identification of significant effects within Section 7 of the HEqIA.</p>		
<p>HEqIA CIPHAG Independent Recommendations</p> <p>HIA Recommendations from Independent</p>	2.1.124	<p>There are some concerns identified with the technical data sources used to inform the HEqIA (e.g. transport, air quality and noise assessments). Technical concerns should be addressed and updated accordingly in the HEqIA as these may have</p>	<p>A number of technical concerns were raised in Appendix A of the Independent Review relating to a variety of other documents and assessments produced as part of the submission at DCO 1.0. These primarily related to the transport, air quality and noise methodologies and assessments.</p> <p>Technical assessments across the ES (such as noise and air quality) were updated for</p>	<p>Health and Equalities Impact Assessment [REP7-144]</p>	<p>Matter Not Agreed</p>

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review - Data Sources		implications for the health outcomes identified. Clarification should also be provided on how the level of effect identified in the source assessment has been translated into the effect identified in the HEqIA (including how this has been aggregated to general population / ward level)	inclusion in the DCO submission in 2022 to address concerns raised by the Independent Review. Where appropriate, assessments were updated and amended accordingly, however there will be specific to each ES topic area where agreement has not yet been reached where these relate to those topic areas, they are covered in the relevant sections of this SoCG.		
HEqIA CIPHAG Independent Recommendations HIA Recommendations from Independent review - Effectiveness of mitigation	2.1.125	The HEqIA should provide further information regarding effectiveness of mitigation / enhancement measures. This could include providing a conclusion on the residual health outcome anticipated after mitigation measures is implemented.	Section 4.4 of the Health and Equalities Impact Assessment presents the approach taken to the provision of mitigation and enhancement measures, including the categories within which mitigation falls and the locations where mitigation measures are secured within the DCO. For each assessment topic in Section 7, mitigation measures are described within relevant sections relating to construction and operation. The assessment conclusions relate to residual health outcomes after mitigation measures have been implemented.	Health and Equalities Impact Assessment [REP7-144]	Matter Not Agreed
HEqIA CIPHAG Independent Recommendations	2.1.126 RRE	Further information to be included on monitoring (impacts, mitigation, and enhancement – to be clearly specified), how this will be	Monitoring has been an area of specific interest to stakeholders and discussed at a number of CIPHAG meetings over the course of Project development (for example an exceedance framework and various potential approaches to health monitoring were	Health and Equalities Impact Assessment (HEqIA) [REP7-144]	Matter Not Agreed

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HIA Recommendations from Independent review - Monitoring		secured and anticipated timelines.	<p>discussed at the CIPHAG meeting in May 2021, as referenced within the Health and Equalities Impact Assessment (HEqIA).</p> <p>Further, more detailed information on monitoring has been included where relevant in the HEqIA, including in relation to both construction and operational phases of the Project. For construction:</p> <p>a. air quality and baseline dust monitoring during construction – contractors shall determine the level of any dust and particulate monitoring carried out on Project construction sites by means of a risk-based approach. If required, further commitments are included in the Register of Environmental Actions and Commitments (within the Code of Construction Practice) in relation to actions that would be taken in cases of air quality monitoring exceedances.</p> <p>b. noise monitoring at agreed sensitive receptors (to be defined through development of the Code of Construction Practice, and Noise and Vibration Management Plan) to ensure that the mitigation measures suggested are working effectively. Monitoring would be undertaken at locations identified in consultation with the relevant Environmental Health Officers before works start. The Register of Environmental Actions and Commitments (within the Code of Construction Practice) includes measures</p>	<p>ES Chapter 12 : Noise and Vibration [APP-150]</p> <p>ES Appendix 2.2: Code of Construction Practice [Document Reference 6.3 ES Appendix 2.2 (9)]</p> <p>Framework Construction Travel Plan [Document Reference 7.13 (6)]</p> <p>Wider Network Impacts Management and Monitoring Plan [Document Reference 7.12 (2)]</p>	

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			<p>relating to noise and vibration monitoring during the construction phase (Ref. NV009), including the identification of a framework should noise exceedances occur (Ref. NV015).</p> <p>c. In relation to workforce accommodation, a monitoring framework is proposed to be established (and is secured by the Framework Construction Travel Plan).</p> <p>During operation:</p> <p>a. traffic impact monitoring during the operational phase of the Project would identify changes in performance on the surrounding road network. Information setting out how such a scheme would be implemented is contained in the Wider Network Impacts Management and Monitoring Plan.</p> <p>b. the findings of ES Chapter 12: Noise and Vibration concluded that there would be some significant effects as a result of the Project. Post-construction monitoring and evaluation would therefore be undertaken for the Project as set out in DMRB LA 111 (Highways England, 2020c).</p> <p>However, the monitoring of health specifically or as an aggregated indicator is not proposed.</p>		

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HEqIA CIPHAG Independent Recommendations HIA Recommendations from Independent review - Cumulative Effects	2.1.127	An assessment of cumulative effects (in relation to inter project effects) should be included in the HEqIA instead of cross referencing the ES to see that cumulative effects on vulnerable groups are appropriately considered.	Section 7.17 of the HEqIA contains an assessment of cumulative effects. The section covers both intra-project effects (impacts that can occur as a result of interrelationships between different assessment topics); and inter-project effects (due to the Project in combination with other existing and/or approved developments). The assessment of cumulative effects undertaken within the HEqIA is consistent with that included within the Environmental Statement, for example using the same short-list of projects identified for inclusion in the assessment of inter-project effects (as set out in ES Appendix 16.2: Cumulative Effects Assessment).	Health and Equalities Impact Assessment [REP7-144] ES Appendix 16.2: Short List of Developments [APP-484]	Matter Not Agreed
HEqIA CIPHAG Independent Recommendations HIA Recommendations from Independent review - Limitations	2.1.128	The HEqIA should include a limitations sections to clearly outline any limitation or constraints of the assessment.	A series of assumptions and limitations are included at paragraph 3.6.18 of the Health and Equalities Impact Assessment, clearly outlining limitations or constraints of the assessment.	Health and Equalities Impact Assessment [REP7-144]	Matter Not Agreed
HEqIA CIPHAG Independent Recommendations	2.1.129	The overall document lacks specificity, with individual incidences being highlighted in the tabulated analysis of the EqIA. It is important to be specific about the rationale	The EqIA (Appendix B to the HEqIA) has been expanded to respond to the concerns raised and to be specific about the rationale behind decisions when evidencing that they	Health and Equalities Impact Assessment – Appendix B – National Highways EqIA	Matter Not Agreed

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EqlA Recommendations from Independent Review - Lack of Specificity		behind decisions when evidencing that they meet the requirements of the Equality Act 2010 and the Public Sector Equality Duty. Lack of specificity in the EqlA leads to an assumption that some things have been missed, when it is possible this work has been done.	meet the requirements of the Equality Act 2010 and the Public Sector Equality Duty. The EqlA has been prepared in line with the Applicant's approach and utilising the standard reporting template used by the Applicant for this purpose. A thorough review of the document was undertaken between DCO 1.0 and the submission in 2022. Further detail was incorporated into the EqlA to ensure that in the Applicant's view, the requirements of the Equality Act 2010 and the Public Sector Equality Duty were met.	Screening Template [APP-541]	
HEqlA CIPHAG Independent Recommendations EqlA Recommendations from Independent Review - Context	2.1.130	The document lacks important context, such as study area demographic breakdowns. Providing this would give a clearer picture as to whether resources/consultation efforts have been correctly apportioned. Where shortfalls are identified, analysis of possible reasons for this and reasonable mitigations should be included.	The EqlA (Appendix B) is informed by the comprehensive baseline set out in Appendix C of the HEqlA, which includes information relating to all protected characteristics within the study area for the HEqlA. This information has not been replicated in the EqlA itself. The EqlA identifies for each protected characteristic whether people may have different levels of access, and whether there are social or physical barriers to participation, such as language, format or physical access. When preparing for non-statutory consultation, the Applicant developed a strategy for engaging effectively with the stakeholders and communities it had identified as its target audience. In developing this strategy, the Applicant researched and considered the presence of	Health and Equalities Impact Assessment – Appendix B – National Highways EqlA Screening Template [APP-541] Health and Equalities Impact Assessment - Appendix C - Baseline [APP-542] Consultation Report [APP-064] to APP-090]	Matter Not Agreed

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			<p>hard-to-reach communities, which typically include older people, those with disabilities, those who may not be able to read, and those for whom English is not their first language.</p> <p>The Consultation Report provides a full description of the consultation activities undertaken, including the Project response to the feedback received. The Statement of Engagement describes the extensive engagement with stakeholders throughout the pre-application stage of the Project. Ongoing engagement has helped stakeholders shape the Project and has facilitated continuous improvement to its design, providing a deeper understanding of local issues and enabling information to be gathered to support decision making.</p>	<p>Statement of Engagement [APP-091]</p>	
<p>HEqIA CIPHAG Independent Recommendations</p> <p>EqlA Recommendations from Independent Review - Disparity in genders</p>	2.1.131	<p>There is a large disparity between numbers of male and female consultees. This is of particular concern as gender plays an important role in travel patterns, and women may have less time to take part in consultation activities than men.</p>	<p>Consultation response forms from each of the consultation events allowed people to record gender identity as part of their response. Although there may have been a recorded disparity between male and female consultees at a number of events, this is not considered to impact the robustness of the assessment itself. The EqlA (Appendix B to the HEqIA) includes evidence from literature reviews in relation to various of the assessment topics covered in the document; this includes the role that gender plays in</p>	<p>Health and Equalities Impact Assessment – Appendix B – National Highways EqlA Screening Template [APP-541]</p>	<p>Matter Not Agreed</p>

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			travel patterns (for example public transport may be more commonly used by women).		
HEqIA CIPHAG Independent Recommendations EqIA Recommendations from Independent Review - Specific Characteristic Groups	2.1.132	Additionally, the Project has been recorded as having a 'neutral' impact on Sex and Religion or Belief characteristic groups. It is recommended this is reviewed and consultation with representatives of these groups evidenced and reconsidered.	HEqIA Appendix B – National Highways EqIA Screening Template was reviewed between DCO 1.0 and the final submission in 2022. The submitted EqIA records a neutral impact on both Sex and Religion or Belief characteristic groups. Supporting text in relation to the Sex characteristic group references the fact that 'women are more likely to be users of public transport than men and may be affected by temporary changes in bus travel during the construction period, although it is noted that changes in journey times are small'. Full analysis and assessment of the changes in journey time for each construction phase are provided in the HEqIA.	Health and Equalities Impact Assessment (HEqIA) [REP7-144] HEqIA – Appendix B – National Highways EqIA Screening Template [APP-541]	Matter Not Agreed
HEqIA CIPHAG Independent Recommendations EqIA Recommendations from Independent Review - Consideration of Covid 19	2.1.133	Covid-19 should be considered more comprehensively in the EqIA as it effects groups differently and is impacting upon and shaping travel habits and consultation efforts.	The submitted HEqIA includes baseline data in relation to deaths involving COVID-19 by local authority area (Office for Health Improvement and Disparities) in addition to available information relating to populations considered to be clinically extremely vulnerable and therefore advised to shield during the pandemic. The HEqIA describes the measures taken to overcome restrictions to consultation that were in place due to the COVID-19 pandemic and the measures which were put in place	Health and Equalities Impact Assessment (HEqIA) [REP7-144] Consultation Report [APP-064 to APP-090]	Matter Not Agreed

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			<p>during times when these restrictions had eased but not people felt able to join in traditional face-to-face engagement. These measures are described in Section 5.3 of the HEqIA.</p> <p>Impacts of the pandemic on travel and behavioural patterns have been incorporated into the assessment where relevant – for example in relation to the impacts of COVID-19 on levels of exercise, usage of green space and the link between nature and wellbeing (described in Section 7.4 of the HEqIA) and in relation to work and training (described in Section 7.10 of the HEqIA).</p>		
<p>HEqIA CIPHAG Independent Recommendations</p> <p>EqlA Recommendations from Independent Review - Intersectional Characteristics</p>	2.1.134	<p>Intersectional characteristics (i.e., Religion and Gender, Age and Disability) appear not to have been considered. This can be of specific use in identifying hard-to-reach groups who may have more complex considerations, and in providing important context.</p>	<p>The submitted EqlA (Appendix B to the HEqIA) includes a section on intersectional effects, highlighting that multiple social identities can mean that individuals experience overlapping systems of potential discrimination or disadvantage. The assessment identifies two groups considered to have more complex considerations particularly, notably older women, and older people with disabilities.</p> <p>The assessment notes that no additional mitigation or intervention is considered necessary in relation to intersectional effects than that already proposed and that ongoing stakeholder engagement will continue to inform detailed Project design.</p>	<p>Health and Equalities Impact Assessment – Appendix B – National Highways EqlA Screening Template [APP-541]</p>	<p>Matter Not Agreed</p>

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Road Drainage and the Water Environment					
Drainage Ditch and Ponds New, diverted and reinstated watercourses in the AONB	2.1.135	Gravesham Borough Council considers that perched water tables/ponds in the AONB must be retained, and proposals on marshes should respect or recreate the historic drainage ditch patterns on the marsh. Gravesham Borough Council require clarity on monitoring and subsequent actions. Gravesham Borough Council is particularly concerned about Repton Ponds, south of the HS2 line.	The Applicant's plans for the Project do not reinstate, divert or create any new watercourses within the AONB, and the Applicant considers that (as set out in the ES) there is no likely significant impact on perched water tables/ponds. On the marshes south of the River Thames the Project would not change any historical drainage ditch patterns. The Applicant's approach to monitoring and mitigation is set out in ES Chapter 14 and in the Register of Environmental Actions and Commitments (within the Code of Construction Practice)	ES Chapter 14: Road Drainage and the Water Environment [APP-152] ES Appendix 2.2: Code of Construction Practice [Document Reference 6.3 ES Appendix 2.2 (9)]	Matter Agreed
Project design and mitigation Surfacing of hard landscape	2.1.136	Gravesham Borough Council agrees to the principle identified by the Project in terms of (some) surfacing of hard landscape, but note that paving selected should consider whether planting has been removed causing increased run-off, and considered on a case-by-case basis.	The Applicant agrees that the runoff regime may be affected where areas of planting have been removed, until vegetation cover re-establishes. Measures (secured by the Register of Environmental Actions and Commitments, within the Code of Construction Practice) will be put in place to manage runoff from earthworks and areas of vegetation stripping during construction to ensure no offsite increase in surface water flooding risks. The Applicant is committed to a Surface And Foul Water Drainage Scheme, to be	ES Appendix 2.2 : Code of Construction Practice [Document Reference 6.3 ES Appendix 2.2 (9)] Draft Development Consent Order [Document	Matter Agreed

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			<p>developed post-consent, in line with the Register of Environmental Actions and Commitments.</p> <p>This document will be developed in consultation with relevant planning authorities and is secured by Requirement 8 of the dDCO.</p>	Reference 3.1 (11)]	
<p>Project design and mitigation</p> <p>Cascading drainage attenuation ponds</p>	<p>2.1.137</p> <p>RRE</p>	<p>Gravesham Borough Council is concerned that the proposed cascading drainage attenuation ponds are an unnatural feature (as presented in 2021 Community Impacts Consultation) and lower ponds may need to be re-designed.</p>	<p>The Applicant notes that the Design Principles explains that the design of the proposed drainage ponds will be naturalistic, to enhance the landscape character on the east side of the Project route.</p> <p>Infiltration basins and retention ponds are subject to detailed design and Clause LSP.17 within the Design Principles.</p>	<p>Design Principles [Document Reference 7.5 (7)]</p>	Matter Not Agreed
<p>Project design and mitigation</p>	<p>2.1.163 (DL-1)</p> <p>RRN</p>	<p>The ground stabilisation tunnel, in particular at the Milton site where it comes to the surface, has the potential to have a major impact on the water table.</p> <p>The RAMSAR/SPA is primarily for wading birds, so maintenance of appropriate hydrological conditions is essential.</p> <p>This includes the marsh drainage system that passes beneath the Thames & Medway Canal and the</p>	<p>A detailed assessment has been undertaken of the potential for the Project, including the ground protection tunnel, to impact on the existing hydrological conditions that support the Thames Estuary and Marshes Ramsar/SPA.</p> <p>The assessment has been informed by groundwater modelling. Worst case modelled groundwater drawdown maps are shown in Annex J of ES Appendix 14.5: Hydrogeological Risk Assessment. These show that groundwater level changes, as a result of the construction and presence of the ground protection tunnel, are expected not to be discernible. The modelling assessment</p>	<p>ES Appendix 14.5: Hydrogeological Risk Assessment (Part 1 of 2) [APP-458]</p> <p>ES Appendix 2.2: Code of Construction Practice [Document Reference 6.3 ES Appendix 2.2 (9)]</p>	Matter Agreed

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		<p>resilience of the soft flood defences. Water levels in the canal need to be maintained.</p> <p>Gravesham Borough Council consider that monitoring of water table, flow and quality in the drainage system is required, along with a menu of actions if the standards are breached.</p>	<p>accounts for several measures and controls to reduce groundwater drawdown during the construction and operation of the ground protection tunnel and shafts. Paragraphs 6.5.3 to 6.5.6 of Environmental Statement – Appendix 14.5 – Hydrogeological Risk Assessment (Part 1 of 2) summarise these measures, which are secured by Project commitments RDWE018a and RDWE018b of Environmental Statement Appendices – Appendix 2.2 – Code of Construction Practice, First Iteration of Environmental Management Plan.</p> <p>Water levels in the Thames and Medway Canal are maintained by the Gravesham Borough Council surface water abstraction from Denton New Cut and both the surface water abstraction point and the outfall where water is released into the canal are outside of the Order Limits and would therefore not be disturbed during the construction or operational phases of the Project. Water levels in the canal would not therefore be changed by the Project's construction or operation.</p> <p>With regard to the resilience of flood defences, Project commitment RDWE017 requires that the Contractor would stabilise the ground to reduce ground movement during tunnelling. The proposed grouting, conducted from the ground protection tunnel,</p>		

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			<p>(or alternative, approved, methodology) would ensure the integrity of the River Thames flood defence embankment and the Thames and Medway Canal.</p> <p>REAC commitment HR08 states: <i>'Surveillance of groundwater levels will be carried out within the Thames Estuary and Marshes Ramsar in the vicinity of the tunnelling works for the duration of the construction period at borehole locations to be agreed with SoS in consultation with Natural England and the Environment Agency. The Contractors will complete an annual review, for the period of construction and the first five years of operation, of the groundwater levels and consult on any implications for qualifying features of the Ramsar site, and any necessary remedial measures with Natural England and the Environment Agency.'</i></p> <p>REAC commitment RDWE033 commits to water quality standards for the discharge into the western ditch, which will be finalised by the Environment Agency after pre-construction surveys to ensure that construction runoff will be no worse than the baseline water quality for the ditch and Ramsar site, and which will be released at greenfield runoff rates. It will be a requirement of the discharge permit to monitor achievement of the standards.</p>		

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Assessment of likely significant effects	2.1.164 (DL-1) RRN	<p>The technical issues involved are for Environment Agency, Kent County Council (as lead Local Flood Authority) and Port of London as appropriate to deal with.</p> <p>The Flood Risk Assessment appears not to have considered all risks, as required by the NPSNN, and if the tunnels have 120 year life so should the assessment.</p>	<p>The Flood Risk Assessment (FRA) prepared for the Project, Environmental Statement Appendices – Appendix 14.6 – Flood Risk Assessment to is considered to be robust, having assessed all relevant sources of flood risk to the Project and arising from the Project.</p> <p>The Project has engaged extensively with the Environment Agency and with Kent County Council, as the Lead Local Flood Authority, in preparation of the Flood Risk Assessment (the FRA).</p> <p>The Statement of Common Ground between (1) the Applicant and (2) the Environment Agency, confirms the Environment Agency's support of the content in the FRA and notes that they are unlikely to raise any objections based on the submitted information and discussions.</p> <p>Kent County Council is also in agreement with the measures proposed to manage local sources of flood risk, including surface water drainage.</p> <p>A detailed description of how the Project's lifetime has been reflected in the flood risk assessment is presented in Section 7.2 of 6.3 Environmental Statement Appendices – Appendix 14.6 – Flood Risk Assessment – Part 6.</p>	<p>ES Appendix 14.6: Flood Risk Assessment [APP-460] Statement of Common Ground between (1) National Highways and (2) the Environment Agency [REP7-102] ES Appendix 14.6: Flood Risk Assessment – Part 6 [REP1-171]</p>	Matter Agreed

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			<p>The Project has embedded flood protection and surface water drainage measures into the design, in addition to provision to compensate for any losses of floodplain storage. These measures include allowances for future climate change in line with Environment Agency Guidance – Flood risk assessments: climate change allowances.</p> <p>An agreement to this approach is documented via items 2.1.62 and 2.1.63 in the Statement of Common Ground between the Applicant and the Environment Agency.</p>		
Assessment of likely significant effects	2.1.165 (DL-1) RRN	The potential impacts from the construction process from surface run off given the size of land area involved are a concern.	<p>The Applicant has carefully considered the impact of construction including surface water run-off and drainage, measures are in place to manage these impacts as detailed in the DCO application documents.</p> <p>The impacts of construction of the Project on land drainage and the surface water runoff regime are assessed in Section 14.6 of 6.1 Environmental Statement – Chapter 14 – Road Drainage and the Water Environment, which has been informed by Environmental Statement Appendices – Appendix 14.6 – Flood Risk Assessment – Part 7.</p> <p>As detailed in paragraphs 14.6.34, 14.6.42 and 14.6.49 of Environmental Statement – Chapter 14 – Road Drainage and the Water Environment, the assessment concludes that there would be no significant residual effects</p>	<p>ES Chapter 14: Road Drainage and the Water Environment [APP-152]</p> <p>ES Appendix 14.6: Flood Risk Assessment – Part 7 [APP-466]</p> <p>ES Appendix 2.2: Code of Construction Practice [Document Reference 6.3 ES Appendix 2.2 (9)]</p>	Matter Agreed

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			<p>on these aspects during construction due to the range of good practice measures detailed in the Register of Environmental Actions and Commitments in Environmental Statement – Appendix 2.2 – Code of Construction Practice, First Iteration of Environmental Management Plan and secured within the draft Development Consent Order.</p> <p>The key commitments relevant to construction drainage are RDWE006, which places an obligation on the contractor to develop a construction phase drainage plan for approval by the Secretary of State following consultation with the relevant planning authorities; and RDWE033, which is a specific commitment linked to managing runoff from the southern tunnel entrance construction compound.</p> <p>These commitments secure the sustainable management of construction work site surface runoff to ensure no detriment to water environment receptors, flood risk or drainage off site.</p>		
Water Quality	2.1.196 (DL-6)	<p>Gravesham Borough Council is concerned that impacts that may arise from the discharge of water via the Denton outfall into the River Thames.</p> <p>This relates to water quality, which would also impact on</p>	<p>Potential impacts from the Project on South Thames Estuary and Marshes SSSI, and Thames Estuary and Marshes SPA and Ramsar site, particularly those resulting from changes in water quality, are reported within paragraphs 8.6.19 – 8.6.23 in ES Chapter 8: Terrestrial Biodiversity; and within paragraphs 14.6.34 and 14.6.42 in ES</p>	<p>ES Chapter 8: Terrestrial Biodiversity [Document Reference 6.1 ES Chapter 8 (2)]</p>	<p>Matter Agreed</p>

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		<p>the water resources, and therefore terrestrial ecology, of the marches.</p> <p>Gravesham Borough Council requests a monitoring regime for the water quality both in the marshes and the Thames and a list of potential actions in the event of any issues arising.</p>	<p>Chapter 14: Road Drainage and the Water Environment.</p> <p>Essential mitigation measures to control both the quantity and quality of construction runoff are secured by the REAC commitment RDWE033, under which the quality of the discharge would be governed by the conditions of an EA discharge consent that would set discharge parameters to ensure that standards not environmentally worse than those recorded during the pre-construction survey in the receiving watercourse are met.</p> <p>It is expected that as a condition of this consent, monitoring of the receiving watercourse at the outfall would be required to demonstrate the efficacy of the treatment system.</p>	<p>ES Chapter 14: Road Drainage and the Water Environment [APP-152]</p> <p>ES Appendix 2.2: Code of Construction Practice [Document Reference 6.3 ES Appendix 2.2 (9)]</p>	
Climate					
Assessment methodology	2.1.138	Gravesham Borough Council considers that analysis of carbon should be presented on a Local Authority scale in order to assess the effect on Gravesham Borough Council's efforts for carbon neutrality	<p>The Applicant will not be disaggregating predicted emissions at local authority level as the National Policy Statement for National Networks does not require this level of detail.</p> <p>The emissions from traffic on the strategic road network will be subject to national policy, and for fossil fuel powered vehicles there are a range of strategies set out in <i>Decarbonising Transport: A Better, Greener</i></p>	N/A	Matter Not Agreed
Scale of analysis					

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			<i>Britain</i> designed to ensure that the UK achieves its net zero obligations by 2050.		
Project design and mitigation Exemplar Measures	2.1.139	<p>Gravesham Borough Council considers that the Project would be expected to be an exemplar in this field, with a compelling case to overcome concerns around climate change and carbon neutrality.</p> <p>An appropriate package of measures could include:</p> <ul style="list-style-type: none"> • an approach to blue/green infrastructure; • a commitment to fund other carbon offsetting measures, e.g. off-site improvements to the WCH network to encourage alternatives to the car; • a scheme to improve ferry services between Gravesend and Tilbury, e.g. electrical propulsion; or • assistance for Gravesham Borough Council to reduce its carbon footprint to offset that of the project. 	<p>The Applicant intends that the Project will be an exemplar for low carbon construction.</p> <p>The maintenance and replacement emissions, for which the Applicant is responsible, would be limited as far as possible.</p> <p>The Carbon and Energy Management Plan details the measures incorporated to develop the Project's carbon baseline as well as setting out the process and procedures that the Contractors will be required to follow to continue to identify carbon efficiencies and innovations.</p> <p>The Applicant and Gravesham Borough Council have been engaging on possibilities for a feasibility plan to support Gravesham Borough Council's ambitions related to sustainable heating at Cascades Leisure Centre, although this is not to be provided through the DCO.</p> <p>Details of the Applicant's position relating to blue/green infrastructure provision, improvements to the WCH network, and opportunities for cross-river link improvements are considered elsewhere in this table.</p> <p>These matters remain Under Discussion as set out above.</p>	Carbon and Energy Management Plan [Document Reference 7.19 (4)]	Matter Agreed

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Legislative and policy framework	2.1.147 (DL-1) RRN	<p>The policy context has changed dramatically since the route choice consultation in 2016. The project has a significant impact from both its construction (1.8 MtCO₂e) and operation (4.9 MtCO₂e over 60 year life including maintenance).</p> <p>The construction figure depends on achieving very ambitious targets which must carry a very high delivery risk. The operation metric is dependent on the achievement of Government decarbonisation goals, that on current progress look unlikely, and are not within National Highways direct control.</p> <p>Overall, this project is set in the context of the national carbon emissions, of which transport makes up 24% nationally, which is inappropriate as it fails to take into account the cumulative impact of all transport projects. The NPSNN having been approved in 2014 is clearly out of date from this point of view,</p>	<p>Whilst there has been an evolution in policy since the preferred route announcement, road building is still recognised as being necessary in the Transport Decarbonisation Plan. The Applicant is also responding to the challenge which the transition to net zero emissions by 2050 represents, by committing within the Application to a number of ground-breaking carbon reduction measures. The implementation of these would facilitate the Applicant's ambitions to deliver an industry-leading carbon position that goes substantially beyond the requirements of today's policy and promotes new best practice for large-scale engineering projects.</p> <p>This is exemplified by the Project's Carbon and Energy Management Plan (C&EMP) which outlines 22 secured carbon commitments (see Appendix E), that put in place processes and mechanisms that would ensure the greatest likelihood of low carbon design, low carbon construction processes and low carbon material selection.</p> <p>The Applicant notes that reference is made to the construction figure depending upon the achievement of very ambitious targets which must carry a very high delivery risk. This is refuted by the Applicant.</p> <p>The 1.8mtCO₂e reported within the C&EMP and ES Chapter 15: Climate, is a challenging limit but one which can be delivered by</p>	<p>Carbon and Energy Management Plan (C&EMP) [Document Reference 7.19 (4)]</p> <p>ES Chapter 15: Climate [APP-153]</p>	Matter Not Agreed

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		no doubt to be rectified in the announced, but delayed, review.	<p>applying known low-carbon construction techniques and materials. It represents the maximum limit of GHG emissions that the Project could emit and the Applicant will therefore be obliged to deliver the Project within this envelope. The commitment is based on a detailed quantification of embodied and construction emissions, based on thorough research into emerging construction materials and techniques. While best practice emission reductions are included within the model, there is scope for significant further emissions reductions to be realised during the detailed design and construction delivery through to the opening of the Project. The construction market is also confident it can deliver within the limit, and it will be contractually bound to do so.</p> <p>The Applicant has put in place groundbreaking mechanisms, secured through the carbon commitments presented in Table E.1 of the C&EMP and Table 15.13 of ES Chapter 15: Climate, to further reduce the construction phase emissions during the procurement, detailed design and construction phase, and in doing so to align with the progress the industry must make towards the net zero trajectory. These mechanisms would facilitate the Project’s ambitions to deliver an industry-leading carbon position to go substantially beyond</p>		

Topic	Item No.	Gravesham Borough Council Comment	The Applicant's Response	Application Document Reference	Status
			<p>the requirements of today's policy and would implement and promote new best practice for large-scale civil engineering projects to achieve carbon neutral construction. This approach would have a long-term positive effect on the construction industry's future alignment with a budgeted science-based 1.5°C trajectory set out through the UK carbon budgets.</p> <p>In response to the comment that "the operation metric is dependent on the achievement of Government decarbonisation goals", it is appropriate for the Applicant to respect and give weight to government policy set out in the TDP, particularly because achieving net zero is a legal obligation under the Climate Change Act 2008 and the Government is obliged to bring forward policies to achieve it.</p> <p>It should be noted that to assist decision makers in understanding the potential effects of the Project, the Applicant has presented three scenarios to give a range of credible outcomes. Each scenario has been put into context with the relevant UK carbon budget. Table 15.17 of ES Chapter 15: Climate, includes a conservative scenario using EFT v11 which does not reflect existing net zero policy and electric vehicle uptake rates already achieved. Accordingly, two further scenarios which present an upper and lower</p>		

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			<p>bound of the TDP implementation are also included. By presenting this range of outcomes, the assessment is not dependent on the successful outcome of the policy.</p> <p>In relation to the cumulative effects, the cumulative effects assessment for climate is detailed in Section 15.7 of ES Chapter 15: Climate. The carbon budgets are considered a proxy for the global climate. Consequently, the Project's GHG emissions have an inherently cumulative impact on the carbon budgets together with the sum of carbon emissions over a range of sectors, including transport projects, at the national level.</p>		
Baseline conditions / Legislative and policy framework	2.1.151 (DL-1) RRN	<p>The Borough Council declared a climate emergency and has adopted a net zero target by 2050.</p> <p>The GHG emissions during construction (2024-2030) and operation (2030-2050) will potentially add to the baseline of what the Council are seeking to reduce and will make our task harder overall within the confines of the Borough boundary.</p> <p>National policy can be expected to change in this area.</p>	<p>It is not considered likely that the Project will have any impact on Gravesham Borough Council being able to achieve its carbon target, as the emissions from the strategic road network are not allocated by the Government to local authority budgets.</p> <p>There are no statutory duties for local authorities to take account of the UK's net zero targets, although it is acknowledged that voluntary targets to do exist. IEMA has recently published guidance for local authorities to decarbonise local development plans, recognising that this is the best way for them make an impact at scale on local emissions (IEMA, 2023, Practical steps for decarbonising local development plans). The Project is a Nationally Significant</p>	<p>ES Appendix 15.1: Climate Legislation and Policy [APP-480]</p> <p>Planning Statement Appendix I: Carbon Strategy and Policy Alignment [REP7-138]</p>	Matter Not Agreed

Topic	Item No.	Gravesham Borough Council Comment	The Applicant's Response	Application Document Reference	Status
		The A2, which dissects the borough east to west and carries a significant amount of through traffic, will also carry the majority of traffic to the Lower Thames crossing via the new A122, which, rather than reduce emissions, will push this figure much higher and offset any work done in other areas such as requirements specified within the Local Plan.	Infrastructure Project and not part of a local plan. The Project's compliance and alignment with legislation, policy and plans relevant to climate are presented in the ES Appendix 15.1: Climate Legislation and Policy and the Planning Statement Appendix I: Carbon Strategy and Policy Alignment.		
Hydrogen	2.1.171 (DL-6)	Gravesham Borough Council requests that the Project provide infrastructure to support the use of hydrogen as a fuel.	With regard to 'infrastructure to support the use of hydrogen as fuel', as part of the DCO application, the Applicant produced an innovative Carbon and Energy Management Plan, which outlines a series of secured commitments, 22 in total (see Appendix E of the Plan), that put in place processes and mechanisms that would ensure the greatest likelihood of low carbon design, low carbon construction processes and low carbon material selection. The Contractors are incentivised to create a range of options to deliver low carbon solutions across the entire Project. The groundbreaking mechanisms are secured through the 22 carbon commitments presented in Table E.1 of the Carbon and Energy Management Plan, and Table 15.13 of ES Chapter 15: Climate, to further reduce	Carbon and Energy Management Plan [Document Reference 7.19 (4)] ES Chapter 15: Climate [APP-153]	Matter Not Agreed

Topic	Item No.	Gravesham Borough Council Comment	The Applicant's Response	Application Document Reference	Status
			<p>the construction phase emissions during the procurement, detailed design and construction phases. These mechanisms would facilitate the Applicant's ambitions to deliver an industry leading carbon position, to go substantially beyond the requirements of today's policy, and would implement and promote new best practice for large-scale civil engineering projects to achieve carbon neutral construction. This represents a genuine opportunity to accelerate the UK construction industry's transition to a low-emissions future, which would also provide benefits to the local supply chain in the Lower Thames Estuary. It would not be appropriate to mandate the use of hydrogen as a fuel within the DCO as there is uncertainty on the implementation and scope for further innovation. The infrastructure needed for the construction phase has not been specified yet, as it is the task of the Contractors to prepare construction methodologies and identify and implement renewable electricity supply options and hydrogen infrastructure. An example of the Applicant's commitment to innovate and test low-carbon approaches to construction includes the recent announcement of a tender issued for the purchase of significant volumes of low-carbon hydrogen as a construction fuel. This is expected to kick-start the hydrogen ecosystem in the Thames Estuary giving the</p>		

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			supply chain confidence to invest in hydrogen skills and technologies.		
Habitats Regulations Assessment					
Alternatives Habitats Regulation Assessment (HRA) – Consideration of Alternatives	2.1.140	Gravesham Borough Council consider that the approach to HRA has been deficient, as the process should consider all reasonable alternative options and is not artificially limited by previous decisions	The Applicant's position is that the Habitats Regulations Assessment (HRA) need only consider alternatives if an adverse effect on integrity cannot be excluded as a possibility in the appropriate assessment. The HRA has concluded there would be no adverse effects on integrity and therefore can be excluded.	Habitats Regulations Assessment Screening Report and Statement to Inform an Appropriate Assessment [APP-487]	Matter Not Agreed
Nitrogen Deposition					
Detailed Design/ Management Plans/ Implementation Principle of Site Acquisition and Management	2.1.141	Gravesham Borough Council is concerned about the justification for the need to acquire proposed Nitrogen Deposition sites, and requires information about how these sites would be maintained and managed.	The acquisition is required to provide compensation for nitrogen deposition impacts on designated ecological habitats. Compensation measures would include providing new, wildlife-rich habitats, primarily formed of woodland with some other associated habitats e.g. grassland. The land parcels which have been selected are either close to the affected habitats and/or would allow connectivity to existing woodland. Details of long-term management of these sites will be set out in the Landscape and Ecology Management Plan (LEMP). An outline LEMP has been submitted with the DCO application. The LEMP will be further developed by the Contractor for approval by	Outline Landscape and Ecology Management Plan [Document Reference 6.7 (7)]	Matter Not Agreed

Topic	Item No.	Gravesham Borough Council Comment	The Applicant's Response	Application Document Reference	Status
			the Secretary of State in consultation with relevant stakeholders. The final version of the LEMP created by the Contractor will provide more detail as the detailed design emerges and will inform the detailed establishment, management, and maintenance regimes.		
Land Viability Viability of agricultural uses on Nitrogen Deposition sites	2.1.142	Gravesham Borough Council is concerned about the effect on the ongoing viability of agricultural use on the remainder of the land used for nitrogen deposition compensation.	<p>The Applicant has engaged with the landowners of sites proposed as Nitrogen Deposition compensation sites in order to ascertain the potential effects on agricultural operations and continued commercial viability.</p> <p>As set out within the Site Selection Methodology note shared with stakeholders in July 2022, Grade 1 agricultural land not adjacent to the Project Order Limits and not currently impacted by the Project has been ruled out, with other agricultural land acceptable with caveats.</p> <p>A preference was identified in the refinement criteria for land where the landowner has expressed a desire to sell.</p> <p>Where agricultural land has been identified, a compensation package will be negotiated by the landowner in the first instance, or through the Compensation Code if a Compulsory Acquisition is required.</p>	Outline Landscape and Ecology Management Plan [Document Reference 6.7 (7)]	Matter Not Agreed
Detailed Design/ Management	2.1.143	Gravesham Borough Council is concerned that planting proposals for each of the sites	The Applicant agrees that habitat connectivity should be promoted through a collaborative approach as secured through the advisory	Outline Landscape and Ecology	Matter Agreed

Topic	Item No.	Gravesham Borough Council Comment	The Applicant's Response	Application Document Reference	Status
Plans/ Implementation Planting at Nitrogen Deposition sites		should reflect ecological and landscape requirements, public access, geology and soils, and historic environment appropriate to the locality and be made in close consultation with stakeholders in terms of habitat networks, appropriate land cover, and compatibility with electricity pylons running through the sites.	group as part of the outline Landscape and Ecology Management Plan. The design of the habitats will include both woodland and grassland planting and will be developed in collaboration with stakeholders and in respect to the existing landscape character, physical features and geology and soils. The detailed design of habitats will be developed in consultation with stakeholders to maximise the site's local and regional benefits for ecology and landscape, and avoid detrimental effects in relation to cultural heritage assets. Gravesham Borough Council and the Applicant will engage on the approach to detailed design and implementation matter through the Advisory Group on the oLEMP .	Management Plan [Document Reference 6.7 (7)]	
Detailed Design/ Management Plans/ Implementation Detail of proposed Nitrogen Deposition compensation planting	2.1.144	Gravesham Borough Council is concerned that, in common with all the proposed areas of Nitrogen Deposition Compensation land, woodland cover is not necessarily the most appropriate land cover/habitat type for this location. Historic mapping and the Landscape Assessment for the	The Applicant can confirm that the proportion of woodland habitat to be created on the nitrogen deposition compensation areas is likely to vary across sites to respond to the individual characteristics of each location and may therefore comprise a higher or lower proportion of woodland, with the balance made up of other suitable habitats designed to provide the required compensation.	Outline Landscape and Ecology Management Plan [Document Reference 6.7 (7)]	Matter Agreed

Topic	Item No.	Gravesham Borough Council Comment	The Applicant's Response	Application Document Reference	Status
		area provides some support for this view.			
<p>General Methodology/ Modelling/ Alternatives</p> <p>Nitrogen Deposition Site Selection (Consideration of Alternative Sites)</p>	2.1.145	<p>Gravesham Borough Council considers that there may be more appropriate sites than those presented in the Local Refinement Consultation materials. For example:</p> <ul style="list-style-type: none"> • Church Road Ifield – while this is a logical extension of planting, Gravesham Borough Council has objected to existing agricultural land being lost in this area which has not historically been wooded and suggests an alternative along the south side of HS1 west towards Pepper Hill (not focused on trees) • Shorne south – Gravesham Borough Council consider that there may be more appropriate sites, for example north of this site. • Crutches Lane, Higham – Gravesham Borough Council consider that there 	<p>The Applicant engaged with stakeholders including Gravesham Borough Council on the approach to selecting Nitrogen Deposition Compensation areas.</p> <p>The Applicant shared a Site Selection Methodology Note with Gravesham Borough Council on 22/7/22 which set out the Project's approach to identifying the most appropriate sites for the purpose required.</p> <p>The approach considered the ecological suitability of land parcels, a review of potential environmental effects, existing land use, planting and environmental designations and constraints.</p> <p>As such, the Applicant is confident that the sites selected reflect a balance of the best available to compensate for the effect of nitrogen deposition.</p> <p>The Applicant will engage with stakeholders via the advisory group secured by the LEMP to develop detailed designs for the sites in terms of planting, access and maintenance.</p>	Outline Landscape and Ecology Management Plan [Document Reference 6.7 (7)]	Matter Not Agreed

Topic	Item No.	Gravesham Borough Council Comment	The Applicant's Response	Application Document Reference	Status
		<p>would be advantage in extending the area to the west of Crutches Lane up to the main road as this is shown as woodland on historic mapping.</p> <ul style="list-style-type: none"> • Henhurst Road and to the east of Shorne Village – these are outside Biodiversity Opportunity Areas which Gravesham Borough Council consider may limit their potential 			
<p>Site Selection and Surveying</p> <p>Nitrogen Deposition Methodology</p>	2.1.146	<p>Gravesham Borough Council is concerned that there is not enough detail provided to clarify the link between affected sites and compensation sites in terms of size and criteria for selection.</p> <p>The areas of affected sites look very large though from the text the main area that is impacted is roughly a zone of 200m from the pollution source.</p>	<p>The Applicant can confirm that sites have the potential to be affected only when they are within 200m of the affected road network.</p> <p>A full detailed methodology is included as part of the application. Appendix 5.6 to ES Chapter 5 Air Quality, covers the sites identified as being significantly impacted as well as the steps taken to review options for mitigation and compensation and the rationale for how the compensation strategy was developed and the final proposals.</p> <p>The Applicant shared a Site Selection Methodology Note with Gravesham Borough Council on 22/7/22 which set out the Project's approach to identifying the most appropriate sites for the purpose required.</p>	<p>ES Appendix 5.6: Project Air Quality Action Plan [Document Reference 6.3 ES Appendix 5.6 (2)]</p>	Matter Not Agreed

Topic	Item No.	Gravesham Borough Council Comment	The Applicant's Response	Application Document Reference	Status
Geology and Soils					
Baseline conditions	2.1.158 (DL-1) RRN	<p>In Kent the road sits mainly on chalk forming the North Downs, though the Shorne Wood/Ashenbank Wood/Cobham Park area with its woods are a mixture of sand and clays and other materials sitting above that. These deposits result in a number of perched water tables as well as forming the overall landscape character, with woods on the clays etc. and open fields, on the chalk. The North Kent marshes are river deposits underlain by chalk, where the critical element is the water table to support the wading bird population.</p> <p>This also means that construction in the AoNB is on more unstable material, quite apart from the need to avoid any impact on the stability of HS1 (186 mph max speed).</p>	<p>The Applicant would be responsible for undertaking specific investigation to inform the development of the detailed design to ensure appropriate geotechnical design is employed to mitigate any potential risks of instability and take into account the effects of construction on third-party assets. This is secured through Project commitment GS003 (Section 7 of Environmental Statement - Appendix 2.2 - Code of Construction Practice, First Iteration of Environmental Management Plan) which states that the Project would 'proactively manage the potential impacts from geohazards, such as land instability, during detailed design and construction activities the Contractors would carry out further ground investigation and establish a programme of instrumentation and monitoring in line with Section 7 of Environmental Statement - Appendix 10.2 - Stability Report. A geotechnical risk register would continue to be maintained and updated throughout the development of the Project, in line with the requirements set out in DMRB CD 622.'</p> <p>An assessment of the Project's effects on the underlying groundwater conditions are presented in Environmental Statement -</p>	<p>ES Appendix 2.2: Code of Construction Practice, First Iteration of Environmental Management Plan [Document Reference 6.3 ES Appendix 2.2 (9)]</p> <p>ES Appendix 10.2: Stability Report [APP-423]</p> <p>ES Appendix 14.5: Hydrogeological Risk Assessment [APP-458]</p> <p>ES Chapter 10: Geology and Soils [APP-148]</p> <p>ES Appendix 10.5 : Ground Model [APP-426]</p>	Matter Agreed

Topic	Item No.	Gravesham Borough Council Comment	The Applicant's Response	Application Document Reference	Status
			<p>Appendix 14.5 - Hydrogeological Risk Assessment.</p> <p>Specifically, Annex D presents a hydrogeological summary of the baseline water balance in the shallow water system within part of the Thames Estuary and Marshes Ramsar site above the proposed tunnels and immediately adjacent to the Project route. This study concludes that the groundwater contribution to the shallow water system is less than 2% of total water input per month and demonstrates that it is not a key input to support the functioning of the Ramsar site. Annex J presents a detailed assessment of the construction works on the groundwater water levels and quality of the North Kent Marshes and concludes that groundwater drainage into the below ground infrastructure is minimised following the implementation of secured mitigation.</p> <p>Section 10.4 of Environmental Statement - Chapter 10 - Geology and Soils describes a full characterisation of ground conditions across the Order Limits, whilst Environmental Statement - Appendix 10.5 - Ground Model presents the Project's Ground Model as a geological long section. Both have been informed by desk study information and data obtained via the Project's programme of ground investigations.</p>		

Topic	Item No.	Gravesham Borough Council Comment	The Applicant's Response	Application Document Reference	Status
			<p>A Stability Report (6.3 Environmental Statement Appendices - Appendix 10.2 - Stability Report) has been submitted to support the DCO application and demonstrates how land instability through geo-hazards and settlement have been addressed within the design and will continue to be managed by the Project through detailed design and construction.</p>		

Appendix A Engagement activity

Table A.1 Engagement activities between the Applicant and Gravesham Borough Council since the DCO application was submitted on 31 October 2022

Date	Overview of Engagement Activities
4 November 2022	Meeting to discuss potential for simplified DCO explanation document
14 and 16 November 2022	DCO Briefing
25 November 2022	Lower Thames Crossing Ecology and Biodiversity Briefing
28 November 2022	Cascades workshop
15 December 2022	Meeting to discuss Construction Traffic Effects and Mitigation
6 January 2023 to present (fortnightly)	Fortnightly meetings between the Applicant and GBC to discuss SoCG matters
1 March 2023	SoCG Workshop – technical discussion framed around resolution of SoCG Matters relating to EIA methodology, noise/vibration and air quality
8 March 2023	SoCG Workshop – technical discussion framed around resolution of SoCG Matters relating to population, health and socio-economics
8 March 2023	SoCG Workshop – technical discussion framed around resolution of SoCG Matters relating to HRA, terrestrial biodiversity and nitrogen deposition
14 March 2023	SoCG Workshop (joint with Kent County Council) – technical discussion framed around resolution of SoCG Matters relating to Cultural Heritage
17 April 2023	Stakeholder Landscape and Ecology Working Group (Inaugural Session)
24 April 2023	SoCG Workshop – technical discussion framed around resolution of SoCG Matters relating to construction
25 April 2023	SoCG Workshop – technical discussion framed around resolution of SoCG Matters relating to landscape and visual impacts and mitigation
26 May 2023	SoCG Workshop – technical discussion framed around resolution of SoCG Matters relating to skills and employment
1 June 2023	Meeting to discuss the option for use of a single tunnel boring machine
14 June 2023	Meeting to work through Matters Under Discussion
30 June 2023	Meeting to discuss Open Space, Special Category Land and S 132 Exemptions
18 July 2023	Meeting to discuss proposed way forward for Gravesend Golf Centre and Cascades
17 August 2023	Meeting to discuss Draft S 106 Heads of Terms and Mitigation

Date	Overview of Engagement Activities
31 August 2023	Second meeting to discuss the option for the use of a single tunnel boring machine
9 October 2023	SoCG Review Session
13 October 2023	SoCG Review Session
18 October 2023	Meeting to discuss Draft Section 106 Agreement
7 November 2023	Employment and Skills Working Group meeting
17 November 2023	Meeting to discuss Draft Section 106 Agreement

Appendix B Glossary

Term	Abbreviation	Explanation
Adequacy of Consultation Response	AoCR	-
Application Document	-	A document submitted to the Planning Inspectorate as part of the application for development consent.
Area of Outstanding Natural Beauty	AONB	Statutory designation intended to conserve and enhance the ecology, natural heritage and landscape value of an area of countryside.
Benefit Cost Ratio	BCR	The ratio of benefits to costs.
Chronic Obstructive Pulmonary Disease	COPD	An obstructive lung disease characterised by chronically poor airflow that typically worsens over time.
Code of Construction Practice	CoCP	Contains control measures and standards to be implemented by the Project, including those to avoid or reduce environmental effects.
Combined Modelling and Appraisal Report	ComMA	The purpose of the Combined Modelling and Appraisal Report is to inform decision makers and stakeholders on how the evidence underpinning the business case has been developed, from the initial identification of the underlying problem through the collection of data and the production of any supporting traffic models and forecast impacts of the Project on traffic to the eventual economic appraisal.
Community Impacts and Public Health	CIPH	-
Community Impacts and Public Health Advisory Group	CIPHAG	-
Compensation Code	-	Legislation, case law and established practice concerning the rights to compensation for those affected by compulsory purchase and the procedures for assessing the correct amount.
Compulsory acquisition	-	The compulsory acquisition of land or buildings for public interest purposes.
Department for Transport	DfT	The government department responsible for the English transport network and a limited number of transport matters in Scotland, Wales and Northern Ireland that have not been devolved.

Term	Abbreviation	Explanation
Design Manual for Roads and Bridges	DMRB	A comprehensive manual which contains requirements, advice and other published documents relating to works on motorway and all-purpose trunk roads for which one of the Overseeing Organisations (National Highways, Transport Scotland, the Welsh Government or the Department for Regional Development (Northern Ireland)) is the highway authority. For the A122 Lower Thames Crossing, the Overseeing Organisation is National Highways.
Design Refinement Consultation	-	An additional non-statutory consultation for the Project held between July and August 2020 on further revisions to the Statutory Consultation and Supplementary Consultation proposals.
Development Consent Order	DCO	Means of obtaining permission for developments categorised as Nationally Significant Infrastructure Projects (NSIP) under the Planning Act 2008.
Emergency Services and Safety Partners Steering Group	ESSPSG	-
Emissions Factors Toolkit	EFT	The Emissions Factors Toolkit (EFT) is published by Defra and the Devolved Administrations to assist local authorities in carrying out review and assessment of local air quality as part of their duties under the Environment Act 1995.
Environmental Impact Assessment	EIA	A report prepared for a consenting authority who, when deciding whether to grant consent for a project which is likely to have significant effects on the environment, does so in the full knowledge of the likely significant effects, and takes this into account in the decision-making process.
Environmental Management Plan	EMP	For the Project, a plan setting out the conclusions and actions needed to manage environmental effects as defined by the Design Manual for Roads and Bridges standard LA 120. The Code of Construction Practice is the equivalent of the first iteration of the EMP (EMP1). The contractor's EMP would be EMP2 and the end of construction EMP would be EMP3.
Environmental Masterplan	-	A package of information on existing and future environmental commitments and objectives, ongoing actions and risks to be managed, handed over to those responsible for future management and operation of the asset. The Environmental Masterplan for the Project is provided as Figure 2.4 of the ES.
Environmental Statement	ES	A document produced to support an application for development consent that is subject to Environmental Impact Assessment (EIA), which sets out the likely

Term	Abbreviation	Explanation
		impacts on the environment arising from the proposed development.
Examining Authority	-	The Examining Authority is appointed by the Secretary of State to examine an application for a Development Consent Order and make a recommendation.
Framework Construction Travel Plan	FCTP	A plan that sets out a framework to reduce the impact of the Project's construction workforce on the road network as a result of travel to and from construction areas and compounds (including utility logistic hubs).
Geographic Information System	GIS	An integrated collection of computer software and data used to view and manage information about geographic places, analyse spatial relationships and model spatial processes.
Green Belt	-	A policy and land use zone designation used in land use planning to retain areas of undeveloped land surrounding urban areas.
Green bridges	-	Bridges over linear infrastructure projects like roads and railways, constructed to enable safe crossing by animals, reducing severance.
Habitats Regulations Assessment	HRA	A tool developed by the European Commission to help competent authorities (as defined in the Habitats Regulations) to carry out assessment to ensure that a project, plan or policy will not have an adverse effect on the integrity of any Natura 2000 or European sites (Special Areas of Conservation, Special Protection Areas and Ramsar sites), either in isolation or in combination with other plans and projects, and to begin to identify appropriate mitigation strategies where such effects were identified.
Health and Equalities Impact Assessment	HEqIA	A systematic process used to identify the potential health and equalities impacts arising from policies, plans, programmes and projects, to identify the distribution of those effects amongst the population and to identify mitigation measures to address these effects, thereby minimising adverse effects on the local population
Health Impact Assessment	HIA	An assessment of potential impacts on human health. Not a legal requirement but good practice and will almost certainly be done for the Project.
Heavy Goods Vehicle	HGV	A large, heavy motor vehicle used for transporting cargo.
High Speed 1	HS1	A 109km high-speed railway between London and the UK end of the Channel Tunnel. The line carries international passenger traffic between the UK and continental Europe; it also carries domestic passenger traffic to and from stations in Kent and east London, as well as Berne gauge freight traffic.

Term	Abbreviation	Explanation
Landscape and Ecology Management Plan	LEMP	A document which provides details on the delivery and management of the landscape and ecology elements identified in the Environmental Masterplan for the Project, including their success criteria.
Lower Thames Crossing		The proposed A122 Lower Thames Crossing (the Project).
Landscape and visual impact assessment	LVIA	Part of a planning application or environmental assessment that looks at the impact of development on the character of a landscape.
Lead Local Flood Authority	LLFA	LLFAs are county councils and unitary authorities. They lead in managing local flood risks (i.e. risks of flooding from surface water, ground water and ordinary (smaller) watercourses). This includes ensuring co-operation between the Risk Management Authorities in their area. The LLFA for the M25 area is Essex County Council who is acting on behalf of Thurrock.
Local Impact Report	-	
Local Plan	-	A Local Plan sets out local planning policies and identifies how land is used, determining what will be built where. Adopted Local Plans provide the framework for local development across England.
Lower Thames Area Model	LTAM	The strategic highway model produced by Highways England to appraise the impacts of the Lower Thames Crossing
National Policy Statement	NPS	There are 12 designated National Policy Statements (NPSs), setting out government policy on different types of national infrastructure development, including energy, transport, water and waste. NPSs provide the framework within which Examining Authorities make their recommendations to the Secretary of State.
National Policy Statement for National Networks	NPSNN	The NPSNN sets out the need for, and Government's policies to deliver, development of Nationally Significant Infrastructure Projects on the national road and rail networks in England. It provides planning guidance for promoters of Nationally Significant Infrastructure Projects on the road and rail networks, and the basis for the examination by the Examining Authority and decisions by the Secretary of State.
Operations and Maintenance	O&M	A generic term referring to the ongoing Operations and Maintenance elements of the Project as distinct from the design and construction phases.
Order Limits	-	The Order Limits are the outermost extent of the Lower Thames Crossing indicated on the Plans by a red line. This is the Limit of Land to be Acquired or Used (LLAU) by the Lower Thames Crossing. This is the area in which the DCO would apply.

Term	Abbreviation	Explanation
outline Materials Handling Plan	oMHP	Sets out the approach and high-level principles for handling construction materials and waste on the Lower Thames Crossing project, both inside and outside the Order Limits.
outline Site Waste Management Plan	oSWMP	A document which sets out how resources will be managed, and waste controlled during the Project. Plans usually involve recording the amount of waste that will be produced and details the proposed methods of waste disposal.
outline Traffic Management Plan for Construction	oTMPfC	A plan setting out the strategy and measures to be adopted with respect to highway and transportation issues for the Project. The CTMP supports the DCO application and would be embedded within the eventual construction contractor documentation and will form an overarching and comprehensive management procedure for the contractor to adhere to.
Overarching Written Scheme of Investigation	OWSI	Sets out the scope, guiding principles and methods for the planning and implementation of essential archaeological mitigation
Preliminary Environmental Information Report	PEIR	An early output of the EIA process, and part of the DCO application process.
Public Right of Way	PRoW	A right possessed by the public to pass along routes over land at all times. Although the land may be owned by a private individual, the public may still gain access across that land along a specific route. The mode of transport allowed differs according to the type of Public Right of Way, which can consist of footpaths, bridleways and open and restricted byways.
Register of Environmental Actions and Commitments	REAC	The REAC identifies the environmental commitments that would be implemented during the construction and operational phases of the Project if the Development Consent Order is granted, and forms part of the Code of Construction Practice.
Reinstatement	-	The act of restoring something to a condition agreed with the relevant authorities.
Rendezvous Point	RVP	A location to which all police and emergency services personnel attending an incident should be directed.
Rest and Service Area	RASA	A public facility located next to a large thoroughfare such as a motorway, expressway, or highway, at which drivers and passengers can rest, eat, or refuel without exiting onto secondary roads.
Road Investment Strategy	RIS	The Government's long-term strategy to improve England's motorways and major A roads. The first RIS (known as RIS 1) was published in 2015 and covers the period 2015-2020. A second RIS (RIS 2) was published in 2020, and covers the post-2020 period.

Term	Abbreviation	Explanation
Scoping	-	The process of identifying the issues to be addressed by the Environmental Impact Assessment process. It is a method of ensuring that an assessment focuses on the important issues and avoids those that are considered unlikely to be significant.
Secretary of State	SoS	The Secretary of State has overall responsibility for the policies of the Department for Transport.
Shorne Woods Country Park	SWCP	-
Site of Special Scientific Interest	SSSI	A conservation designation denoting an area of particular ecological or geological importance.
Site Specific Travel Plans	SSTP	-
Skills, Employment and Education	SEE	-
Special Protection Area	SPA	A designation under EU Directive 2009/147/EC on the Conservation of Wild Birds.
Statement of Community Consultation	SoCC	Sets out how local communities in the vicinity of the Project will be consulted. Directly affected and neighbouring local authorities will be consulted on the content of the SoCC before it is finalised.
Statutory Consultation	-	The statutory pre-application consultation held by the Applicant on the Project proposals between October and December 2018.
Strategic road network	SRN	The core road network in England managed by National Highways.
Supplementary Consultation	-	The non-statutory consultation for the Project, held between January and April 2020 on revisions to the Statutory Consultation proposals.
Traffic Management Plan	TMP	A plan that outlines the approach to carrying out temporary traffic management for the safe construction of the Project. It also explains management measures available to the Contractor to reduce the impact on the local community.
Transport Analysis Guidance	TAG	National guidance document produced by the Department for Transport.
Trip End Model Presentational Program	TEMPro	DfT software for viewing data from the DfT's National Trip End Model
Utility Logistics Hub	ULH	Construction areas and compounds for both the main construction works and the utility works.
Walkers, cyclists and horse riders	WCH	Walkers, cyclists and horse riders.

Term	Abbreviation	Explanation
Web-based Transport Appraisal Guidance	WebTAG	Former name given for the Department for Transport's web-based multi-modal guidance on appraising transport projects and proposals, now known as Transport Analysis Guidance (TAG).
Wider Network Impacts Management and Monitoring Plan	WNIMMP	Plan setting out a traffic impact monitoring scheme to be carried out a year prior to opening and one and five years after the road opens.

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