

Lead Member for Planning and Infrastructure

17 June 2022

Lower Thames Crossing – Local Refinement Consultation

Timetable	
Meeting	Date
Planning and Infrastructure Policy Advisory Committee	8 June 2022
Lead Member for Planning and Infrastructure	17 June 2022

Will this be a key decision?	No
Urgency	Yes – consultation response required by 20 June 2022
Final Decision-Maker	Lead Member for Planning and Infrastructure
Lead Head of Service	Phil Coyne (Interim Director, Local Plan Review), Rob Jarman (Head of Planning and Development)
Lead Officer and Report Author	Tom Gilbert (Principal Planning Officer, Strategic Planning) & Claire Weeks (Senior Transport & Development Planner).
Classification	Public
Wards affected	All

Executive Summary

On 12th May 2022 National Highways launched a non-statutory public consultation on local refinements to the proposed Lower Thames Crossing. The consultation ends at 11:59pm on 20th June 2022.

This report outlines the consultation and recommends that the proposed response set out in Appendix 1 of the report is forwarded to National Highways as the Council's formal response to the consultation.

Purpose of Report

To provide background to the present Lower Thames Crossing Consultation and to seek approval of the consultation response as appended at Appendix 1 to this report.

This report makes the following recommendations to the Committee:

1. That the Lead Member for Planning and Infrastructure note the content of the Lower Thames Crossing Local refinement consultation and approve for submission the Council's response as set out in Appendix 1.
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Lower Thames Crossing – Local Refinement Consultation

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> • Embracing Growth and Enabling Infrastructure • Safe, Clean and Green • Homes and Communities • A Thriving Place <p>The recommendation will support the Council’s overall achievement of its corporate objectives.</p>	Interim Local Plan Review Director
Cross Cutting Objectives	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> • Heritage is Respected • Health Inequalities are Addressed and Reduced • Deprivation and Social Mobility is Improved • Biodiversity and Environmental Sustainability is respected <p>The report recommendation supports the achievement of the cross-cutting objectives.</p>	Interim Local Plan Review Director
Risk Management	Already covered in the risk section of the report’	Interim Local Plan Review Director
Financial	The proposals set out in the recommendation are all within already approved budgetary headings and so need no new funding for implementation.	Director of Finance and Business Improvement (Section 151 Officer & Finance Team)
Staffing	We will deliver the recommendation with our current staffing.	Interim Local Plan Review Director

Legal	There are no legal implications arising from the proposed response. National Highways are consulting local authorities and other stakeholders on an application for a Development Consent Order for the Lower Thames Crossing which they propose to submit to the Planning Inspectorate later this year. Pursuant to the response outlined at Appendix 1, the proposal does not impact upon the existing or proposed spatial strategies outline in the Maidstone Local Plan 2011-2031 and Regulation 19 Draft for Submission Maidstone Local Plan Review 2022-2037.	Team Leader (MKLS (Planning))
Information Governance	The recommendations do not impact personal information (as defined in UK GDPR and Data Protection Act 2018) the Council processes. The Information Governance Team have reviewed the Privacy Notice provided by National Highways in the Consultation Response Form and no issues were identified.	Information Governance Team
Equalities	The recommendations do not propose a change in service therefore will not require an equalities impact assessment	Equalities Officer
Public Health	We recognise that the recommendations will not negatively impact on population health or that of individuals.	Public Health Officer
Crime and Disorder	The recommendation will not have a negative impact on Crime and Disorder.	Interim Local Plan Review Director
Procurement	N/A	Interim Local Plan Review Director
Biodiversity and Climate Change	The implications of this report on biodiversity and climate change have been considered and are; <ul style="list-style-type: none"> • There are no implications on biodiversity and climate change. • This aligns with action(s) (number and quote action) of the Biodiversity and Climate Change Action Plan 	Biodiversity and Climate Change Officer

2. INTRODUCTION AND BACKGROUND

2.1 National Highways is currently consulting on proposed local refinements to the Lower Thames Crossing highway infrastructure improvements. The consultation runs from 12 May to 11.59pm on the 20 June 2022.

2.2 This report summarises the consultation and the proposed response from Maidstone Borough Council. National Highways has provided a standard template to collect responses; a draft version of the Council's response is attached in Appendix 1.

Background

2.3 National Highways is proposing a new road and tunnel, approximately 23km long, the A122 Lower Thames Crossing.

2.4 It would connect to the A2 and M2 in Kent, passing through a tunnel under the River Thames, before linking to the A13 in Thurrock and junction 29 of the M25, north of the Thames.

2.5 Prior to this consultation there have been five previous consultations. These include:

2.5.1 Route Consultation 2016

2.5.2 Statutory Consultation 2018

2.5.3 Supplementary Consultation 2020

2.5.4 Design Refinement Consultation 2020, and;

2.5.5 Community Impacts Consultation 2021.

Consultation content

2.6 National Highways is consulting on the following elements as part of the present consultation:

- More public open space to the east of the tunnel entrance in Kent,
- The redesign of Tilbury Fields
- Modifying the emergency and maintenance access to the northern tunnel entrance, providing safer operation of the tunnel facilities and better access for emergency services
- Replacing a slip road on the A13 junction with a new link from the Orsett Cock roundabout to the A1089 to reduce traffic impacts on local roads
- A new footbridge over the A127 and further improvements for walkers, cyclists and horse riders including improved bridleways
- Further refinement of utility works to enable the project to be built
- Additional environmental compensation and mitigation with potential woodland and green open space

2.7 Further details of the consultation can be found on the specific National Highways website for the consultation that can be located via the link in Background Paper 1.

- 2.8 Most of the proposals outlined in this consultation do not directly affect Maidstone Borough however the proposals relating to additional environmental compensation and mitigation do. These proposals relate to further traffic enforcement between M2 junctions 3 & 4 (Background paper 2 pp.144-145) and the creation of a new compensation site in the M2 corridor at Blue Bell Hill (Background Paper 2 pp.150-151).
- 2.9 The Lower Thames Crossing proposal could have an impact on borough's road network especially the A229 corridor, however at this point in time it is difficult to ascertain the extent of any impacts until further information on the transport modelling and proposed mitigations are published. Both are expected in due course as National Highways undertake further work.
- 2.10 The purpose of these environmental interventions is to the reduce nitrogen and ammonia deposition levels on designated habitats caused by traffic using the Lower Thames Crossing. Summary of responses
- 2.11 The Council's full proposed response is set out in Appendix 1 to this report and uses the standard template provided by National Highways. In summary:
- 2.11.1** The Council has no comments to make on sections 1,2, and 5
 - 2.11.2** In principal Maidstone Borough Council is supportive of the proposed environmental compensation measures proposed (sections 3 and 4)

Next steps

- 2.12 This response (together with the other consultation responses previously provided) will be considered by and inform National Highways' Development Consent Order application, which is expected to be submitted to the Planning Inspectorate later this year.

3. AVAILABLE OPTIONS

- 3.1 The Lead Member for Planning & Infrastructure could approve the consultation response. This would allow the response to be sent by the submission deadline.
- 3.2 The Lead Member for Planning & Infrastructure, could approve the consultation response subject to further comments and changes. This would allow the response to be sent by the submission deadline.
- 3.3 That the Lead Member for Planning & Infrastructure could decide not to approve the consultation response. However, this would mean the response would not be sent and the Council's views would not be factored into the Lower Thames Crossing proposals.
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4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 That the Lead Member for Planning & Infrastructure approve the proposed response. This would allow the response to be sent by the submission deadline of 20th June 2022 and ensure the Council's views are considered.
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5. RISK

- 5.1 The risks associated with this proposal, including the risks if the Council does not act as recommended, have been considered in line with the Council's Risk Management Framework.

6. Previous Consultation and Policy Advisory Committee Feedback

- 6.1 At its meeting on 8 June 2022 the Planning and Infrastructure Policy Advisory Committee agreed the following:

"That the Lead Member for Planning and Infrastructure be recommended to note content of the Lower Thames Crossing Local refinement consultation and approve for submission the Council's response as set out in Appendix 1."

7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 7.1 If agreed the response provided as Appendix 1 will be submitted to National Highways on behalf of the Maidstone Borough Council.
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8. REPORT APPENDICES

The following documents are to be published with this report and form part of the report:

- Appendix 1: Maidstone Borough Council Response to Lower Thames Crossing Local Refinement Consultation
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9. BACKGROUND PAPERS

Background Paper 1: Lower Thames Crossing Local Refinement Consultation

[Lower Thames Crossing - Local refinement consultation - About the project \(nationalhighways.co.uk\)](https://www.nationalhighways.co.uk/lower-thames-crossing-local-refinement-consultation-about-the-project)

Background Paper 2: Lower Thames Crossing Guide to Local Refinement Consultation

[Guide to Local Refinement consultation \(nationalhighways.co.uk\)](https://www.nationalhighways.co.uk/guide-to-local-refinement-consultation)