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28 October 2025

By email:

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

Dear Sir/Madam,

**The A122 (Lower Thames Crossing) Development Consent Order 2025 – Two Applications for Non Material Changes under Schedule 6 to the Planning Act 2008 – Response to representations**

- 1.1 National Highways submitted two non material change applications (NMC-1 and NMC-2) to the Secretary of State on 18 September 2025. On 24 October 2025 the Secretary of State published representations on these applications on the Planning Inspectorate's National Infrastructure Planning website at:

<https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/TR010032>

- 1.2 National Highways has considered the representations, and responses are provided as follows:
- a. Responses to application NMC-1 are provided at Annex A
  - b. Responses to application NMC-2 are provided at Annex B

Yours sincerely,

Dr Tim Wright

Head of Consents – Lower Thames Crossing

## Annex A - Response to representations on NMC-1

### Annex A – National Highways responses to representations made by Interested Parties on NMC-1

	Summary of Interested Party representation	National Highways response
<b>1</b>	<b>Epping Town Council</b>	
1a	Epping Town Councillors have raised concerns over the proposal not to consult Natural England	It is proposed to remove the obligation to consult Natural England on the implementation of speed restriction measures as sufficient technology is currently in place to deliver speed restrictions. This proposition was agreed by Natural England, as noted in their response, as set out at 3a below.
1b	Epping Town Councillors have raised concerns over the potential for removal of the requirement for mitigation and what this means in practice.	The proposed change would only remove the mitigation in the event that National Highways demonstrated that it was not required to prevent an Adverse Effect on Integrity on Epping Forest SAC (on the basis of pre-operation monitoring and any additional assessment undertaken by National Highways). Should this occur, then no new speed restriction would be introduced (i.e. the current variable speed limit measures would remain in place).
<b>2</b>	<b>Transport Action Network</b>	
2a	<p>Transport Action Network consider that changing the commencement of the air quality monitoring from one year prior to the start of works to “<i>no later than 6 months after</i>” as proposed would impact on the credibility of the baseline.</p> <p>Transport Action Network state that:</p> <p><i>“The new proposed baseline, created after the SOW when construction is already underway, will not give a proper baseline and will also hide any construction impacts. When work</i></p>	<p>As set out in the <a href="#">supporting statement</a> submitted with the NMC-1 application, National Highways considers that the change in the timing of the monitoring would not impact on the credibility of the baseline, and therefore would not impact on the decision making with regard to the speed limit mitigation measure.</p> <p>The construction impacts of traffic on this part of the M25 were assessed as part of the application (see Chapter 8 of the Transport Assessment [<a href="#">REP4-148</a>, <a href="#">REP4-150</a>, <a href="#">REP4-152</a>], and the Transport Assessment - Appendix G - Construction Percentage Change in Flows by Phase [<a href="#">APP-536</a>]). This assessment demonstrated that the construction works have no material impact on traffic flows across the whole construction</p>

	Summary of Interested Party representation	National Highways response
	<i>commences on the LTC there will be huge changes to the surrounding road network, including and especially on the M25. There will inevitably be a large amount of disruption, causing congestion, queuing traffic and, consequently, higher levels of air pollution. Having a baseline set in these conditions could result in it being artificially high, hiding the true impact on the SAC once it is operational."</i>	period on the M25 between junctions 26 and 27, and consequentially will have no measurable impact on air quality in this area.  As a result, monitoring undertaken from 6 months following commencement of construction, up until operation, will provide a robust baseline and will be undertaken over a sufficient period of time to feed into the process of determining whether the mitigation can be removed when the A122 Lower Thames Crossing is operational.
2b	Transport Action Network consider that for the reason set out at 3a, the change is material in nature, not a non-material change as proposed by National Highways.	National Highways does not consider that this proposed change impacts in any way on the delivery of the mitigation. The proposed amendment does not affect the obligation as it still requires that the mitigation be put in place unless National Highways demonstrate, in consultation with Natural England and to the satisfaction of the Secretary of State, that it was not required to prevent an Adverse Effect on Integrity on Epping Forest SAC. As a consequence, and as set out in the <a href="#">supporting statement</a> submitted with the NMC-1 application, this proposed change does not constitute a material change.
<b>3</b>	<b>Natural England</b>	
3a	Natural England are generally content with the proposal but request a modification to the proposed wording, such that the requirement to consult with Natural England on removal of the mitigation prior to making submission to the Secretary of State be changed to a requirement to agree with Natural England.	National Highways does not consider that the proposed wording is required, as the Secretary of State will have to take account of the position of Natural England when making a decision. Nevertheless, National Highways does not object to the wording proposed by Natural England.
<b>4</b>	<b>The Environment Agency</b>	
4a	The Environment Agency does not object to the proposed change.	National Highways acknowledges the representation.

	Summary of Interested Party representation	National Highways response
<b>5</b>	<b>Essex County Council</b>	
5a	Essex County Council does not have any comments on the proposed change.	National Highways acknowledges the representation.
<b>6</b>	<b>Mrs Jackie Thacker</b>	
6a	Mrs Thacker does not have any comments specifically on the proposed change.	National Highways acknowledges the representation.
<b>7</b>	<b>Shorne Parish Council</b>	
7a	Shorne Parish Council have not commented on the proposed change but have requested similar technology and variable speed restrictions be implemented in the Shorne area to those described at Epping.	National Highways acknowledges the representation but does not consider this submission relevant to the NMC-1 application.

## Annex B - Response to representations on NMC-2

### Annex B – National Highways responses to representations made by Interested Parties on NMC-2

	Summary of Interested Party representation	National Highways response
<b>1</b>	<b>Shorne Parish Council</b>	
1a	Shorne Parish Council do not have any concerns about the proposed change provided that: 1) The Kent Downs National Landscape team do not raise any concerns, and 2) there will not be any inordinate delay in reaching agreement.	National Highways confirms that the Kent Downs National Landscape team do not object to the proposed change (as noted in their response at 5a below) and National Highways is supportive of reaching an agreement expeditiously.
<b>2</b>	<b>Natural England</b>	
2a	Natural England support the proposed non-material change.	National Highways welcomes the representation.
<b>3</b>	<b>The Environment Agency</b>	
3a	The Environment Agency does not object to the proposed change.	National Highways acknowledges the representation.
<b>4</b>	<b>Kent County Council</b>	
4a	Kent County Council accept that if the Amendment is granted, it would allow the parties more time to reach an agreement.	National Highways acknowledges the representation.
<b>5</b>	<b>Kent Downs National Landscape</b>	
5a	Kent Downs National Landscape does not object to the proposed non-material change.	National Highways acknowledges the representation.
<b>6</b>	<b>Essex County Council</b>	
6a	Essex County Council does not have any comments on the proposed change.	National Highways acknowledges the representation.
<b>7</b>	<b>Mrs Jackie Thacker</b>	
7a	Mrs Thacker does not have any comments specifically on the proposed change.	National Highways acknowledges the representation.