

The Planning Inspectorate

(By email only to: norwichtotilbury@planninginspectorate.gov.uk)

26 February 2026

Dear Sirs

Clockhouse Barn
Canterbury Road
Challock
Ashford
Kent TN25 4BJ

T 01233 740077

www.btfpartnership.co.uk

NORWICH TO TILBURY PROJECT (EN020027)
WRITTEN REPRESENTATION DEADLINE 1 – 26 FEBRUARY 2026
INTERESTED PARTY: COLE FAMILY
UNIQUE REFERENCE NUMBER: NOT KNOWN

I write on behalf of Alex Nyman, Alison Jean Bush, Amanda Mary Harborne, Chloe Evans, C.H. Cole & Sons (Mill House), C.H. Cole & Sons (Heath Place), C.H. Cole & Sons (Cherry Orchard), Diana Mary Cole, Edward Hodson, Grace Elizabeth Watson, Harry Hodson, James Andrew Cole, Jeremy Paul Godsmark Finnis, Jessica Bush, Kathryn Ksenia Travis, Natalie Bush, Oliver Charles Finnis, Riverside Willows Ltd, Saffron Gardens Investments Ltd, Sheila Elizabeth Hodson, Sue Cole, Thomas Nyman, Toby Robert Finnis, Walton Common Limited, Willow Marsh Ltd, (the “Cole Family”)(“the Client”) in respect of the matter detailed above to addresses the significant adverse impacts arising from the Development Consent Order (DCO) in its current form and set out the Client’s reasons for objection.

The Cole Family has engaged with all rounds of statutory and non-statutory consultation in 2022, 2024 and 2025. Throughout this period, concerns have been raised repeatedly through written submissions and correspondence with the Applicant’s agent, Fisher German LLP. Meetings between the Applicant and representatives of the Cole Family have taken place, but these have not alleviated concerns nor resulted in meaningful progress.

The Applicant’s consultation has been inadequate and procedurally deficient. While isolated communications and a consultation meeting on 11 April 2025 occurred, the Applicant has consistently failed to provide timely, meaningful or reliable information. The Applicant’s agent has been unable to answer fundamental questions about the nature, scale, duration and practical consequences of construction activity on the landholdings. Updated information has routinely been provided only shortly before deadlines, preventing a proper understanding of impacts or a fair opportunity to respond. The Applicant has not met the standards required for effective consultation under the Planning Act 2008.

During the Applicant’s targeted consultation, land owned by the Cole Family was identified for temporary cable diversions and associated compounds. This land is subject to an existing legally-binding Option Agreement to Bloor Homes for residential development. The Applicant was informed of this Agreement during the 2024 Statutory Consultation and therefore knew, or should have known, that these legal and contractual commitments exist and materially restrict the availability of the land for the Applicant’s purposes. Despite this, the Applicant has not sought information regarding the emerging housing development, nor evidenced any assessment of reasonable alternatives that avoid conflict. The proposed siting of temporary works would compromise the deliverability and viability of the residential scheme and cause substantial financial harm to the Cole Family. This conflict should have been avoided and demonstrates a failure by the Applicant to consider known and relevant constraints.

The Applicant invited a change request relating to the relocation of TB245, and the Cole Family submitted this request in good faith. No confirmation of its consideration has been provided and no justification for its rejection has been offered. This lack of transparency prevents an understanding of whether reasonable alternatives have been assessed and represents a further failure in engagement.

The Applicant has not communicated reliably or through the agreed channels. Information has been inconsistent, fragmented and often delayed. This has caused confusion, hindered informed participation and undermined effective engagement. The Applicant has also failed to provide adequate detail on soil management, temporary and enabling works, utilities diversions and the rights it intends to seek.

There are further concerns about environmental and operational impacts. The Applicant has not presented evidence-based soil management proposals. Without clear methodology for soil stripping, storage, handling and reinstatement, there is a significant risk of long-term loss of soil quality, compaction and drainage alteration. High-value crops are grown on land adjacent to the proposed construction areas. Dust, airborne contaminants and construction emissions pose a serious risk to crop quality and commercial contracts, potentially exposing the Cole Family to financial loss or regulatory consequences. The Applicant must provide suitable mitigation measures and indemnify the Cole Family against these risks.

The Applicant has proposed acquiring land to replace environmental mitigation lost from the Lower Thames Crossing Project. The Applicant has failed to show that such acquisition aligns with the same environmental principles or ensures habitat continuity.

The Project affects a substantial proportion of the Cole Family's agricultural land. The farming business relies on uninterrupted access to fields, efficient movement of machinery, stable soil conditions and clear drainage networks. Multi-season construction activity will disrupt cropping rotations, reduce productivity, introduce unnecessary operational risks and impair the long-term agricultural integrity of the land. These impacts have not been properly assessed by the Applicant.

The Client the client has been approached by Fisher German LLP as agent on behalf of the Applicant to set out the Applicant's desire to enter into an Option Agreement for the grant of an Easement for the proposed development by voluntary agreement. BTF Partnership held a meeting with the Applicant's Agent on Monday 16th February 2026, during which the Agent stated that the Applicant will not offer any flexibility or negotiation on the terms of their voluntary agreement, favouring a *'take it or leave it'* approach, and accounting for site specific accommodation works by way of a Landowner Commitments Register Therefore, the Applicant's slow and insufficient attempts to acquire rights by agreement and on reasonable terms demonstrates that powers of compulsory purchase are not required or justified. The absence of this information prevents the Cole Family from evaluating the implications of compulsory acquisition or voluntary agreements.

For these reasons, the Cole Family respectfully requests that the Examining Authority direct the Applicant to properly consider legally binding Option Agreements, reassess impacts on farming operations, provide full and detailed rights sought, supply detailed enabling works and soil management information, and re-engage transparently on the change request regarding TB245. The Applicant must also provide clear and robust mitigation measures for agricultural and environmental impacts, ensure compulsory acquisition powers are strictly limited

and deliver appropriate protective provisions to safeguard the Cole Family's existing and future land-based interests.

The Development Consent Order, as currently drafted, is not suitable for approval. Significant further work, transparency and meaningful engagement are required from the Applicant to address the issues outlined above.

This Written Representation has been prepared in accordance with Rule 8 requirements. It contains no third-party hyperlinks, provides clear references to DCO documents where relevant, and is structured to ensure clarity for use in the Examination.

Yours sincerely



JOE HEARN DEN MRICS FAAV
Surveyor

 [@btfpartnership.co.uk](mailto:[redacted]@btfpartnership.co.uk)