

Date: 03 October 2025  
Our ref: 527080 LTC NMC  
Your ref: -



National Infrastructure  
The Planning Inspectorate  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

Hornbeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 6GJ

T 0300 060 3900

**By email only, no hard copy to follow**

[Lowerthamescrossing@planninginspectorate.gov.uk](mailto:Lowerthamescrossing@planninginspectorate.gov.uk)

Dear Sir/Madam,

## **Planning Act 2008**

### **A122 Lower Thames Crossing Development Consent Order 2025**

### **Application for a Non-material Change and Application for a Second Non-material Change**

Thank you for your email of the 18 September 2025 consulting Natural England on the Application for a non-material change and a second non-material change for the consented Lower Thames Crossing scheme.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

#### **Non-Material Change Application 1**

Natural England is generally content with this proposed non-material change, particularly in relation to NMC-1-a, b and c. We note, however, that further amendments in NMC-1-d to wording agreed with National Highways on 21 August 2025 have made it unclear on whom the duty to consult Natural England should fall. Our understanding is that it was the intention (as set out by National Highways in our meeting on the 20 August 25) that both parties were to reach agreement prior to the issuing of a written request to SoS. We therefore propose that the following wording would provide additional clarity:

*"The Secretary of State may determine, upon receipt of a written request from National Highways **and following that has been informed and agreed through** consultation with Natural England, that such measures no longer remain required at or after the point of commencement of operation to prevent an AEoI (on the basis of pre-operation monitoring and any additional assessment undertaken by National Highways)."*

#### **Non-Material Change Application 2**

NMC-2 1.3 Application NMC-2 comprises modification of the wording of Article 65 of the DCO in relation to the requirement for a financial contribution to be made available by National Highways for the benefit of the Kent Downs National Landscape.

Natural England supports this non-material change with the intent of changing the time requirements for agreement to be reached. The proposed amendment would link the timing for reaching agreement of the financial contribution to commencement of works south of the River Thames, instead of commencement of works anywhere within the Order limits.

Natural England do not feel this would represent any material change to the environmental commitment secured through the DCO and allows for the formal arbitration process (built into the DCO) to be utilised (if needed) to finalise arrangements and ensure commitments are delivered in

line with the decision.

We trust these comments are helpful, for clarity on any of the points raised please do not hesitate to contact me by email to [REDACTED] [@naturalengland.org.uk](mailto:[REDACTED]@naturalengland.org.uk) or by telephone on [REDACTED]

Yours sincerely,

[REDACTED]  
Senior Officer  
Natural England West Anglia Team