

Ms Gail Boyle
The Planning Inspectorate
3D Eagle Wing
Temple Quay House
2 The Square
Bristol, BS1 6PN

Our ref: NE/2017/127825/01-L01
Your ref: TR010029-000004
Date: 13 December 2017

Via email: M25Junction28@pins.gsi.gov.uk

Dear Ms Boyle

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017(the EIA Regulations) – Regulations 10 and 11

Application by Highways England for an Order granting Development Consent for the M25 Junction 28 improvements

Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested

Thank you for letter dated 14 November 2017. We have been identified as a consultation body which must be consulted on the Scoping Opinion. We apologise for submitting our response a day later than the statutory deadline and we understand this information will be submitted to the Applicant for information, rather than being included in the Scoping Opinion.

We have reviewed the document *M25 Junction 28 Improvement Environmental Impact Scoping* (dated November 2017, reference HE551519-ATK-EAC-XX-RP-LM-000001) with regards to flood risk, groundwater, contaminated land and waste.

Overall we were satisfied that the correct environmental issues had been scoped into the report. We have made some detailed comments on the content which may be of use to the applicant.

Biodiversity – Chapter 7

We had no specific comments to make at this stage. However, we have given advice at the pre-application stage on Water Framework Directive requirements and assessment measures required. We expect environmental improvements from a scheme of this size to the main watercourses affected by the scheme, in addition to any mitigation / compensation measures required.

Road Drainage and Water Environment – Chapter 8

Overall we are satisfied that the scoping report includes most of our requirements on the management of flood risk. However, the Local Authorities Strategic Flood Risk Assessment would be a useful source of information but we couldn't see this referenced in the report. We would seek a reduction in flood risk rather than a confirmation that the development would not make the current situation worse. In that regard, we recommend that opportunities to reduce flood risk are considered in accordance with the National Planning Policy Framework and



associated Planning Practice Guidance on flood risk and climate change.

We published climate change allowances in February 2016 on our website '[Flood Risk Assessments: Climate Change Allowances](#) and this guidance should be used as a baseline in any assessment of climate change on flood risk.'

Geology and Soils – Chapter 10

The scoping report sets out the approach to determining risks to controlled waters that may arise during the construction and operation of the improved junction. We are comfortable that this meets our requirements with regards to contaminated land/groundwater legislation.

We understand that some limited ground investigation works have been completed at the site. Part of the proposed development site (Brook Street Landfill and in filled historical ponds) is potentially affected by contamination and as such additional ground investigation and environmental risk assessment will be required for this area (this is recognised in the scoping report). Given the likely requirement for deep foundations a piling risk assessment will also be required.

Materials and Waste – Chapter 12

This document identifies all the relevant legislation and controls which will need to be applied to complete the scheme. However, it has omitted that where controlled waste is recovered or reused on site it will require an environmental permit. This may be due to *“baseline data relating to operational material resource use and waste generated by highway schemes is not readily available”* which is understandable at this stage of the project. We agree that *“operational material resource use and waste arisings cannot be estimated and as such a quantitative assessment will not be undertaken.”*

Once a material balance calculations have been produced (possibly to support the planning application/DCO), the applicant will have a better idea of the volume of material required to deliver the scheme. This should also give an indication as to the quantity of controlled waste which will be disturbed from the historic landfill areas. The redeposit of this controlled waste would require an Environmental Permit even where it is suitable for reuse without further treatment. If the project needs to treat material prior to redeposit a site based Environmental Permit could incorporate the processing of this material along with the redeposit and recovery to deliver the landform required. Once complete the Environmental Permit could be surrendered so there would be no on-going liability following the works.

We hope this information is useful to the applicant in progressing the scheme. If there are any queries in relation to our comments above, please contact me.

Yours sincerely

Keira Murphy
Planning Specialist

Direct dial 0203 025 5560

Direct e-mail HNL.SustainablePlaces@environment-agency.gov.uk