



Response to:

Lower Thames Crossing Material Change consultation

Introduction

Transport Action Network (TAN) would like to make this submission to National Highways' consultation on a proposed material change to the Development Consent Order (DCO) for the Lower Thames Crossing (LTC). We **OBJECT** to the proposal to make a material change to the DCO.

Consultation question 1

Do you have any feedback on the proposal to remove the requirements for a reduced speed limit on the M25 between junctions 26 and 27 and for the monitoring of nitrogen and other air pollutants in this area, instead creating compensatory wood pasture to support the long-term resilience of Epping Forest Special Area of Conservation (SAC)?

The current, approved DCO requires National Highways to undertake air quality monitoring to ensure there is no Adverse Effect on Integrity (AEoI) on Epping Forest Special Area of Conservation (SAC). This was a strongly contested matter at the examination, with Natural England's last submission to the examination¹ stating:

"Natural England considers that AEoI cannot be excluded for NO_x, NH₃ or Ndep at Epping Forest SAC without mitigation being in place." (1.4.8)

And that:

"The Applicant's own modelling identifies increases of NO_x, NH₃ and Ndep on the SAC. These result from foreseeably permanent increases in annual average daily traffic (AADT) and whilst the Applicant considers that downward trends in pollutant will ultimately lead to improvements in air quality they will always be worse than the do nothing scenario." (1.4.9)

Natural England noted that the condition of the ancient forest at Epping Forest at this site was already "unfavourable" due to the nutrient overload from traffic on the M25. They also noted that:

¹ [Deadline 9A Submission - Comments on Applicant's submissions at D8, Addendum to Natural England Deadline 9 response](#), Natural England, December 2023

“...a site in unfavourable condition is likely to be less resilient and any additional pressures resulting from development may be more likely to result in an adverse effect on the integrity of the site”.

The final Statement of Common Ground between National Highways and Natural England² showed disagreement remained on the impact on the SAC, although National Highways proposed ‘without prejudice’ mitigation (the reduction in speed limits on the M25, with annual monitoring to ensure no AEoI)³.

The Examining Authority (ExA) concluded in their Recommendations Report⁴ that there was AEoI for the Epping Forest SAC and recommended the proposed mitigation (reduced speed limits) and monitoring:

“The ExA has found that an AEoI from the Proposed Development cannot be excluded beyond reasonable scientific doubt for Epping Forest SAC. It considered however, that the ‘without prejudice’ mitigation identified by the Applicant will, with amendments to ensure that the extent and duration of controls are limited to that which is necessary at the time, ensure that there is no AEoI.”

The ExA recommended the REAC include the proposed speed reduction and recommended that:

“Monitoring should commence 1 year prior to commencement of construction and remain in place for a minimum period of 4 years following commencement of operation.”

There was considerable discussion on this matter in the Secretary of State’s Decision Letter⁵ with the Secretary of State concluding:

*“The Secretary of State has therefore concluded that **taking into account the mitigation measures** it is permissible for her to give consent for the Proposed Development.”* (para 596)

It is completely unacceptable for National Highways to now seek to undermine the promised mitigation and monitoring in the DCO.

² [Final Agreed Statement of Common Ground between \(1\) National Highways and \(2\) Natural England v6.0](#), December 2023

³ [Without prejudice assessment of the air quality effects on European sites following Natural England advice](#), National Highways, August 2023

⁴ [Recommendations Report](#), Examining Authority, March 2024

⁵ [Decision Letter](#) for Lower Thames Crossing Development Consent Order, March 2025

The proposed 'solution' - to plant saplings on nearby farmland - is not appropriate and will not prevent the AEoI to the ancient woodland at Epping Forest.

National Highways has not provided any evidence that AEoI will be prevented by its proposal for 'compensatory habitats'.

National Highways has not provided any evidence for its assertion that *"Recent research conducted by National Highways elsewhere on the existing SRN concluded there was no clear and discernible evidence to demonstrate a link between a reduced speed limit from the national speed limit to 60mph and improved roadside air quality."*

National Highways instead link to their generic 'Environment' page on their website which does not produce any evidence for their assertion that reducing speeds does not also reduce air pollution.

In fact, the only available research on National Highways' website⁶ (which I found through searching) shows that **speed reductions on the M1 did reduce air pollution**, contradicting National Highways' assertion in this consultation.

TAN believes that the only reason for this outrageous proposal to remove the requirements to reduce speeds and reduce nitrogen load on ancient woodland at Epping Forest, and to monitor air pollution, is due to National Highways' ongoing negotiations with private investors. National Highways will be seeking to increase speeds and traffic at the M25, LTC and Dartford Crossings to make the LTC Ltd contract an attractive investment for the private sector and to maximise their profits. The health of ancient woodland should not be sacrificed for private profit.

Consultation question 2

Do you have any comments on the way we have carried out this consultation?

National Highways should not be seeking to remove the environmental commitments it made at the 6-month long DCO examination. These mitigation measures were discussed at length at the examination, and the Secretary of State accepted the need for these air pollution measures in her Decision Letter. It is unacceptable to be undoing the work of the examination, and undermining air quality in this way. National Highways has not done enough to publicise this consultation.

⁶ [Speed Limit Trial Analysis: M1](#), National Highways, May 2023

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Transport Action Network provides free support to people and groups pressing for more sustainable transport in their area and opposing cuts to bus and rail services, damaging road schemes and large unsustainable developments

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