

## **Environmental Outcomes Reports Consultation**

### **Introduction**

Thames Crossing Action Group (TCAG) represent thousands of people who are opposed to the hugely destructive and harmful, not fit for purpose £10bn+++ proposed Lower Thames Crossing (LTC). More info on us and our concerns and issues with the proposed LTC can be found on our website [www.thamescrossingactiongroup.com](http://www.thamescrossingactiongroup.com).

This paper was prepared and submitted by Laura Blake, Chair of TCAG on behalf of the group in response to the Department for Levelling Up, Housing and Communities Environmental Outcomes Reports Consultation<sup>1</sup> in June 2023. As Thames Crossing Action Group represents those opposed to the proposed LTC our consultation response will be in that regard. Our response is not confidential. TCAG can be contacted via email – [admin@thamescrossingactiongroup.com](mailto:admin@thamescrossingactiongroup.com).

### **Reason for responding**

Whilst we welcome new legislation and policy to save, protect and enhance our natural environment, our experience when it comes to the proposed LTC is that there is a lot of talk and not much action to back things up sadly. Whilst there may be a lot of good intention in this kind of consultation, it seems ludicrous to at the same time be pushing ahead with such a huge project as the proposed LTC when it would be so hugely destructive and harmful, and fails to meet some of the newly set targets for the Environment Act, air quality and biodiversity net gain for example. We therefore wanted to take this opportunity to participate in this important consultation to have our say and share our experiences in the hope it will be beneficial for all.

### **Additional note on our response**

We note that you requested responses to be submitted via the online form where possible, but as members of the public we found the consultation, including the wording of the questions to be somewhat technical and hard to comprehend. Our understanding is that consultation should be clear and informative, and as we found this one to be a bit tricky we have done our best to comprehend and have responded in our own words in the hope it is helpful.

---

<sup>1</sup> <https://www.gov.uk/government/consultations/environmental-outcomes-reports-a-new-approach-to-environmental-assessment>

## **Response**

We definitely support the need to save, protect, and enhance the natural environment, and also ensuring there are safeguards in place in regard to people's health and well-being.

We note this is a Department for Levelling Up, Housing and Communities (DLUHC), and would also point out the important fact that levelling up should not be purely based on economic growth and benefit, there are other aspects that are just as, if not more, important that need to be considered, such as the environment and our health and well-being.

We have serious concerns that there seems to be a definite presumption in favour of infrastructure and development, which needs to be addressed.

Also, that cumulative impacts are not being adequately considered when it comes to infrastructure and development.

Any assessments need to ensure that cumulative impacts are taken into account. We are aware of instances where developers are also breaking down larger projects into numerous smaller projects so they can avoid having to fall within the need for going through Development Consent Order (DCO). This is unacceptable.

Nationally Significant Projects (NSIPs) also are greatly lacking in their consideration of cumulative impacts, and also pull sections of large projects out of the main project, and progress them as separate stand-alone projects. Again, this is unacceptable.

This has been done on the proposed Lower Thames Crossing (LTC) project. The Tilbury Link Road which was included in the project but then removed is being progressed as a separate stand-alone project. The Blue Bell Hill Improvements in Kent are being progressed as a separate stand-alone project, as a direct result of the proposed LTC, when it was originally part of a route option for LTC, but was not chosen as it was deemed non-essential to a new river crossing, and there were concerns about the environmental impacts<sup>2</sup>. It has also been publicly voiced by key stakeholders for the proposed LTC that further works would be needed to dual the A2 near Dover, if the proposed LTC goes ahead, as well as various other works that would be needed as a direct result of the proposed LTC, if it goes ahead.

The cumulative impacts of things like carbon emissions, environmental impacts, impacts to our health and well-being, as well as to food security with the amount of agricultural land that is at threat and being lost to development.

Now more than ever we cannot simply keep pushing ahead as though it is business as usual. We are living in a time of climate emergency and we need to act accordingly and with urgency.

There needs to be an essential need to prioritize a 'avoid harm' practice for infrastructure and development.

---

<sup>2</sup> <https://www.thamescrossingactiongroup.com/ltc-route-options/>

Alternatives also need to be rated higher in the requirements list, along with adequate consultation from the early stages of proposed infrastructure and development.

We know from our experience with the proposed LTC, there has not been adequate consultation right from the start<sup>3</sup>, which has just snowballed throughout the process. The bar on NSIPs for adequacy of consultation is far too low and set in favour of the developer. The Department of Levelling Up, Housing and Communities should be interested in and focusing on the opinions and interests of communities and ensuring that you are representing what communities value for levelling up, which as stated previously is not all about financial growth.

Benefit Cost Ratio calculations should also consider the cost to the environment and to our health and well-being. Because an environment that can support a healthy and sustainable future for us all is not just something that is nice to have, it is essential for our very existence.

With the proposed LTC, alternatives were not adequately considered, and this fact has become even more so over time. There is a serious issue when considering NSIPs for transport in particular that National Highways have a single focus on roads, and do not adequately consider alternatives. For instance, rail options<sup>4</sup> were not adequately considered in regard to solving the problems at the Dartford Crossing, and would be cheaper, more sustainable, and more effective than what is being proposed with the LTC.

Legal challenges are listed as one of the main issues with the current system, and we would comment that if you want to avoid legal challenges then developers need to remove the threat to people and the environment. Those taking legal action are not doing so because they want to, but rather they feel they have to because there is no other choice.

In many ways we have a Government that talk the talk about doing the right thing, but sadly all too often we are not seeing the actions to back it up, and that is what is needed now as a matter of urgency when it comes to the environment, and health and well-being.

There is a presumption in favour of granting DCOs for NSIP, this too needs to change to avoid developers/applicants feeling like their projects are a done deal and they are unstoppable. This should also result in them carrying out more adequate consultation, instead of tick box exercises and promotion of projects in a way that gives the impression it is a done deal.

The important aspect of greenwashing also needs to be addressed. All too often we are experiencing greenwashing attempts<sup>5</sup> from National Highways in regard to the proposed LTC. This is a government company doing this, and there are no apparent consequences or policy and legislation in place to hold them accountable.

It is essential that safeguards and legislation and policies cover this important fact.

---

<sup>3</sup> <https://www.thamescrossingactiongroup.com/inadequacies-of-ltc-consultation-process/>

<sup>4</sup> <https://www.thamescrossingactiongroup.com/rail-and-tram-alternatives/>

<sup>5</sup> <https://www.thamescrossingactiongroup.com/ltc-greenwash/>

THAMES CROSSING  
ACTION GROUP  
[www.tcag.info](http://www.tcag.info)

When considering paragraph 3.13 *“The original purpose of environmental assessment was to build in an additional level of scrutiny of the effects of development activity on the environment – an activity inherently skewed towards delivering social and economic outcomes.”*, it is again essential to consider that it should not only be the scrutiny of the effects of development on the environment, but also whether the development is viable and acceptable in the first place.

It should not simply be about mitigation and compensation for the impacts of a development. Options for mitigation and compensation are limited, as possibilities are not in infinite supply.

In regard to the issues with data, we agree that it is important that there is adequate, accurate, and up to date data. It is therefore also essential that those who are surveying and assessing the data is doing so without prejudice. Public perception, and sometimes evidence, suggests that some who are carrying out the ecological surveys are being paid by the developer, which can influence the outcome. This is obviously not acceptable and needs to be monitored in some way to ensure no wrong doing.

There is also the question that the bodies who are responsible for the environment, like Natural England are not receiving the funding and don't have the resources needed, this needs to change so that the system and support is there for these matters.

We need there to be funding and resources in place to ensure new legislation and policies etc can be acted on and brought into effect as quickly as possible. We are aware that a new 'Long established woodland' status is being introduced for example. But so far it has been impossible to find out when it will come into effect and how to apply to have a woodland considered for such status. In the meantime projects are being pushed through putting Long Established Woodlands at threat and being destroyed.

To prove a woodland is ancient, evidence has to be found that it has been wooded continuously since 1600. Firstly, it is not easy to find such things as records of such things were not common place back then, and neither were maps, which were largely for the rich. As a community action group we managed to research a certain woodland and found evidence back to 1767 in the form of an old map, which is no mean feat. Yet National Highways failed to find evidence dating this far back, and fail to recognise the importance and value of this woodland. We believe it should be considered an ancient woodland, and also that it would be granted Long Established Woodland status. National Highways actually realigned the proposed LTC route to avoid a landfill site, instead going through the said woodland. This is unacceptable and there needs to be provision in place to ensure such things are not allowed.

It is also important that communities can get involved in citizen reporting of biodiversity and other environmental issues. Those assisting in reporting biodiversity etc should be appreciated and taken seriously, but there should also not be a need for us to have to fight to prove that there are environmental/biodiversity protections needed, because there should be adequate assessments and monitoring going on.

We are pleased that the Secretary of State must have regard to the government's Environmental Improvement Plan when setting outcomes. We note that it reinforces the intent of the 25 Year

**THAMES CROSSING**  
**ACTION GROUP**  
**[www.tcag.info](http://www.tcag.info)**

Environment Plan (25YEP), which definitely needs to be given more consideration when decisions are being made. We hope this is extended to all Secretaries of State.

We also draw attention to the importance that we need to see actions to back up all the talk and intentions, and that there cannot be exceptions to the rule, particularly with the NSIP trump card being played. That practice needs to stop immediately, there can be no presumption in favour of granting DCO's for NSIPs, they need to be judged on whether they are acceptable projects on every level.

If projects are deemed necessary and acceptable then we need more and better monitoring to ensure that environmental responsibilities are fulfilled both at completion of a project and ongoing as long as necessary.

Developers need to be held accountable and there should be some kind of provision in place to ensure they take their environmental responsibilities seriously. Maybe some kind of guaranteed funding should be allocated to ensure there is funding to do so, and that any unexpected issues, such as the need to replant or take other actions, as needed can be covered. If there are any failings with environmental mitigation and compensation, or unexpected outcomes that need addressing, it is important that things are reassessed to ensure that the correct and adequate action is taken, and there is no lessening of the mitigation/compensation needed because of delays etc.

Because we are living at a time of climate emergency all NSIPs and developments need to be held responsibly and accountable with immediate effect, with sufficient assessments being carried out, and decisions being made strictly and adequately to ensure the best level of environmental protection and enhancement.

We cannot afford to have hugely destructive and harmful projects like the proposed Lower Thames Crossing being pushed through, just because it is deemed an NSIP.

We need updated assessments of such projects, especially for those which have been in development for so long, as many original decisions that were made on such projects would very likely have different outcomes if they were judged today.

The cost of the proposed LTC has now risen from the original estimated £4.1bn up to £10bn+++. The estimated adjusted benefit cost ratio has dropped from 3.1 down to just 1.22, and those estimates are based on figures from August 2020, so are not even truly reflective of reality any longer.

The proposed LTC would fail against the newly set environmental targets such as air quality PM2.5. It would fail in regard to the newly set biodiversity net gain requirements. With a whopping estimated 6.6 million tonnes of carbon emissions it can hardly be considered in keeping with legal Net Zero commitments. It would destroy and negatively impact homes, lives, health and well-being, greenbelt, woodlands (including ancient woodland), agricultural land (including grade 1 listed land and negatively impacting food security), wildlife and habitat, countryside, communities, and so much more.

THAMES CROSSING  
ACTION GROUP  
[www.tcag.info](http://www.tcag.info)

On top of that the project fails on the scheme objectives, and would not solve the problems at the current Dartford Crossing. The proposed LTC is simply not fit for purpose, it would level down many areas, and would be a complete waste of taxpayers' money.

We need and deserve better, we need better legislation and better outcomes for our environment, and health and well-being. We need to ensure that there is action and legislation to back up all the talk to ensure a healthy and sustainable future for us all. We need this in place as a matter of urgency, like our lives and future depends on it, because it does, and until such legislation is in place, huge projects like the proposed LTC should be paused at very least, so that they can be judged against legislation and policy that is needed at a time of a climate emergency, because pushing ahead with them knowing how destructive and harmful they would be, but allowing it because legislation and policy is outdated is unacceptable and unethical.

**We thank you for the opportunity to comment in response to this consultation. Should you wish to discuss our comments, or the topic with us further, please do not hesitate to contact us.**