

Your ref: TR010029  
Our ref: M25 J28/PINS/05

By email only

Mr. Richard Allen  
Lead Member of the Examining Authority

**Anita Waterton**  
**Project Manager**  
**Highways England**  
**House**  
**1 Walnut Tree Close**  
**Guildford**  
**GU1 4LZ**

**0300 123 5000**

**4 December 2020**

**Dear Sir,**

**M25 junction 28 improvement scheme**  
**Development Consent Order application reference: TR010029**

**Highways England Procedural Deadline A submission – Response to Rule 6**  
**letter dated 12 November 2020**

I am writing in advance of the Preliminary Meeting on Friday 11 December 2020 to set out the points that Highways England wishes to make in relation to the following agenda items in Annex A of the Rule 6 letter. References to annexes in this letter are to annexes in the Rule 6 letter.

### **Agenda Item 2**

Highways England has reviewed the Examining Authority's (ExA's) initial assessment of principal issues set out at Annex C and has no comments to make. It is appreciated that that the list is not comprehensive or exhaustive as regards matters that may or will be covered during the examination.

### **Agenda Item 3**

#### *Statements of Common Ground*

Highways England wishes to raise with the ExA certain requests for Statements of Common Ground (SoCG) to be provided as set out in at Annex D.

In the case of some organisations mentioned, in Highways England's view, providing a SoCG would not be assistance for the reasons set out below:

- GLA - Highways England made several attempts to engage with the GLA prior to submission of the application and again in response to the Rule 6 letter. However, the GLA has not engaged with the application in any substantive way. Accordingly, in Highways England's opinion, a SoCG with the GLA would be of no assistance. Were the GLA to decide

to participate in the examination, then a SoCG might be of assistance and we suggest that the matter is reviewed should that be the case.

- Historic England – Historic England (East) has noted that most of the application falls outside of their region and remit but other heritage matters should be addressed to their colleagues in Historic England (London & South East) (see attached letter dated 3 December 2020). Historic England (London & South East) has explained that it forms part of the Greater London Archaeological Advisory Service (GLAAS), who will be advising the London Borough of Havering (LBH) on heritage matters. Accordingly, Historic England advises that it will not directly be providing comments on the Scheme. In view of this Highways England proposes to deal with any heritage comments in the SoCG with the LBH (see email attached from Historic England dated 30 November 2020).
- The Forestry Commission - The Forestry Commission has confirmed it has no outstanding issues in relation to the Scheme and therefore takes the view that a SoCG is not necessary (see email attached from the Forestry Commission dated 27 November 2020).
- Internal Drainage Boards and Lead Local Flood Authorities (LLFA) - There are no Internal Drainage Boards relevant to the Scheme. The LLFAs in relation to the Scheme are Essex County Council (ECC) and LBH and as such Highways England proposes that ECC's and LBH's responsibilities as LLFAs are best dealt with in the SoCGs with the County Council and LBH.

#### *Matrices in relation to the Habitats Regulations 2017*

Highways England notes the ExA's request in paragraph 3 of Annex C for information to be provided in the form of matrices with reference to the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations) and is preparing these. Highways England proposes to submit the completed matrices no later than Procedural Deadline B (Monday 21 December 2020), subject to the views of the ExA in the light of the discussion at the Preliminary Meeting.

The matrices will be completed using the information provided in the Habitats Regulations Assessment no significant effect report (APP-093) (in particular Appendices B, C and D) which was presented in line with Highways England internal guidance and present it in the format given in Appendix 1 of The Planning Inspectorate Advice Note 10. This process will not involve the provision of any new information.

#### **Agenda Item 4**

Highways England has reviewed the draft examination timetable set out at Annex E and does not consider that any changes to it are necessary.

#### **Agenda Item 5**

##### *Proposed scheme changes*

Highways England is proposing to request four potential changes to the Scheme. Details of this prospective request, including as regards timing, are included in the letter submitted by Highways England at Procedural Deadline A alongside this letter.

One of these proposed changes (Change 3) relates to the golf course accommodation works (Work No. 32) to provide a boardwalk. In order to demonstrate the proposals for the new golf course accommodation works, including the boardwalk, an illustrative design for these works

will be included in the consultation materials being prepared for the non-statutory targeted consultation proposed for these changes. The consultation materials, including the illustrative design, will be submitted to the examination following the consultation exercise.

*Transport Assessment Supplementary Information Report*

Highways England wishes to give notice to the ExA of its intention to submit a Transport Assessment Supplementary Information Report by Procedural Deadline B (21 December 2020), subject to discussion with the ExA at the Preliminary Meeting. This document provides supplementary information and clarification to that presented in the Transport Assessment Report (APP-098).

Yours faithfully,

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**Anita Waterton**  
**Project Manager**

## APPENDIX 1

### Letter from Historic England



Historic England

Ms Grace Corbett  
Atkins  
Northern House  
7-9 Rougier St  
York  
YO1 6HZ

Direct Dial: 07554 437321

Our ref: PL00240062

3 December 2020

Dear Ms Corbett

**Planning Act 2008 - Section 88 and The Infrastructure Planning (Examination Procedure) Rules 2010 - Rule 4, Rule 6, Rule 9 Application by Highways England for an Order Granting Development Consent for M25 Junction 28 Improvements Invitation to the Preliminary Meeting, draft Examination Timetable**

**Ref TR010029**

Thank you for consulting us with regard to the above referenced Development Consent Order.

We have looked at the submitted material and note that the majority of the application site falls outside of our Historic England region (east), and that for the most part those heritage assets that would be affected would fall outside of Historic England's remit. We therefore confirm that we do not wish to apply for Rule 6 status on this occasion, and will not be in attendance at the preliminary meetings.

Please note however that other heritage matters, including SoCG are to be addressed by our colleagues in our London and South-East team in conjunction officers at the London Borough of Havering.

Yours sincerely,

Neville Doe  
Inspector of Historic Buildings and Areas  
neville.doe@HistoricEngland.org.uk

cc:

Planning Inspectorate - National Infrastructure Planning



24 BROOKLANDS AVENUE, CAMBRIDGE, CB2 8BU

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HistoricEngland.org.uk



*Historic England is subject to both the Freedom of Information Act (2000) and Environmental Information Regulations (2004). Any Information held by the organisation can be requested for release under this legislation.*



Historic England

Adam Single - Historic England, London & South-East



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## Email from Historic England

**From:** [REDACTED]  
**Sent:** 30 November 2020 08:59  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** FW: M25 J28 Improvements DCO application

Historic England is deferring to GLAAS regarding the SOCG for heritage. GLAAS will be advising LBH on heritage and are therefore a party to that SOCG.

Thanks

[REDACTED]

**From:** [REDACTED]  
**Sent:** 30 November 2020 08:55  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: M25 J28 Improvements DCO application

Dear [REDACTED]

Many thanks for this – [REDACTED] and I will defer our interests to GLAAS, who are a part of the same group of Historic England that Iain and I sit in.

All best wishes

[REDACTED]



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**From:** [REDACTED]  
**Sent:** 26 November 2020 15:32  
**To:** [REDACTED]  
**Subject:** M25 J28 Improvements DCO application

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[REDACTED]

Atkins is currently preparing Development Consent Order materials for improvements of Junction 28 of the M25, London Borough of Havering. The Planning Inspectorate has returned a Rule 6 letter requesting information regarding a Statement of Common Ground with Historic England. The M25 J28 Environmental Assessment and Statement

(<https://infrastructure.planninginspectorate.gov.uk/wp->

[content/ipc/uploads/projects/TR010029/TR010029-000168-TR010029\\_M25\\_j28\\_6.1\\_Environmental\\_Statement\\_Chapter\\_11\\_Cultural\\_heritage.pdf](#)) identified 11 designated heritage assets within the study area. However, no impacts to the significance of these assets were identified. The scheme would not have any direct impacts on any designated heritage asset. The settings of the assets have been assessed and are not considered to extend into the project scheme where works would have impact the settings.

We have consulted with GLAAS, who is advising the London Borough of Havering, regarding impacts to the non-designated heritage assets; a Statement of Common Ground is being prepared with them, including heritage assessments and impacts.

I am therefore contacting you regarding whether or not Historic England would want to engage with the team to develop a Statement of Common Ground regarding this scheme, or if they will be deferring to GLAAS and the local planning authority.

A swift response is requested to meet the deadlines for the Planning Inspectorate. The Rule 6 letter can be viewed at [TR010029-000339-Rule 6 Letter and Annex MERGED - Virtual Event \(FINAL\) August 2020 v2.pdf \(planninginspectorate.gov.uk\)](#)

Please feel free to contact me if you have any questions or require additional information.

Regards

■

■ *BA, MA, MPhil, MCIfA*  
Senior Heritage Consultant  
UK & Europe  
Planning and Environmental Consulting



## Email from the Forestry Commission

**From:** [REDACTED]  
**Sent:** 27 November 2020 11:24  
**To:** [REDACTED] >  
**Cc:** [REDACTED]  
**Subject:** RE: M25 junction 28: response to Forestry Commission and SoCG request

Dear [REDACTED],

Thank you for your time this morning via Teams. As discussed, we are happy with the all the amendments to the scheme as detailed below in Jane's email and have no further outstanding issues. Therefore, I feel a Statement of Common Ground will not be necessary.

Should you require anything else, please do not hesitate to get in touch.

Kind regards,

[REDACTED]

[REDACTED]

Local Partnerships Advisor (south-east and London)  
Forestry Commission  
Bucks Horn Oak  
Surrey  
GU10 4LS

[REDACTED]



**From:** [REDACTED]  
**Sent:** 25 November 2020 11:44  
**To:** [REDACTED]

Cc: [REDACTED]

**Subject:** RE: M25 junction 28: response to Forestry Commission and SoCG request

**This Message originated outside your organisation.**

Dear [REDACTED],

I hope you are well.

Following on from [REDACTED]'s email below that she sent earlier in the year with responses to your comments on the M25 junction 28 supplementary consultation in October 2019, you may be aware that the Planning Inspectorate has issued the Rule 6 for the M25 J28 DCO application which outlines the draft examination programme and key matters which would be covered.

[https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010029/TR010029-000339-Rule%206%20Letter%20and%20Annex%20MERGED%20-%20Virtual%20Event%20\(FINAL\)%20August%202020%20v2.pdf](https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010029/TR010029-000339-Rule%206%20Letter%20and%20Annex%20MERGED%20-%20Virtual%20Event%20(FINAL)%20August%202020%20v2.pdf)

We note that the Planning Inspectorate has requested Highways England to prepare a Statement of Common Ground (SoCG) with the Forestry Commission (Forestry England) (see Annex D of the Rule 6 letter). We are currently trying to ascertain if you would see any value in having a SoCG and/or would like to jointly prepare an SoCG? Please can you confirm if you would like to work with Highways England in preparing a SoCG so we can let the Planning Inspectorate know at the Preliminary Meeting on the 11<sup>th</sup> December. We would appreciate it you could please let us know by the 3<sup>rd</sup> December in advance of the Preliminary Meeting.

Many thanks

[REDACTED]

[REDACTED]

[REDACTED]