



Department for Transport
Great Minster House
33 Horseferry Road
London
SW1P 4DR

By email only:
LowerThamesCrossing@planninginspectorate.gov.uk

Growth, Environment &
Transport
Sessions House
Maidstone
Kent
ME14 1XQ

Your Reference:
TR010032

Interested Party
Reference Number:
20035779

Date: 11th April 2024

Dear Sir/Madam,

RE: Application by National Highways (“the Applicant”) for an Order Granting Development Consent for the Lower Thames Crossing Scheme (“the Proposed Development”)

Thank you for your letter dated 28th March 2024 regarding a request for information issued by the Secretary of State for Transport. Kent County Council (KCC) notes the specific request for us, as a Lead Local Flood Authority, to comment on the wording of the proposed Water Framework Directive (WFD) requirement which is as follows:

“(1) The undertaker is required to prepare culvert designs that are compliant with the requirements of the Water Framework Directive or are derogation condition compliant and the scope and detailed designs are to be prepared in consultation with the Environment Agency, the relevant lead local flood authority and other relevant drainage authorities.

(2) No part of the authorised development is to commence until for that part the culvert designs referred to in sub-paragraph (1) have been submitted and approved in writing by the Secretary of State following consultation by the undertaker with the Environment Agency, the relevant lead local flood authority and any other relevant drainage authority, the relevant planning authority and the relevant local highway authority on matters related to their respective functions.

(3) The watercourse culverts are to be constructed in accordance with the culvert designs referred to in sub-paragraph (1), unless otherwise agreed in writing by the Secretary of State following consultation by the undertaker with the Environment Agency, the local lead flood authority and any other relevant drainage authority, the relevant planning authority and the relevant local highway authority on matters related to their respective functions, provided that the Secretary of State is satisfied that any amendments to the approved culvert designs would remain compliant with the requirements of the Water Framework Directive or remain compliant with any derogation condition and would not give rise to any materially new or materially



different environmental effects in comparison to those reported in the environmental statement.”

Relevant KCC officers have reviewed the proposed wording, along with the final Statement of Common Ground between National Highways and the Environment Agency [REP9A-006]. We can confirm that as the draft wording complies with the requirements of the WFD, we have no concerns relating to the inclusion of the proposed requirement.

In addition, we understand that none of the culverts proposed for the Kent area will be impacting any areas where water voles have been recorded, therefore KCC does not request for the requirement to meet any conditions within the species mitigation strategies.

Thank you for the opportunity to comment on the proposed wording of this requirement.

Yours sincerely,

Simon Jones

Corporate Director – Growth, Environment and Transport