

## Lower Thames Crossing TR010032

### Deadline 7 Submission

Thames Crossing Action Group

Unique Reference: 20035660

DEADLINE 7 (17<sup>th</sup> November 2023) / Submitted 17<sup>th</sup> November

### Introduction

1. Thames Crossing Action Group represent those who are opposed to the proposed LTC.
2. Our Deadline 7 submission includes our comments in regard to action point 16 from Issue Specific Hearing 9, and comments on Deadline 6 submissions.
3. Since the examination process is so fast paced and full on, and time is so limited we are not able to read and comment on everything we would like to, we are simply doing our best to present and comment on what we can. Failure to comment on certain aspects or examination documents does not mean we agree/disagree with other things, simply that we do not have time and people power to comment on everything we would like to.

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Action Point 16 from Issue Specific Hearing 9 (ISH9) - 23 October 2023 [[EV-075](#)]

**The Wilderness – Status (Ancient Woodland)**

**TCAG - provide comments on the implications of the works at 'The Wilderness' on the basis that:**

- **The status of the woodland is not altered and remains considered not to be ancient woodland, and alternatively**
  - **The woodland becomes designated as ancient woodland**
4. We had been working on a response to this action point, but have since had further information provided to us by Natural England, as detailed below.
5. TCAG received an email from Natural England on the 14<sup>th</sup> November 2023 stating:

Dear Laura,

I write to inform you that we have now reviewed all of the available evidence together (including your two submissions, inhouse datasets and other publicly available evidence) and come to a decision. Please find attached evidence review document which details all of the evidence used for completeness.

We have concluded that there is sufficient evidence for inclusion of the southern section of the Wilderness in the ancient woodland inventory as ancient semi-natural woodland ASNW and that the remainder of the site is long established woodland LEW.

Please note that Natural England representatives involved in the Development Consent Order Examination have been informed of this decision.

Yours sincerely,

Dr Marion Bryant

Woodland and Trees Specialist  
Science Directorate  
Natural England

6. The mentioned attachment can be found in Appendix A below.
7. We acknowledge that The Wilderness now has two different designations, since the southern section has now been designated Ancient Woodland, and the remainder as Long Established Woodland.

8. We also acknowledge that Long Established Woodland is such a new designation that, as yet, no protections have been announced.
9. That said we do feel that the reason for this new designation category is to ensure the future ancient woodland, because how will long established woodlands ever last long enough to be considered ancient as time goes on, unless they are protected now?
10. Plus, even if Long Established Woodlands do not yet have protections associated to them, it is still quite obvious to us that the Long Established Woodland section of The Wilderness is all part of The Wilderness' valuable and important biodiversity, and supports the wildlife that lives and forages in The Wilderness in its entirety. After all wildlife doesn't distinguish whether it is living and foraging in the Long Established or Ancient part of the woodland, it just knows where it lives and eats.
11. This is particularly infuriating since there are ways The Wilderness could be avoided, but NH have chosen to go through it instead of having to go to the extra work and cost of going through the nearby landfill site.
12. In conclusion the implications of the proposed LTC going ahead, regardless of whether we are talking about the Ancient Woodland or Long Established Woodland section of The Wilderness is that a very special and biodiversity and heritage rich irreplaceable woodland would be lost forever, and what may be left would be badly impacted, along with all the wildlife that lives in and around it, including rare and protected species. It is ours and many others opinion that it is completely unacceptable, particularly when NH are proposing to go through The Wilderness, but avoiding going through the nearby landfill.
13. We would question what extra planting would be carried out and where? Also, what implications this would have in regard to nitrogen deposition, since the associated land for nitrogen deposition for the project as a whole is already being questioned.
14. How can NH say that they would already be covered as they are taking more land than they need for nitrogen deposition. Aren't they only supposed to be able to take what land is essential and not any extra?
15. Additionally, we would like to voice serious concern that in 9.132 Post-event submissions, including written submission of oral comments, for ISH9 [\[REP6-090\]](#) Annex B paragraph B.2.2 NH state:

- "For avoidance of doubt, the Applicant is not aware of any evidence that would suggest that there is potential for The Wilderness to be considered ancient woodland. To the contrary, desk-based information sources and data collected during the Applicant's field surveys indicate that The Wilderness does not meet the ancient woodland criteria."
16. Because if a community group are able to research and present evidence to both NH through the consultation process and to Natural England that has led to The Wilderness being designated the statuses it has been, why did NH fail to do so?
17. If their conclusions above are as a result of their desk-based information sources and data collected during field surveys what other aspects could equally be wrong? Such as their desk-based studies for Unexploded Ordnance which we have been voicing concerns about, and other environmental surveys for example.
18. We hope this information is helpful, but would of course be more than happy to answer any other questions the ExA may have.

## Comments on D6 submissions

### 3.1 Draft Development Consent Order v8.0 [REP6-010]

19. Considering that there have been many failings in the tree planting aspects of other NH projects, we strongly believe that it would be beneficial to include a requirement to ensure that any tree planting is carried out in an adequate manner, to ensure it is successful.

20. Whilst we of course in no way support the proposed LTC, since it would be hugely destructive and harmful, and is not fit for purpose, should the worst happen it is important that any tree planting is successful without delay.

21. It is not good enough that there have been such high levels of failed planting on other projects, such as the most recently reported A14 Cambridge project.

22. It has been reported that in this instance Martin Edwards, Senior Project Manager at National Highways has told Huntingdonshire District Council's overview and scrutiny committee that planting of the original trees and plants took place outside of optimal tree planting season<sup>1</sup>.

23. It has been reported that at the meeting he said "during construction time there was a request from Number 10 that the road was opened early", for which NH have evidently apologised for the day after the meeting, and gone on to say,

"It was always our aim to finish the work early to minimise disruption to travelling motorists and the local community, so they can feel the benefits of the upgrade as soon as possible.

"There was no request from government or Number 10 that the road open early. We apologise that this suggestion was made at yesterday's Huntingdonshire District Council meeting.

"All trees on the A14 Cambridge to Huntingdon improvement scheme were planted at the appropriate time of year. There is no link between the failure rate and when the upgrade opened.

"There were several factors behind the failure rate including the weather, maintenance and species of trees planted. All of which National Highways is rectifying in our ongoing replanting programme."

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<sup>1</sup> <https://www.bbc.com/news/uk-england-cambridgeshire-67308830> - we apologise for sharing a non-government link, but it appears NH only publish press releases that show them in a positive light, as we have been unable to locate press releases regarding the failed tree planting.

24. We have concerns that they said it was always their aim to finish the work early, as 'the work' should include planting trees for the optimal chance of success, and not just getting them planted asap. Environmental mitigation and compensation should not be considered an inconvenient extra, it is an essential part of 'the work' and one that needs to be carried out efficiently and effectively.
25. Since it seems NH do not seem to grasp the importance of ensuring tree planting is treated as an important aspect that needs to be carried out properly. After all if they rushed another aspect of 'the work' such as the road surface or other structural aspects of a project and it failed it would not be deemed the work had been completed properly, it must be the same for environmental aspects of projects too.

### 9.15 Localised Traffic Modelling v3.0 [\[REP6-056\]](#)

26. We just wish to reiterate our concerns in regard to how traffic would migrate between the two crossings when there are incidents at either crossing, if the proposed LTC goes ahead.
27. This document says of the modelling that *"It enables modelling of how people change their behaviour in response to a change in the transport network"*.
28. Firstly, we would question whether it includes data to reflect incidents that occur in the region, since incidents are so frequent in this area. Our understanding to date is that NH do not consider such incidents to be 'usual' so they do not include the data that reflects the incidents.
29. We question where we can find a report detailing how traffic would migrate between the two crossings when there are incidents, and the impacts that would have on the existing road network and communities in its vicinity.
30. We have been led to believe that NH do not consider it necessary for them to consider how traffic would migrate when there are incidents despite incidents being a regular occurrence in this area, and that the results would be more congestion, pollution and chaos.
31. We stress that this is a serious concern of our group and many others, as it is us who would have to live with the consequences. We know our local area, we know what it is like to live with the congestion and pollution suffered due to the Dartford Crossing, and we were originally 'sold' a new crossing as a means to solve these problems, yet it is quite apparent to us that the evidence shows that would not be the case if the proposed LTC goes ahead.



32. Additionally, we are concerned with the information being provided in this document that scenarios are not taking incidents into account when detailing monitoring. Also, that data is for an opening year of 2030 which is already out of date. We consider this to be misleading and not accurate as to the impacts that would be suffered.
33. More specifically we question why in Table 3.1 point 3 microsimulation is not considered appropriate due to the distance from the project, when our understanding is that roads connecting to the Five Bells junction would see an increase in traffic as a result of the project. Not only that, but also that Five Bells is in close proximity to the A1014/Manorway junction, which obviously there are concerns about and one junction with issues will soon impact and be further impacted by others in the nearby vicinity.
34. It seems to us that in general NH have just been giving excuses for reasons of why requested info could not be shared over the years, which is simply not acceptable.
35. We also consider the fact they chose to resubmit the LTC DCO application prior to all of these and other matters being better resolved to show a lack of respect from NH not only to the IPs involved, but also to PINS, since it is now making everyone's job a lot harder during examination.
36. In regard to paragraph 3.5.3 (captured and pasted below) we simply wish to put on record that we find it ludicrous for NH to make such a statement considering the lack of meaningful engagement ongoing throughout the process, and the fact that the proposed LTC would be so hugely destructive and harmful, such poor value for money, and unfit for purpose, if it goes ahead.

**3.5.3**

The Applicant recognises that its stakeholders have raised questions throughout engagement with them whilst developing the submission for development consent for the Project. The Applicant also acknowledges the responsibilities it has through its licence to cooperate with other persons or organisations and to encourage sustainable economic growth, whilst protecting the environment, improving safety and the quality of life for current and future generations.

### 9.15 Localised Traffic Modelling Appendix C - Orsett Cock Forecasting report v2.0 [\[REP6-058\]](#)

37. We question 4.2.9 of this document because we fail to see how the A1013 would have less traffic as a result of the LTC. Traffic using this route would be local traffic, and as the proposed LTC would not be accessible from the Orsett Cock there is no reason we can see that the traffic would be lessened due to the LTC.
38. We share concerns with others that if the LTC goes ahead traffic would increase on the Orsett Cock and worsen conditions for everyone, not only road users but the local community too.
39. We do not consider it to be acceptable for NH to utilise our local road network in order to make the LTC work. The fact that the LTC would fail in operation without this utilisation of the local road network just again goes to show that it is the wrong crossing in the wrong location as there is not space to include adequate connections even with the utilisation of the Orsett Cock, let alone without it.
40. We would also again question that NH are not considering or including within modelling how traffic would migrate between the two crossings when there are incidents, and the fact that there would not be adequate connections, so the local road network and communities would be negatively impacted by the resulting congestion, pollution and chaos.
41. Paragraph 4.2.37 is another example of information that simply makes no sense and appears to have no evidence to back up the claim. How on earth are we supposed to believe that traffic conditions on Rectory Road in Orsett would improve in 2045 if the LTC goes ahead, compared to if it didn't, it just doesn't make sense, it's ludicrous.
42. Put simply we do not trust or believe the forecasts that are being shared by NH, as with our local knowledge and simple common sense and logic there are too many claims being made that simply do not make sense, and we have seen no evidence to back up the claims.

### **9.28 Draft Agreed Statement of Common Ground between (1) National Highways and (2) Emergency Services and Safety Partnership Steering Group (ESSP SG) v2.0 [REP6-060]**

43. We note that Section 3 of this document includes recommendations by the ESSP SG in regard to protest and mentions engagement between NH and community and protest groups (captured and pasted below).

#### **Recommendation 3.1**

The ESSP Steering Group recommends that LTC liaises (or continues to liaise) with community and protest groups in advance of construction of the project. This should include discussing with those groups the potential value of identifying protest areas which might meet their needs in a safe way.

The Emergency Services and Safety Partners would be happy to offer advice to both LTC and to community and protest groups, including on how to make protests safe for all.

44. Although we do not have any definitive plans for onsite protest if the proposed LTC goes ahead, as the main community group fighting the proposed LTC we would just like to put on record that to date NH have in no way discussed protest options with us.

45. We would also like to put on record that we would be happy to liaise with the ESSP SG if they so wish.

### **9.34 Draft Statement of Common Ground between (1) National Highways and (2) Dover District Council v2.0 [REP6-062]**

46. We note the number of matters not agreed in this SoCG, and it seems to us that yet again this is another local authority that are voicing concerns regarding inadequate consultation and concerns about what is being proposed, including impacts to the wider road network.
47. We have clearly voiced such concerns ourselves, but just wish to comment that it adds to our concerns that Dover District Council, an authority that is a greater distance away from the proposed route than the host authorities, and also covers an area that is supposed to benefit because the proposed LTC is supposed to benefit ports such as Dover, have so many concerns and areas of disagreement.
48. Additionally, whilst we are now used to such responses from NH, it does again add to our concerns that they seem to have such an arrogant attitude of them being right and everyone else being wrong, rather than them truly

listening and carrying out truly meaningful engagement. A 'we think we're right and have done what we need to' attitude for such a huge project with so many issues and concerns is simply not good enough.

49. Concerns about congestion also suggest that our comments regarding how much rail improvements that connect the Port of Dover to rail are very much needed and a better option than the proposed LTC.
50. Plus of course reducing road congestion would not only benefit the local communities, but also have much further reaching benefits in regard to improving connectivity of goods in and out of the ports such as Dover in regard to the whole nation and economy.
51. In this regard with rail improvements reducing the amount of HGVs on the road, this would also reduce or remove the need for more HGV parking.
52. Whilst we don't support the service area and HGV parking being added to the LTC project (or of course the project as a whole), we do question whether the Rest and Service Area was removed from the project to allow NH to reduce not only environmental impacts but also in an attempt to improve the value for money/BCR, especially since a service area is still being considered as a stand-alone project.
53. Similarly, the fact that Option C Variant was ruled out at route selection stage again needs to be questioned in regard to traffic flow from the Dover (and other) area, including the Port of Dover, as traffic would need to travel from the M20 to the M2/A2 for the LTC and vice versa. This is again of relevance due to NH 'selling' the LTC as a route for ports to connect to the Midlands and beyond.
54. We question whether the removal/lack of inclusion of numerous aspects that would be needed as a direct result of the LTC, is just more creative accounting by NH?
55. It is not good enough for them to keep saying that other 'improvements/projects' can be progressed in their own right, as there are no guarantees what RIS3 will cover, especially with focus moving to repairing and maintaining the existing road network, rather than 'enhancements'.
56. In addition, if there are calls from various parties for additional HGV parking/facilities this could also suggest there is expected to be an increase in the number of HGVs on the road as a result of the project, which again brings us back to the questioning of why LGV/HGV induced demand is not being considered.

### **9.127 Applicant's Responses to IP's Comments on the dDCO at D5 [REP6-085]**

57. Without commenting on who we would prefer to see acting as the discharging authority, should the worst happen and the proposed LTC went ahead, we would like to comment on the general commenting made from around paragraph 3.4.7.
58. We do question the lack of distance, or more importantly how independently things would be considered if it were NH either acting as discharging authority, or it being the Secretary of State (SoS). This is based on the fact we have seen from experience how focused on their own interests NH have been throughout the whole process, and how information shared with the SoS and Government in general all seems to come from and based on purely NH info and not truly independent sources and scrutiny.
59. Our concern is that with failure to deliver the LTC successfully being an existential threat to NH as a company/organisation they would likely focus on doing all they can to secure their future as a priority over ensuring our communities are properly considered in decision making.
60. In regard to paragraph 5.1.1, we wish to comment that there appears to be a common theme throughout much of the process whereby there is a big difference to what NH consider to be necessary, compared to what many others consider necessary. Just because they are the Applicant should not mean that they can trump other parties, or ignore matters simply because they don't deem certain aspects to be necessary.
61. The lack of willingness to add specific mention as to who would be responsible for the management and maintenance of the green bridges not only highlights that NH are not properly listening to other IPs, but also that they do not seem to truly care about the ongoing management and maintenance of environmental aspects like the green bridges, to ensure that their future management and maintenance is properly secured, which is something that we and others clearly consider to be necessary.
62. In regard to comments in paragraphs from 9.1.1, we wish to highlight that throughout the process NH have continually told us and others, including Thurrock Council that the info we were asking for would be available when the DCO application was submitted, and yet still we are reading from them that they are unwilling to share info that IPs have been asking for for years, and still they fail to carry out meaningful engagement.

63. Time and time again all we see from them is an arrogant attitude of what they say is right and how it's going to be often without any explanation, evidence or reasoning, we are supposed to just toe the line because that's what they want to do. Either that or they simply fail to comment in response to comments at all, or avoid answering questions and points raised, which again has been a pattern throughout the consultation process too. This attitude is simply not good enough.

**9.131 Post-event submissions, including written submission of oral comments, for ISH8 [REP6-089]**

64. We find it infuriating that in paragraph A.5.2 NH are suggesting that their methodology is sufficient, when really it just appears they have been plucking numbers out of thin air based on assumptions, with no reasoning as to how they came up with the figures.
65. Where does the 35% being locally employed workers come from? Have they even carried out any research to back up that there would be the necessary workers available and living in the local area? Are we really supposed to believe that the contractor would employ someone based on their location rather than their skill set and experience? None of this seems like strong methodology or in any way reassuring.
66. In regard to section B3 we just want to comment that we find it discriminatory that other businesses would likely qualify for compensation, why should it be any different for cemeteries?

**9.132 Post-event submissions, including written submission of oral comments, for ISH9 [REP6-090]**

67. We question the standard of surveys that NH have completed at The Wilderness, as mentioned in paragraph 4.1.1, because as previously detailed in our earlier responses we have identified a number of ancient woodland indicators at The Wilderness.
68. As for paragraph B.3.3 talking about minimising the loss of vegetation and trees in The Wilderness as far as reasonably practical, we find this to be very disingenuous considering NH are going through The Wilderness but avoiding going through the nearby landfill site.
69. We also question paragraph B.4.4 and what evidence NH have that the pond that would be lost is largely rainfall fed. The watercourses in The Wilderness

are actually fed by the natural spring that comes underground from north of the woodland, as we have previously highlighted in our representations.

70. It generally seems to us that NH are delaying responding to a number of points until Deadline 7, thus reducing the time others have to respond.

### **9.133 Post-event submissions, including written submission of oral comments, for ISH10 [REP6-091]**

71. We question how NH can suggest that the approach taken by the Project aligns with the strategic approach set out in the Cycling and Walking Investment Strategy 2 (CWIS2). The proposed LTC is by name and project description a new river crossing, yet the project offers absolutely no provision at all for cross river active travel.
72. Not only that but the active travel routes it does offer are largely realignments of existing routes, upgraded existing routes, and pointless spiralling, zigzagging, parallel running paths (such as in Tilbury Fields) that offer no real connectivity.
73. Some do not offer easy safe passage to cross busy roads, such as at the A127/M25 junction 29 intersection, or crossing North Road (north of the green bridge) as just a couple of examples.
74. WCH proposals have not been adequately consulted on, as information has been greatly lacking, inaccurate, and at times out of date WCH routes were being shared as part of consultation materials.
75. NH are still trying to portray the new 'country parks' as public open spaces, despite the reality being that they are really spoil dumping grounds that would suffer pollution from the tunnel portals where pollution would be pushed through and out of the tunnels into the 'parks' by the LTC traffic, which is not healthy or going to encourage anyone to want to spend time there.
76. As for NH stating the crucial role of walking and cycling in delivering a net zero transport whilst promoting a road project that is estimated to emit 6.6 million tonnes of carbon, we'd laugh if it wasn't such a serious concern and issue.

### **9.134 Wider Network Impacts Position Paper [REP6-092]**

77. Whilst unfortunately we have not had time, with our limited resources, to fully review this document, as the examination process is so fast paced and full on,



we would simply like to comment that if NH are so confident in what they are proposing in regard to the LTC performance moving forward, why would they have any problem agreeing to the inclusion of such an agreement?

#### **9.138 Applicant's Response to Comments Made by Thurrock Council at D4 and D5** **[[REP6-096](#)]**

78. It concerns us that NH appear to continue their dismissive attitude towards Thurrock Council, as they continue to do with many IPs. We again stress that from our experience of sitting on the LTC Task Force Committee where we have taken part in regular meetings since Sept 2017, many with NH in attendance, that there has been a distinct lack of meaningful engagement from NH.
79. In specific response to point 4.3.7 regarding access to the proposed LTC by Thurrock residents, we would highlight that we have previously used the interactive map that NH produced as part of their consultation materials, and estimate that for a resident leaving around the middle of the heart of Orsett village it would be approx. 8 miles to leave the village via Rectory Road, along the A1013 to the Orsett Cock, down the A1089 to the Asda roundabout to return northbound on the A1089 to reach the LTC southbound carriageway. It would be less than 8 miles to leave the same location along the High Rd, onto Stifford Clays Road, join the A13 to the M25/A282 and actually cross the Dartford Crossing.
80. To suggest Thurrock residents would have good access to the proposed LTC is ludicrous and untrue. The lack of adequate connections to and from the proposed LTC, during normal operation and even more so when there are incidents at either crossing and traffic needs to migrate has been something we and others have been raising concerns about for years, and that NH have continued to ignore.

#### **9.145 Applicants Response to Comments Made by Port of Tilbury London Limited at D5** **[[REP6-100](#)]**

81. This document again covers the topic of the Tilbury Link Road, and whether provision should be made for it. For us this just again leads to the question of why the Tilbury Link Road and/or a junction in that vicinity was added and then removed, with the Tilbury Link Road being progressed as a separate stand-alone project.



82. We stress that our commenting on the Tilbury Link Road does not mean that we support it, nor the LTC project as a whole.

83. In our opinion the Tilbury Link Road was added as the Port of Tilbury said they wouldn't support the proposed LTC without it at route selection stage, and then NH removed it. We believe this to be yet another one of the many creative accounting aspects to the proposed LTC.

84. The fact that in this document there are comments regarding to how the Tilbury Link Road, or provision for its future connection, is being associated to 'improving' the project design in regard to traffic taking wrong turns, also for us highlights the poor design of the LTC, complex junctions and lack of adequate connections for it to be user friendly. Ultimately the proposed LTC is the wrong crossing in the wrong location, and is not fit for purpose.

#### **9.152 Responses to the Examining Authority's ExQ2 Appx A - 1, 2, 3 [REP6-107]**

85. NH response to ExQ2\_Q2.1.2 appears to be suggesting that the delay in the ban on the sale of new petrol and diesel cars from 2030 to 2035 doesn't affect their carbon estimates for the proposed LTC.

86. We highlight that in July 2022 NH were stating that their new carbon estimate for LTC traffic showed an 80% reduction thanks to government policies including ending the sale of new petrol and diesel cars and vans.<sup>2</sup>

87. Using the figures that were available at the time showed that far from a highly speculative 80% reduction in operational traffic emissions for the proposed LTC, there was actually evidence to show a whopping 67% increase in the estimated LTC operational traffic carbon emissions.

88. Whilst their claims use the 2016 carbon emission estimate of 5.98 million tonnes, their 2020 '6.3 Environmental Statement Appendices Appendix 15.1 Carbon and Energy Plan'<sup>3</sup> which was part of their failed attempt to submit the LTC Development Consent Order (DCO) states that the total carbon emissions is estimated to be just over 5.27 million tonnes. (*paragraph 1.1.3*)

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<sup>2</sup> <https://nationalhighways.co.uk/our-roads/lower-thames-crossing/news-and-media/news/government-decarbonisation-plans-drive-down-projected-carbon-emissions/>

<sup>3</sup> [6.3 Environmental Statement Appendices Appendix 15.1 Carbon and Energy Plan](#)

89. The same document states (*paragraph 1.1.4*) that 52% of the total emissions is from operational traffic. This works out at 2.74 million tonnes.

90. Yet in the July 2022 NH press release the 'Notes to Editors' section details:

A (*sic*) updated forecast of 4.6mt tonnes calculated using [Emissions Factor Toolkit](#) (EFTv1.1 with London Adjustment). The EFT is a tool published by DEFRA to assist in calculating road vehicle pollution.

91. This highlights the huge 67% increase in operational traffic emissions alone.

92. There have been other misleading comments from NH over the years in regard to estimated carbon emissions. We would be happy to share further details if the ExA wish.

93. Additionally, the changes to the way the government calculates carbon emission costs also rose in Feb 2022, with the carbon costs for LTC construction rising by more than 230%, one of many rising costs since the estimated cost of the LTC as at Aug 2020.

94. Industry publication New Civil Engineer also reported on the 9<sup>th</sup> December 2022 that a National Highways boss said there won't be a LTC if NH didn't resolve carbon issues.

95. At the same industry event that the NH boss said this, he also said that the project had also already removed 30% of the carbon through redesign, and that another 20-30% of the carbon would be reduced by the future replacement of fossil fuels with hydrogen and alternative fuels, as well as another 10-20% being slashed through carbon capture.

96. When we questioned NH regarding the statement that had been made the response we received was:

- *"The NCE article referenced a talk that Sinisa Galac, Tunnels Director for the Lower Thames Crossing, gave at a tunnelling industry conference. The audience at the conference included representatives from organisations that are involved in researching replacement of fossil fuels and carbon capture and utilisation and storage (CCUS) or are likely to seek to work on the scheme and Sinisa took the opportunity to impress on them the extent of our low carbon ambition.*

*As a pathfinder for carbon neutral construction, we will seek to adopt low and zero carbon technologies as they become viable. While carbon capture, utilisation and storage (CCUS) is not yet available, there are a number of*

*industrial clusters in the UK where the technology is being developed. The projected readiness dates overlap with the construction period of the Lower Thames Crossing and there is potential that we could start using cement manufactured with CCUS towards the end of the construction period."*

97. It seems to us that NH do not have the technology to back up their claims, and that even if it were to become available it is likely it wouldn't be until towards the end of construction, if the LTC goes ahead.
98. NH figures and narrative on carbon emissions for the LTC seem to be questionable to say the least in our opinion.
99. We also note that NH quote the Climate Change Committee's (CCC) assessment, we draw attention to the fact that the CCC have also said that new roads should only be built if they can be shown not to increase emissions. 6.6 million tonnes of carbon emissions is a huge amount of emissions, and in our opinion is just one of many reasons why the proposed LTC should not go ahead.

#### **9.152 Responses to the Examining Authority's ExQ2 Appx B - 4. Traffic and Transportation [REP6-108]**

100. It seems to us that NH response to ExQ2\_Q4.1.2 is saying that they are using more up to date data to show comparisons when it delivers favourable results, yet on other now outdated aspects of the application they don't deem it necessary to update the information. We can only assume this is because the results/info would maybe not be so favourable. It appears to be a very selective cherry picking practice by NH. We also question whether the selective updates will give an overall fair and adequate comparison. After all they tell us on other matters that it would not be right to compare certain aspects if some parts have been updated and others not, but when it appears to suit them they present such updated info in certain details.
101. Why for instance will they not update air quality assessments since the new legal targets have been introduced? Why has the estimated cost not been updated since August 2020? No update to relevant assessments to reflect the two year rephasing As just a few examples.

### 9.152 Responses to the Examining Authority's ExQ2 Appendix C – 5 Air Quality [REP6-109]

102. On the topic of air quality, we are concerned that it doesn't appear to feature on any of the Issue Specific Hearings for November, and we still have serious concerns about the negative impacts of air quality in regard to the proposed LTC.
103. Professor Karen Lucas stated publicly in July 2019, whilst working for Highways England (as NH were then known), as an independent advisor to the community impacts workstream for LTC, that the whole proposed LTC route would fail against the then World Health Organization (WHO) guidance. She clarified at the time that the then WHO guidance for PM2.5 was not at the time UK or EU guidance.
104. However, the new legal targets that have now been introduced in the UK are the same levels as what was then the WHO guidance. We therefore believe that the whole proposed LTC route would fail against the newly set legal targets.
105. We would also highlight that we are not aware of NH submitting updated PM2.5 assessments to the examination, and have to question why that might be.
106. It would also appear to us that NH is judging air pollution against a 2014 policy. Whilst this may currently be the national policy that the project is being judged against, it is very apparent that the policy is outdated and is being updated because of changes in legislation.
107. If the Secretary of State is supposed to give air quality considerations substantial weight where a project would lead to a deterioration in air quality, we would question whether they should also give air quality considerations substantial weight to reflect changes in legislation and recognise that the current national policy is outdated against new legislation. Everyone deserves the right to breath clean air.
108. Again, on the topic of the delay on the ban of sale of new petrol and diesel cars, it seems to us that NH are keen to use the 80% reduction figure when it suits their needs, but says the delay is not relevant when it would likely go against them.

### 9.152 Responses to the Examining Authority's ExQ2 Appendix G – 11 Biodiversity (Part 1 of 2) [\[REP6-113\]](#)

109. We are concerned about comments to ExQ2\_Q11.1.1 that there is the possibility of water vole populations being translocated out of the local area. We would like to see as much biodiversity kept local as possible. This is not only for the benefit of the local natural environment/biodiversity, but also because those of us that like to enjoy the natural environment appreciate the opportunity to see wildlife in our local surroundings, which has positive impacts to our health and well-being from spending time outdoors and interacting with nature.
110. Additionally, we again highlight our concerns that the area NH are proposing to create water vole habitat in the Mardyke Valley is known to have a Mink population, which are of course the main predator of the water vole. It concerns us that NH are proposing such an area for translocation, and this is something we have raised though consultation and we feel we have been ignored on.
111. We would like to raise concerns in regard to ExQ2\_Q11.1.3 and generally NH and their contractors duty of care to wildlife if the proposed LTC goes ahead. We have seen from experience during ground investigation works that harm has been caused to protected species, when a snake was run over and killed in the vicinity of The Wilderness. NH had been advised prior to works commencing that the snakes like to sunbathe on the road leading to The Wilderness on warm days, and were asked to take special care. The dead snake was found and had clearly been run over more than once. This is not a busy through road, it is only used by those who have home/business at the end of the road, all of whom are aware of and respectful of the snakes.
112. It concerns us that in response to ExQ2\_Q11.1.3 NH are still stating that Thong Lane South 'green' bridge is designed to connect the woodland to the north and south of the A2. As has been highlighted by many, including us, there is a serious issue that the 'green' bridge meets the T junction to the south side that would guide wildlife into a dangerous road intersection. We do not deem that this 'green' bridge can be considered safe or environmentally friendly due to the heightened risk for wildlife being guided to such a busy and dangerous junction.
113. We also again highlight that NH themselves have admitted that there is no proven mitigation for bats, when it comes to new roads. With this in mind, to suggest that any of the 'green' bridges can be real mitigation for bats is disingenuous.

114. We would also question what assessment has been carried out on what new routes wildlife might have to take, if the proposed LTC goes ahead, as alternatives to the routes they may take now. It's all very well basing wildlife movements on surveys now, and of course in some cases that will still be relevant. However, since some habitats would be destroyed and adversely impacted have these impacts and alternative options/routes for wildlife been assessed?
115. In regard to ExQ2\_Q11.3.1 we would like to again stress our concerns as to the adequacy of NH surveys, particularly since they have stated that their surveys did not identify any ancient woodland indicators for The Wilderness, and that they did not believe it would be designated ancient woodland. Clearly, they got this wrong, and we have concerns as to what else they may have already got wrong, or may get wrong in the future if permission is granted.
116. We are concerned that in ExQ2\_Q11.3.2 figures: Figure 1 - Woodland habitat loss mitigation (excluding ancient woodland impacts and compensation) whilst the woodland habitat loss and woodland habitat creation are marked, firstly it doesn't really make it clear what creation mitigates/compensates for which loss.
117. Neither does it make clear whether the creation holds the necessary value to mitigate/compensate and actually support and serve the wildlife/biodiversity.
118. For example, the figure (page 11 of 14) that shows The Wilderness shows the loss of the Wilderness, but the created woodland in this area is on the opposite side of the LTC to the woodland that would be lost.
119. This can in no way be considered adequate or acceptable. The remainder of the woodland would be severed from the 'created' woodland. This would not offer connectivity for the wildlife and habitat to live and forage etc. This is just one example, as it is an area that clearly shows the inadequacy of what is being proposed.

#### **9.152 Responses to the Examining Authority's ExQ2 Appendix H – 12 Physical Effects of Development & Operation [REP6-115]**

120. Annex A Reasons for change between visual impact assessments from 2020 and 2022 (ExQ2\_Q12.3.2) appears to highlight that had NH have been successful in having the 2020 application accepted for examination a lot of

aspects would have been inaccurate. There seems to be growing evidence of NH assessments not being adequate/accurate on many different aspects. Because of this, and our experience of dealing with NH over the years we again stress our concerns and how little, if at all, we trust and have confidence in NH.

**9.152 Responses to the Examining Authority's ExQ2 Appendix I – 13 Social, Economic & Land-Use Considerations [REP6-116]**

121. With regard to comments on ExQ2\_Q13.1.1, this seems to be another questionable aspect of the Project, and is yet again to us looking like creative accounting.
122. For instance, if Hole Farm Community Woodland is funded from Designated Funds, but is considered mitigation and compensation for the LTC this is questionable in regard to it being part of the Project or not. This feels like there is a lack of transparency and seems to us to be misleading and questionable.

## Additional Comments

### Construction concerns/complaints

123. Following on from raising our concerns about how much is being left up to the contractors, and the impacts during constructions, we would like to draw to the ExAs attention the high number of complaints that have and are being made in regard to another huge infrastructure project, HS2.
124. The HS2 independent construction commissioner Sir Mark Worthington has been commenting<sup>4</sup> on the high level of complaints in regard to HS2 in his latest report.
125. We feel this to be particularly relevant since many of the contractors on HS2 are ones that would also be working on LTC, if it goes ahead. Also, because NH have been making reference to their learning from HS2, which really gives us no confidence at all.

### Hearings

126. We would just like to note our surprise that the Issue Specific Hearings have not covered climate change/carbon emissions, air quality/pollution, and value for money.
127. We had expected these topics would have been on the agenda for an ISH, especially as each is a serious concern that we feel still has a considerable disagreement between NH and IPs.

### Oral v written submissions

128. We would like to highlight that whilst we appreciate we have been informed that oral and written representations carry equal weight, we are not sure that in respect to NH this feels like it has been the case.
129. For example, we received comment either during the hearings or in the post event submissions in response to some of the comments we raised when we attended hearings live.
130. Whereas when we have had to watch the recordings and submit written submissions we do not appear to have had any kind of comment from

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<sup>4</sup> <https://www.gov.uk/government/publications/hs2-construction-commissioner-report-26>



NH at all.

131. We additionally question whether those who have submitted Compulsory Acquisitions Representations in writing rather than speaking at CAH will receive comment from NH, since it is highly likely that everyone making oral representation at CAH would receive comment at the hearing. We mention this as we note that NH have said that they will comment to CA written submissions if they deem it required. As we know, what NH deem required and other parties deem required can be two different things.

### **'Independent' reviews**

132. We would just like to put on record that we have concern over 'independent' reviews in regard to the proposed LTC, since they largely seem to be based purely on evidence provided to whomever is carrying out the review solely by NH.
133. We feel this can lead to limited and potentially biased outcomes, as the review may have a different outcome if those carrying out the review were also given additional information from other sources, rather than just NH.

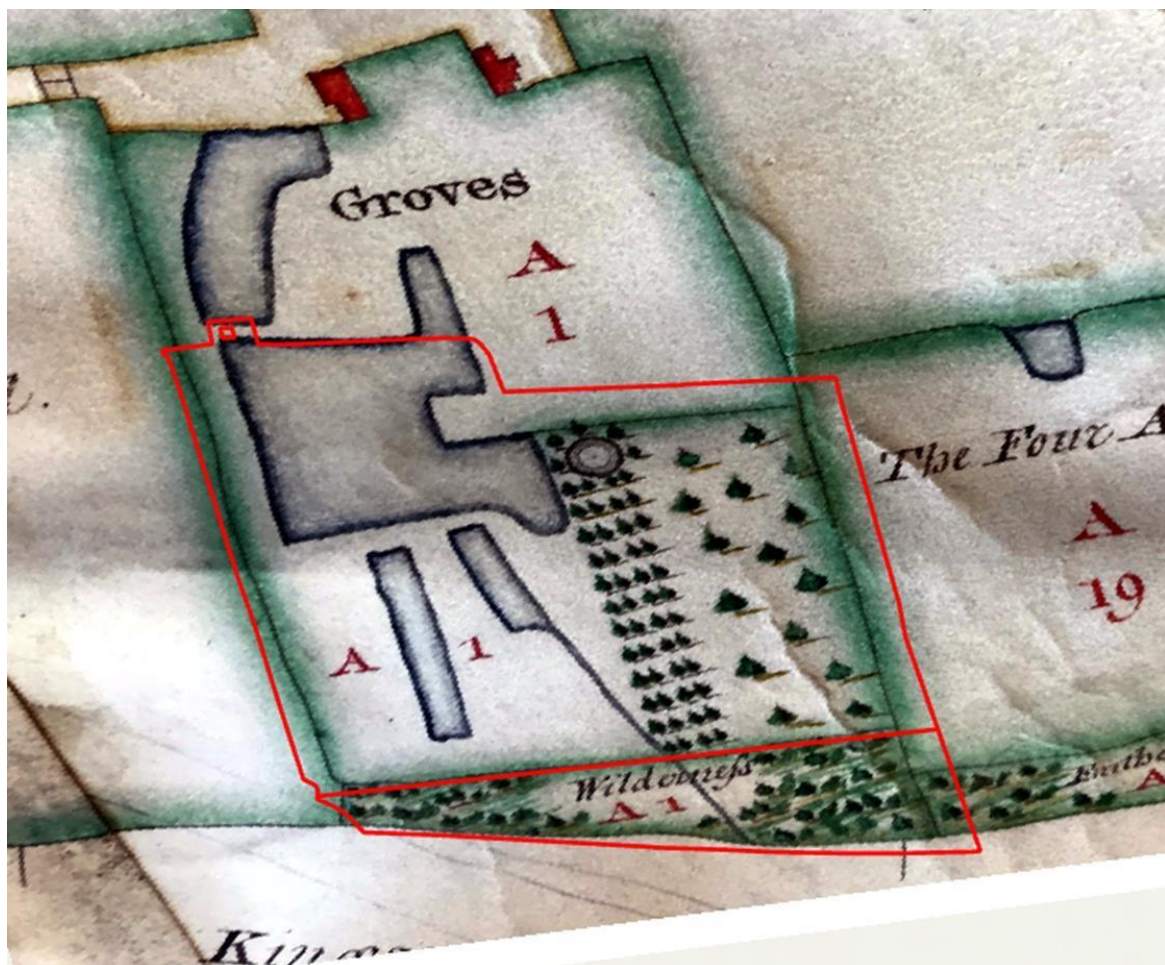
## Appendix A – The Wilderness – Ancient Woodland

**The Wilderness, South Ockendon, Essex, grid ref: TQ5998883931, Evidence Review 14/11/23.**

Dr Marion Bryant Woodland and Trees Specialist and Clare Durose  
Geospatial Information Analyst, Natural England.

Map evidence: Please note that the maps are copyrighted and only used here for the purposes of evidencing the ancient woodland inventory and should not be reproduced without permission.

Key: the red outline overlay on the maps shows current woodland extent.



The survey map of the estate of John Goodere dated 1767 Essex Records  
Office Ref D/DBE:

*"Shows woodlands (likely the wilderness to the south), layout of gardens (Likely the scattered tree section) (including 'The Long Walk' (likely the plantation section) and ornamental lakes at 'Groves'), 'South Ockendon Green', 'Stifford Bridge', 'Red Bridge', mill-mound, ponds and parish boundaries."* – **Description given from 1767 map**

1767 is the first mapped occurrence of the Wilderness, with the northern section showing plantation/avenue and scattered trees to the east, with no trees to the west with ponds and drainage; and the labelled 'Wilderness' to the south clearly marked as a separate area showing woodland.

It appears in this timeframe, the Wilderness to the south was a separate wood which was established pre 1760s. The northern section, known as the Groves, appears to be planted estate grounds.



South Ockendon Tithe Map 1839/40: The southern section of the site is shown as wooded and separate to the estate grounds area to the north. The tree cover in the northern section is depicted as scattered trees across the entire area, which could denote further stages of planting or abandonment of the formal gardens and regeneration of woodland.

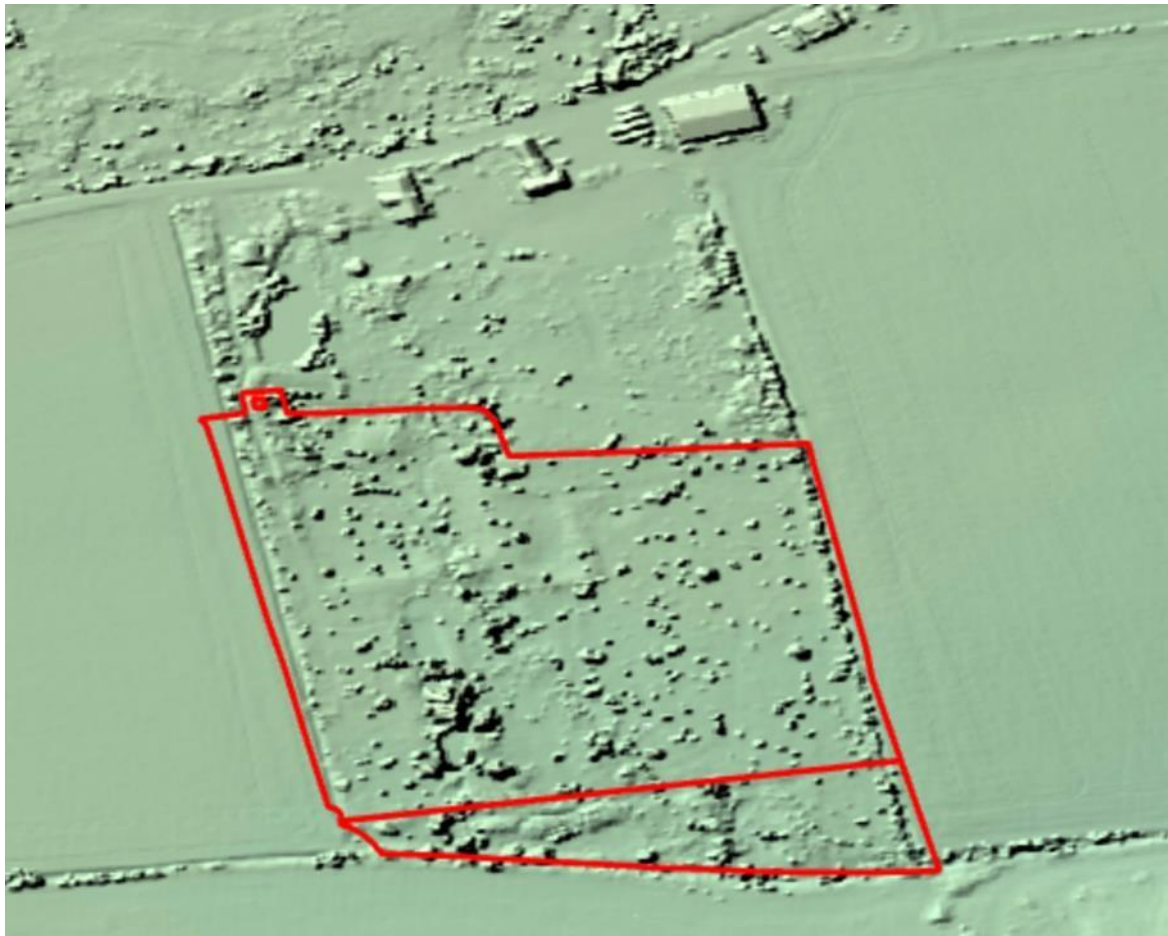


Sale Catalogue for Groves Manor (Cole Carters) in 1867. Essex Record Office.

Despite the slight georeferencing difference the wilderness/grove boundaries are clear.

The Groves Wilderness in the north now appears to be an established woodland in 1867 but still a separate area to the southern Wilderness.





LiDAR 1m coverage still separates the Groves and The Wilderness



LiDAR (hillshade) coverage still separates the Groves and The Wilderness and clearly shows the water features and stream.

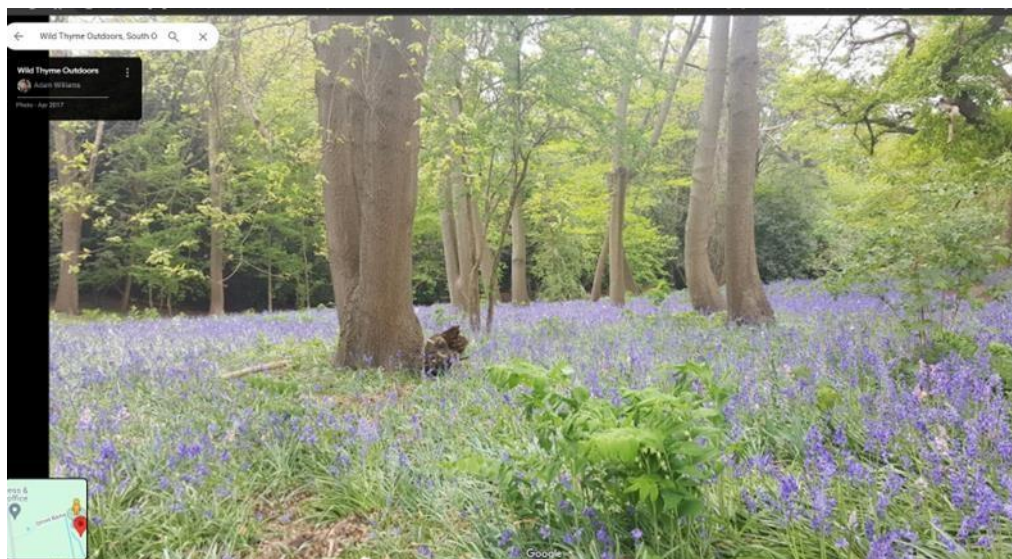


OS Epoch 1 1:2500 map c. 1845: From the 1850s onwards the wood is classed as one place on maps and shows as continuously wooded throughout until present day.





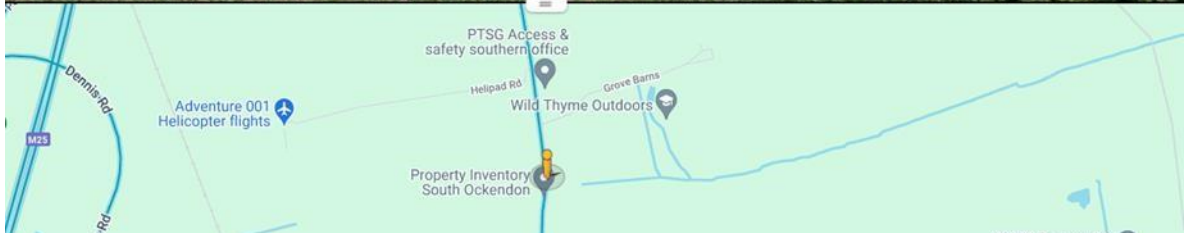
1940s aerial photograph showing the whole site as woodland.



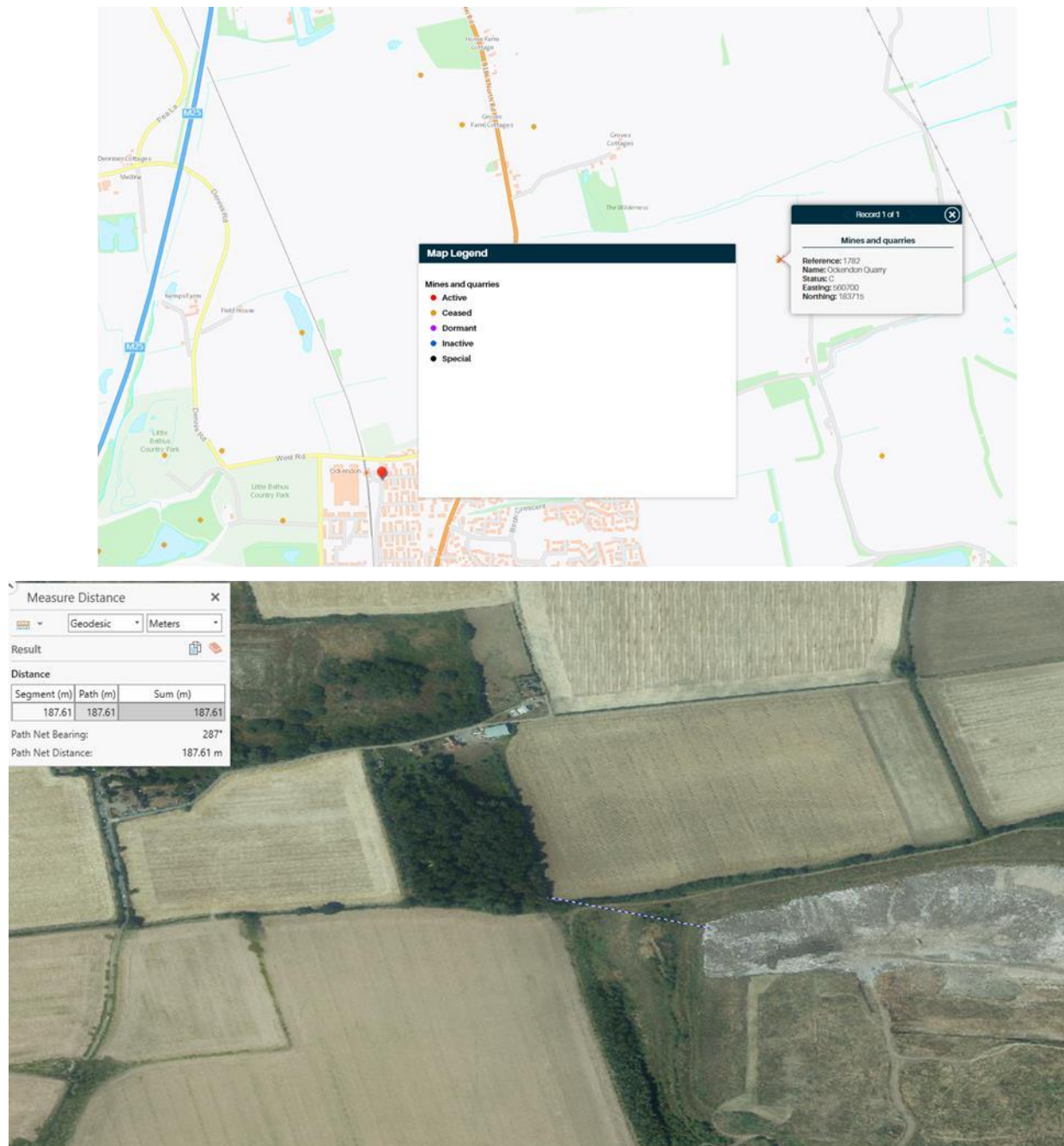
Non-map data: There is a small business known as “Wild Thyme Adventures” that hosts a forest school in the woodland. The ground flora in the photograph



showing a carpet of bluebells and Solomon's seal in the foreground highly indicative of ancient woodland.



Google street view and recent aerial photograph (2021) showing a slight “dip” in the canopy that separates the Wilderness from the Groves.



However, it can be seen next to a quarrying site (180 meters or so).

Ockendon Gray's quarry area 3 used for extraction of clay and shale, run by Lafarge cement UK now labelled as ceased usage on brit pits data, but only recently.

[Ockendon Area II & III Landfill – WikiWaste](#)

Other Data noted:

Forest Inventory- All the wood classed as one area classification as Broadleaved.

OS Mastermap- Classification of the wood as one area as Non coniferous trees, with two significant ponds and a small stream running through.

BSBI- has noted a good survey coverage ranging from 1-26 species (however it is split up over 4 monad areas, meaning the data cannot be tied to the site).

Land use for the whole wood classed as a broadleaved wood.

Soil structure is noted as Sand and Gravel.

The landfill site is roughly 180 metres from the closest edge of the woodland.

Species found within 1km<sup>2</sup> to the wilderness:

Last Recording: 2015

Monads- TQ5983, TQ5984, TQ6084, TQ6083

- Red campion
- Guelder rose
- Goat Willow
- Yew
- Yellow Iris
- Wood Forget-me-not
- Wood Dock
- Wood Burdock
- Wild Cherry
- Stinking Iris
- Perforate St John's wort
- Hornbeam
- Honeysuckle
- Holly
- Herb Robert
- Hazel
- Gypsywort
- Great Horsetail
- Field Maple
- Dewberry
- Crab apple
- Columbine
- Broad Leaved Willow





### Conclusion:

The wilderness should be split up into TWO sections:

- The southern section, will be known as “The Wilderness” which has shown consistent woodland coverage since pre 1760s.

The remaining section “The Wilderness (Groves)”, which was shown as part open grassland, part scattered trees and part plantation in 1760s and shows as a dense woodland from 1839 onwards.

The northern section (Groves) has shown presence of plantation and gardens grounds in 1767, and then shows as an established woodland (separate to the wilderness) from 1839.

The southern section is classed as ASNW ancient semi-natural woodland; the northern section is classed as LEW long established woodland.

The polygon will be split and added to the pending Ancient Woodland Update layer.



Useful info:

<https://www.remotelondon.com/south-ockendon-landfill/>

[Woodland and open space plan for contaminated South Ockendon quarry site | Local News | News | Thurrock Nub News | by Neil Speight](#)

<https://democracy.thurrock.gov.uk/documents/s14512/1701435CV%20South%20Ockendon%20Quarry%20and%20Landfill%20Site%20Medebridge%20Road%20South%20Ockendon%20Essex.pdf>

[The Wilderness - Ancient Woodland - Thames Crossing Action Group](#)