



By email:
consultationresponses@lowerthamescrossing.co.uk

Sessions House
County Hall
Maidstone
ME14 1XQ

19th June 2023

Dear Sir/Madam,

Lower Thames Crossing Minor Refinements Consultation 2023

Response from Kent County Council

This is Kent County Council's (KCC) response to the minor refinements consultation by National Highways on the latest proposals for a new Lower Thames Crossing.

For many years, KCC has made the case for the urgent need for a new Lower Thames Crossing (LTC) that will cater for current and future demand as well as relieving the significant, daily congestion experienced at Dartford and provide greater connectivity north and south of the Thames Estuary to boost both local and national economic productivity. KCC continues to support the proposed LTC and the investment in additional road capacity that will unlock new opportunities for Kent, the South East and the wider UK.

The LTC is the essential first step to improve the strategic route from the Midlands and the North to the Channel Ports, which are vital for the UK's trade with the EU. The LTC must be considered as part of a wider package of infrastructure improvements necessary to maintain the UK's international connectivity. To realise the full benefits of the LTC it is essential that the A2/M2 corridor to which it connects is looked at holistically. Improvement schemes identified as pipeline projects for the next Road Investment Strategy at 'A2 Brenley Corner' and 'A2 Access to Dover' need to be delivered alongside other capacity enhancements along the M2 and improved connections to the M20 to ensure that the two strategic corridors to the Port of Dover and Channel Tunnel are resilient.

The A229 at Bluebell Hill which connects M2 Junction 3 with M20 Junction 6 is an example of these strategic links and originally considered to be part of the LTC scheme (the Option C 'variant'). It needs improving to accommodate the additional LTC traffic alongside local plan growth and is the subject of a Large Local Major scheme bid to the Department for Transport. However, there is a funding gap which will hamper delivery unless a contribution from National Highways to compensate for the LTC impact is made.



Our responses to the 2018 statutory consultation, 2020 supplementary consultation, 2020 design refinement consultation, 2021 community impacts consultation and 2022 local refinements consultation have all outlined in detail our overall support for the scheme, but also our concerns regarding the impact on the environment and existing highway network and the need for adequate mitigation.

KCC, as a host authority, is currently heavily engaged in the formal Development Consent Order (DCO) Examination, and we will continue engagement with National Highways.

In respect to the design changes presented within this latest consultation, KCC reserves a neutral position on the proposed minor refinements, and our comments focus on the following changes relevant to Kent:

- Proposed reduction of nitrogen deposition compensation area and Order Limits at Blue Bell Hill and Burham.
- Construction update – possibility of utilising one tunnel boring machine (TBM).

Whilst we recognise there are newly identified implications with the originally proposed nitrogen deposition compensation sites, and there are some advantages to utilising only one TMB. Overall, the consultation material does not provide enough detail and evidence for KCC to determine an overall position of support or opposition to the latest proposed design refinements.

Please find attached our response to the consultation questionnaire which sets out our comments in further detail. We would ask National Highways to continue to meaningfully engage with the County Council on all relevant matters throughout the formal Development Consent Order (DCO) Examination.

Yours faithfully,

Haroona Chughtai
Director – Highways and Transportation



Kent County Council's Response to the Lower Thames Crossing Minor Refinements Consultation Questionnaire

Reduction of nitrogen deposition compensation area and Order Limits at Blue Bell Hill and Burham

Q1a. Do you support or oppose the proposed reduction of the nitrogen deposition compensation area and Order Limits at Blue Bell Hill and Burham?

Strongly support

Support

Neutral

Oppose

Strongly oppose

Don't know

Q1b. Please let us know the reasons for your response and any other comments you have on the proposed reduction of the nitrogen deposition compensation area and Order Limits at Blue Bell Hill and Burham

Heritage Conservation

The consultation includes a reduction in the areas which were originally proposed for compensatory planting and re-wilding. These are listed as MRC01 Blue Bell Hill and Burham nitrogen deposition compensation sites. The proposal is 'Removal of farmland from the Order Limits (Work No. E2 and part of Work No. E1) to retain agricultural land whilst still providing sufficient nitrogen deposition compensation'. At Blue Bell Hill Cossington Field would be retained for compensation but not Reservoir Field. Section 2.2 of the consultation report explains the logistical background to the reduction in area of land available (areas now in Higher Tier Countryside Stewardship).

The consultation documentation states that 'The archaeological asset 'Great Culand, former Medieval to Modern manor and farmstead' (asset 4745) is located within the land at the Burham site. This is currently assessed to experience a moderate adverse impact and a permanent moderate adverse effect, which is significant, as a result of the planting that had been proposed. The proposed change would remove the moderate adverse impact and effect to asset 4745, removing a significant effect reported in the ES. No other change is anticipated in relation to heritage assets either during construction or operation'.

We welcome the removal of the moderate adverse impact and effect to asset 4745 at the Burham site that would have resulted from the original proposal. A reduction in proposed area to be used for compensation is potentially positive for heritage and below-ground archaeology if there are to be no impacts from tree planting and/or subsequent scrub growth with animal burrowing. The proposals would also remove potential impacts from the line of the former tramway linking Bluebell Chalk Pit with Burham brick, lime and cement works within the Burham land parcel. We are concerned about potential impacts to below-ground archaeological remains at the Cossington Field site and would like to take this opportunity to confirm the requirement that field investigations (e.g. geophysical surveys, metal detecting



surveys, surface artefact collection surveys and archaeological trial trenching) are required to inform decisions about how to mitigate impacts to below-ground archaeological remains in the remaining parts of these nitrogen deposition compensation sites as well as the other LTC landscape/mitigation compensation sites. The necessary details for this archaeological work will need to be included in the dAMS-OWSI (DCO document reference: APP-367).

We do not consider that the change to the historic landscape character, which would result from this variation, is significant.

Biodiversity

In regards to terrestrial biodiversity, the information submitted as part of the consultation does not fully demonstrate why it is acceptable to reduce the size of the nitrogen deposition area at Blue Bell Hill and Burham. We are therefore unable to determine whether we agree with the conclusions made within the consultation booklet that *“the total area of nitrogen deposition compensation provided is still considered to result in effective compensation for these adverse impacts of the Project”*. The consultation booklet provides no evidence that the reduction in the area of land proposed for nitrogen deposition compensation still meets environmental requirements.

Furthermore, it is disappointing that the reduction in the compensation area will inevitably lead to a reduction in the overall extent of habitat creation.

Air Quality

As stated on page 9 of the consultation booklet, *“The Blue Bell Hill and Burham compensation sites were identified as a means of compensating for the effects of nitrogen deposition on ecologically designated sites across the air quality study area due to an increase in traffic as a result of the LTC”*. This forecasted traffic increase has not changed, therefore the size of the area of compensation should remain broadly similar to that originally proposed, even if changes to the location of the compensation sites are needed. We recognise there has been newly identified implications of the originally proposed sites, however National Highways should be identifying alternative areas of land to mitigate the impacts of the scheme and provide an overall benefit to air quality.

Climate

The consultation booklet states that *“the change would result in a very small increase in reported greenhouse gas emissions (due to the removal of the land use change benefit reported in the DCO Application).”* However, this figure is not quantified and therefore no firm conclusions can be drawn regarding the significance of this change.



Increase in limits of deviation for northern tunnel entrance headwall

Q2a. Do you support or oppose the proposed increase to the limits of deviation for the northern tunnel entrance headwall?

Strongly support

Support

Neutral

Oppose

Strongly oppose

Don't know

Q2b. Please let us know the reasons for your response and any other comments you have on the proposed increase to the limits of deviation for the northern tunnel entrance headwall.

For details regarding the proposed changes north of the river, KCC defers to the view of those Local Authorities directly affected.

Revised utility proposals at East Tilbury

Temporary Linford water pipeline realignment of the temporary Linford water pipeline and the relocation of Muckingford Road ULH?

Q3a. Do you support or oppose the proposed realignment of the temporary Linford water pipeline and the relocation of Muckingford Road ULH?

Strongly support

Support

Neutral

Oppose

Strongly oppose

Don't know

Q3b. Please let us know the reasons for your response and any other comments you have on the proposed realignment of the temporary Linford water pipeline and the relocation of Muckingford Road ULH.

For details regarding the proposed changes north of the river, KCC defers to the view of those Local Authorities directly affected.



Relocation of Low Street Lane ULH

Q4a. Do you support or oppose the proposed relocation of Low Street Lane ULH?

Strongly support

Support

Neutral

Oppose

Strongly oppose

Don't know

Q4b. Please let us know the reasons for your response and any other comments you have on the proposed relocation of Low Street Lane ULH.

For details regarding the proposed changes north of the river, KCC defers to the view of those Local Authorities directly affected.

Land use change west of Linford

Q5a. Do you support or oppose the proposed changes to the land use west of Linford?

Strongly support

Support

Neutral

Oppose

Strongly oppose

Don't know

Q5b. Please let us know the reasons for your response and any other comments you have on the proposed changes to land use west of Linford.

For details regarding the proposed changes north of the river, KCC defers to the view of those Local Authorities directly affected.



Other comments

Q6. We welcome any other comments you would like to make about the changes proposed to the Lower Thames Crossing as part of this minor refinement consultation.

Construction update - Proposal to use a single Tunnel Boring Machine (TBM)

Heritage Conservation

As the overall footprint of the tunnel and associated construction works would not change, no new or different significant effects are anticipated. This seems to be a reasonable assumption for the southern tunnel portal and associated works. Our requirements for mitigation of impacts to archaeology by strip, map and sample excavation across the area between the Higham Road and Thong village (including the southern tunnel portal area) would cover any potential changes in impacts or effects that might result from the proposed changes outlined in this consultation for the use of a single TBM. We would like to take this opportunity to confirm the requirement to adequately evaluate the Pleistocene and early Holocene deposits above the chalk, which would be impacted by the tunnel boring process (and associated works) so that the impacts can be understood and appropriate mitigation measures put in place. The necessary details for this archaeological work will need to be included in the dAMS-OWSI (DCO document reference: APP-367).

Transport

The construction update states that the use of a single TBM would result in a saving of 38,000 tonnes of CO₂e. If this is achievable then it would be a welcomed reduction to the overall carbon impact of the scheme. However, it is proposed to bring forward the start of boring by approximately 10 months in order to achieve the original delivery timescales for the Project. As a result, the consultation booklet states there will be 'some changes' to the number of staff vehicles and, whilst the increases in the second year of construction will remain lower than the most intensive phase of construction, there is no quantification of the increase south of the Thames. It is, therefore, unclear whether south of the river, the increased vehicle number forecast surpasses the current volume of vehicles at the most intense period of construction.

Furthermore, the spoil created as a result of boring from south to north is proposed to be taken back through the tunnel with the waste management being north of the Thames. However, no detail is provided regarding how this spoil will be moved. Assuming the waste will be moved with transport that will utilise the KCC network, more detail is required as to the volume of additional movements and how this may impact the network. This detail should be made clear within the DCO documents.

Noise and Vibration

With the case of one tunnel boring machine, it is unclear how much longer the drilling period will be. Prolonged drilling would lead to noise and vibration over a longer period of time. This may not be significant, however, more detail is required.



The consultation

Q7. Please let us know your views on the quality of our minor refinement consultation materials, the accessibility of our online information and anything else related to this consultation.

	Very Good	Good	Average	Poor	Very Poor	Not applicable
Was the information presented clearly?			X			
Was the website easy to navigate?		X				

Please let us know the reasons for your responses and any other comments you have on the delivery of this consultation.

Presentation of information

The consultation booklet provides very little detail on how National Highways have concluded that “no new or significant effects are anticipated” as a result of the proposed changes. This lack of detail prevents consultees, such as KCC, being able to agree or disagree with the conclusions made.

Timing of consultation

KCC has previously raised concerns regarding the timing of this consultation and the additional burden it places on Interested Parties currently engaged in the pre-examination stage of the formal DCO process. Local Authorities in particular are in the process of preparing and participating in events such as the Programming Meeting (16th May) and Preliminary Meeting Part 1 (6th June), along with preparing Local Impact Reports, Written Representations and submissions to Procedural Deadlines. For a DCO application of this size and scale, National Highways are asked to be mindful of the additional pressure further consultations place on Interested Parties throughout the DCO process and to reduce as much as possible the need to undertake extra consultations.