

# M25 junction 28 improvement scheme

TR010029

## 9.7 Applicant's Comments on Relevant Representations

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Infrastructure Planning (Examination Procedure) Rules 2010

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# Infrastructure Planning

## Planning Act 2008

### The Infrastructure Planning (Examination Procedure) Rules 2010

### M25 junction 28 scheme Development Consent Order 202[x ]

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## 9.7 APPLICANT'S COMMENTS ON RELEVANT REPRESENTATIONS

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# 1 Introduction

- 1.1.1 The Development Consent Order (DCO) application for the M25 junction 28 scheme was submitted on 27 May 2020 and accepted for examination on 24 June 2020.
- 1.1.2 The purpose of this document is to set out Highways England's response to all the Relevant Representation (RR) from interested parties submitted to the Planning Inspectorate.

**RR-001 A HARDING**

Reference	Relevant Representation	Highways England's response
RR-001-1	<p>I wish to raise my concerns for the planned M25 road improvements: I live in [Redacted] and would like to know what plans will be put in place for us to leave our road as we can only turn left and go around the M25 roundabout.</p> <p>I am concerned should we need any emergency services they will not be able to get to us. The years of disruption that these works are going to cause for the surrounding roads is so worrying. Having witnessed and sat in the traffic jam caused just by reducing the A12 to one lane for pavement improvements the beginning of August is worrying enough!?</p>	<p>Given the feedback received, as a result of consultation on the Scheme during the pre-application stage, Highways England understands that the concerns raised are centred around potential impacts of the Scheme on Woodstock Avenue.</p> <p>Highways England understands that Woodstock Avenue is currently accessed directly to and from the A12 Colchester Road. This section of the A12 is owned and maintained by Transport for London. It is a dual carriageway with traffic from Woodstock Avenue wishing to travel towards London needing to turn left on to the A12, negotiate the roundabout and then travel along the westbound carriageway of the A12.</p> <p>During construction, measures will be put in place to ensure that traffic will be managed appropriately in order to avoid, as far as practicable, adverse effects on the road network. Arrangements will be put in place by the Principal Contractor, to ensure emergency services on blue lights, would be able attend any emergencies in respect of properties on Woodstock Avenue. These measures will be set out in a traffic management plan that will be produced in line with Requirement 10 of the draft Development Consent Order (APP-015).</p> <p>Once completed, the Scheme would increase the capacity at M25 junction 28, significantly reducing the congestion and delay for many motorists using the</p>

Reference	Relevant Representation	Highways England's response
		<p>roundabout. Queuing and delays on the A12 eastbound off slip are expected to reduce significantly taking account of forecast traffic growth. Section 2 of the Transport Assessment Supplementary Information Report (PDB-003) submitted at Procedural Deadline B (21 December 2020) presents the information demonstrating this. This improvement is relevant to Woodstock Avenue residents as the roundabout is used to facilitate the movement from Woodstock Avenue to the A12 westbound carriageway by car. After construction, Woodstock Avenue residents will benefit not only from the reduction in traffic congestion on the roundabout, but also from a reduction in queuing time on the A12 eastbound off slip.</p>
RR-001-2	<p>The noise and levels of the work is also very concerning and will this be going on all night. I am concerned too that the link road is going to be closer to our homes, how again is this going to impact us, noise levels from traffic, air pollution and our property values.</p>	<p>An assessment of the Scheme on noise and vibration is presented in Chapter 6 (Noise and Vibration) of the Environmental Statement (APP-028) with design, mitigation and enhancement measures detailed at section 6.9. The assessment concludes that with the application of recommended management and mitigation measures, outlined in the REAC (APP-097), there are unlikely to be any significant effects from noise due to the construction and operation of the Scheme.</p> <p>The majority of construction works will take place between 07:00 to 19:00 Monday to Friday, as set out in paragraphs 5.3.1 and 5.3.2 of the Outline Construction Environmental Management Plan (CEMP) (APP-096). On occasions, it is anticipated that night-time working Monday to Friday will be required on the existing</p>

Reference	Relevant Representation	Highways England's response
		<p>highway network for activities such as: installing traffic management, working on gantries, road surfacing, white lining and constructing the tie ins from the new sections of highway. It is anticipated that these activities would be undertaken between 23.00 and 07.00.</p> <p>Any proposals for weekend working or noisy works outside the main proposed hours would be agreed in advance with the local authority through an application under Section 61 of the Control of Pollution Act 1974 as set out in NV2.1 on page 38 of the Register of Environmental Actions and Commitments (REAC), APP-097). Tables 1.2 and 1.3 of the REAC also confirm that Highways England would provide a clear and easy to access complaints and advice helpline and ensure that complaints are responded to, investigated and addressed promptly, including those in relation to construction noise and vibration.</p> <p>The People and Communities assessment (APP-035) concludes in Table 13.32 that the Scheme will have no significant adverse effects on health. Mitigation measures outlined in the Air Quality (APP-027) and Noise and Vibration (APP-028) assessments will help minimise any effects.</p> <p>The REAC (APP-097) lists the measures required before the start of construction (Table 1.2), during construction (Table 1.3) and after construction (Table 1.4) and initially forms part of the Outline Construction Environmental Management Plan (CEMP) (APP-096). The CEMP will be prepared and maintained by the</p>

Reference	Relevant Representation	Highways England's response
		<p>Principal Contractor which will reflect the mitigation contained with the REAC and will be secured through requirements 4 of the draft Development Consent Order (APP-015).</p> <p>Those with an interest in properties affected by the Scheme maybe entitled to compensation. Under Part I of the Land Compensation Act 1973 ('the Act'), compensation can be claimed by people who own and also occupy property that has been reduced in value by more than £50 by physical factors caused by the use of a new or altered road.</p> <p>The physical factors are noise, vibration, smell, fumes, smoke and artificial lighting and the discharge on to the property of any solid or liquid substance. The cause of the physical factors must be the new or altered road in use. For example, if a road is altered, the noise and other adverse effects must arise from the traffic using the altered stretch of road. Part I compensation cannot be claimed for the effects of traffic further down the road where no alteration has taken place.</p> <p>Under the provisions of the Act, a road is altered only when there is a change to the location, width or level of the carriageway or an additional carriageway is provided beside, above or below an existing one. Part I compensation is not payable when the carriageway has simply been resurfaced.</p>



Reference	Relevant Representation	Highways England's response
		<p>Loss of view or privacy, personal inconvenience and physical factors arising during the construction of the road are also not included under Part I compensation.</p> <p>For specific guidance and to apply to make a Part I Claim, please go to: <a href="https://www.gov.uk/compensation-road-property-value">https://www.gov.uk/compensation-road-property-value</a>.</p>
RR-001-3	It is also concerning that the works have been given a timescale but like all 'improvements' these always over run and timescales are never met.	<p>While we appreciate that large infrastructure schemes such as this may experience delays, Highways England has provided the best estimate of construction duration available at this time. Construction of the Scheme is assumed to commence in spring 2022, with the Scheme planned to be open to traffic in autumn 2024.</p>

**RR-002 ADDLESHAW GODDARD LLP ON BEHALF OF NETWORK RAIL INFRASTRUCTURE LIMITED**

Reference	Relevant Representation	Highways England's response
RR-002-1	<p>This is the section 56 representation of Network Rail Infrastructure Limited (Network Rail) provided in respect of Highways England's (Promoter) application for a development consent order (Order) for the M25 Junction 28 Improvement Scheme (Scheme). Network Rail is a statutory undertaker and owns, operates and maintains the majority of the rail infrastructure of Great Britain, including the Shenfield to Liverpool Street line which crosses the Promoter's motorway to the North East of Nag's Head Lane, Brentwood, Essex, immediately south of Junction 28 of the M25 (Railway). The Order sought by the Promoter includes consent and powers to upgrade its motorway at Junction 28.</p>	<p>Highways England wishes to make no comment on this part of the representation.</p>
RR-002-2	<p>The Promoter seeks authority and powers in the draft Order for works to be carried out to its existing motorway directly beneath an operational rail bridge belonging to Network Rail (Bridge) and intends to acquire all interests and rights in the plot beneath the Bridge to the extent that the land does not belong to Network Rail.</p> <p>Network Rail wishes to ensure that the Scheme will not have a detrimental impact on the operation of the Railway and the Bridge and that the safety of the Railway and Bridge is maintained during the construction, operation and ongoing maintenance requirements of the Scheme.</p>	<p>See response RR-002-3 below.</p>
RR-002-3	<p>As the Promoter proposes to carry out works directly beneath Network Rail's bridge and in close proximity to the Railway, Network Rail wishes to object to the making of the Order on the ground that the proposed works might interfere with the safe and efficient</p>	<p>As noted in Network Rail's relevant representation, Highways England does not propose to acquire any land or interests in land from Network Rail.</p>

Reference	Relevant Representation	Highways England's response
	<p>operation of the Railway. In order for Network Rail to be in a position to withdraw its objection Network Rail will require adequate protective provisions and/or requirements to be included within the Order and an agreement with the Promoter to ensure that the works for the Scheme are carried out in regulated manner to prevent adverse impacts to the Railway and which regulate the following:</p> <p>a) the protection of the Bridge and Railway from adverse impacts during construction of the Scheme;</p> <p>b) the liability of the Promoter for any necessary repairs and upgrades to the Bridge as a result of its use by construction and operational traffic associated with the Scheme, including terms which protect Network Rail's statutory undertaking;</p> <p>and c) a safe system of work for large vehicles working beneath the Railway.</p>	<p>The area of land referred to by Network Rail comprises plot 4/2 and is shown on sheet 4 of the Lands plans (APP-005). This land has been included within the Order Limits due to the need to undertake ancillary works, such as to the existing gantries of the M25 motorway. No physical works are proposed to the operational railway or to the underside of the bridge referred to within Network Rail's relevant representation. As a result, protective provisions are not required.</p> <p>Highways England wrote to Network Rail on 19 August 2020 in order to explain the above.</p> <p>Highways England will continue its dialogue with Network Rail to confirm there are no impacts from the Scheme to Network Rail's assets and in order to agree a Statement of Common Ground (as requested in the Examining Authority's Rule 6 letter of 12 November 2020) to that effect.</p>
RR-002-4	<p>Network Rail is continuing to review the Promoter's plans, draft Order and application documents, and will continue to work constructively with the Promoter to clarify any issues raised. The Examining Authority and the Secretary of State will need to be satisfied that railway safety and operations will not be compromised by the making of the Order. Network Rail requests that the Examining Authority treats Network Rail as an Interested Party for the purposes of the Examination, and reserves the right to produce additional and further grounds of concern when further details of the Scheme and its effects on Network Rail's assets are available.</p>	<p>Highways England is in contact with Network Rail and content to discuss any specific concerns Network Rail might have in relation to the draft Development Consent Order (DCO) (APP-15) or other application documents.</p>

**RR-003 ANTHONY ARTHUR MANLEY**

Reference	Relevant Representation	Highways England's response
RR-003-1	<p>My reservations concerning the proposed junction 28 Brook street improvements are as follows:-</p> <ul style="list-style-type: none"> <li>The road noise and air pollution are bad enough now, especially when the wind is coming from the east, which is a lot of the time, keeping us awake most nights and this will become significantly worse during and after the road alterations particularly if night time construction takes place using heavy machinery.</li> </ul>	<p>An assessment of the effects of the Scheme on air quality is presented in Chapter 5 (Air Quality) of the Environmental Statement (APP-027). The assessment concludes that with the application of appropriate mitigation measures, outlined in the Register of Environmental Actions and Commitments (REAC) (APP-097), there is unlikely to be a significant effect on air quality due to either the construction or operation of the Scheme, as detailed at section 5.10 of the Environmental Statement.</p> <p>The study area for the air quality assessment is shown in the ES Figure 5.1 and the sensitive human receptors included in the assessment are shown in the ES Figure 5.8 (APP-040). These figures show that there are no sensitive receptors in the area of Woodstock Avenue to the west of the proposed link road in the study area, as these properties are over 200 metres away from the affected road network, so any changes to air quality would be imperceptible. The air quality assessment showed that overall there would not be a significant adverse effect on air quality (paragraph 5.14.8, APP-027).</p> <p>The air quality assessment used meteorological data from London City Airport. The wind rose for this site in 2015 is shown in Figure 5.1a (APP-027). This</p>

Reference	Relevant Representation	Highways England's response
		<p>shows that the prevailing winds are from the south-west (paragraph 5.8.5, APP-027).</p> <p>During construction, any adverse air quality effects will be temporary, and with the application of appropriate mitigation measures, would be minimised such that it is unlikely that there would be any significant residual effect, (paragraph 5.10.1, APP-027). The assessment concludes that with the application of appropriate mitigation measures, outlined in the Register of Environmental Actions and Commitments (REAC) (APP-097), there is unlikely to be a significant effect on air quality due to either the construction or operation of the Scheme, as detailed at section 5.10 of the Environmental Statement.</p> <p>An assessment of the Scheme on noise and vibration is presented in Chapter 6 (Noise and Vibration) of the Environmental Statement (APP-028) with design, mitigation and enhancement measures detailed at section 6.9, including the contractor being part of the Considerate Contractors Scheme and keeping local residents informed of the works. The assessment concludes that with the application of recommended management and mitigation measures, outlined in the REAC (APP-097), there are unlikely to be any significant effects from noise due to the construction and operation of the Scheme.</p> <p>The REAC (APP-097) outlines the mitigation measures required before the start of construction (Table 1.2), during construction (Table 1.3) and after</p>

Reference	Relevant Representation	Highways England's response
		<p>construction (Table 1.4) and initially forms part of the Outline Construction Environmental Management Plan (CEMP) (APP-096). The CEMP will be prepared and maintained by the Principal Contractor which will reflect the mitigation contained with the REAC and will be secured through requirement 4 of the Development Consent Order (APP-015).</p>
RR-003-2	<ul style="list-style-type: none"> <li>The drainage on the A12 slip road and on Brook Street roundabout is bad with frequent flooding when the weather turns wet. I have reported on several occasions to TFL and Havering council that there is a sewage leakage just before the slip road near a gate, running across the footpath but this has not been resolved.</li> </ul>	<p>Any flooding issues should be reported to the relevant highway authority stating locations so that their maintenance teams can investigate and resolve. Similarly, the sewerage leak should be reported to Thames Water giving details of the location.</p>
RR-003-3	<ul style="list-style-type: none"> <li>I am sure that the message has not got through to the people at the top of the chain regarding the devastation caused by any roadworks or accidents/breakdowns on the A12 or M25 in this area. The backlash I have to suffer from having to wait sometimes hours to get out of my road, just to go to work or do the shopping or attend one of my many clinic appointments is already unacceptable.</li> </ul>	<p>Highways England appreciates the problems at the M25 junction 28 roundabout and that it is currently operating close to capacity with congestion and delays often occurring on the roundabout and its approaches. Under these conditions, in the event of an accident or incident (such as a breakdown, signal failure, weather event, etc.) there is significant additional disruption and delay for traffic using the roundabout and surrounding strategic and local road networks. Without intervention, based on expected future traffic growth, Highways England anticipates that these problems would only continue to worsen and junction 28 would continue to be a key bottleneck to M25, A12 and local traffic.</p>

Reference	Relevant Representation	Highways England's response
		<p>Therefore, the Highways England has put forward the Scheme to reduce congestion on the roundabout and its approaches and to improve the ability of the roundabout to remain open in the event of an accident or breakdown with reduced disruption.</p>
RR-003-4	<ul style="list-style-type: none"> <li>This has also been a problem with emergency services not being able to access/exit our road. I am sure that if a right turn was put in place, this would make it possible for all the residents in our road and also Kenilworth Avenue to avoid Brook street altogether, thus eliminating these problems.</li> </ul>	<p>Given the feedback received as a result of consultation on the Scheme during the pre-application stage, Highways England understands that the concerns raised are centred around potential impacts of the Scheme on Woodstock Avenue.</p> <p>The option of installing an alternative means of access/exit from Woodstock Avenue is outside the scope the Scheme and would need to be considered by Transport for London (TfL) as the highway authority for this section of the A12.</p> <p>During construction, measures will be in place to ensure that traffic will be managed appropriately in order to avoid, as far as practicable, adverse effects on the road network. Arrangements will be put in place by the Principal Contractor to ensure emergency services on blue lights would be able to attend any emergencies in respect of properties on Woodstock Avenue. These measures will be set out in a traffic management plan that will be produced in line with Requirement 10 of the draft DCO (APP-015).</p>

Reference	Relevant Representation	Highways England's response
		<p>Once completed, the Scheme would increase the capacity at M25 junction 28, significantly reducing the congestion and delay for many motorists using the roundabout. Queuing and delays on the A12 eastbound off slip are expected to reduce significantly taking account of forecast traffic growth. Section 2 of the Transport Assessment Supplementary Information Report (PDB-003) submitted at Procedural Deadline B (21 December 2020) presents the information demonstrating this.</p> <p>This improvement is relevant to Woodstock Avenue residents as the roundabout is used to facilitate the movement from Woodstock Avenue to the A12 westbound carriageway by car. After construction, Woodstock Avenue residents will benefit not only from the reductions in traffic congestion, but also from a reduction in queuing time on the A12 eastbound off slip.</p>
RR-003-5	<ul style="list-style-type: none"> <li>I moved to [Redacted] over 20 years ago with the main reason being able to look out over the fields. This is going to change when the new link road is constructed as it will be in full view from my bedroom window.</li> </ul>	<p>Given the feedback received, as a result of consultation on the Scheme during the pre-application stage, Highways England understands that the concerns raised are centred around potential impacts of the Scheme on Woodstock Avenue.</p> <p>The Landscape and Visual Assessment in Appendix 9.1 of the Environmental Statement (ES) (APP-074) describes and assesses the likely visual impacts of the Scheme. The proposed environmental design is</p>



Reference	Relevant Representation	Highways England's response
		<p>shown on ES Figure 2.2 in the Environmental Statement (APP-039).</p> <p>The proposed loop road at its nearest point will be, for example, approximately 600 m from the properties located on Woodstock Avenue. There are layers of existing vegetation between these residential properties and the proposed road that will be retained, aiding in providing visual screening. In addition, a woodland belt of trees is proposed to be planted around the western periphery of the loop road which will provide a visual screen once established and matured as shown sheet 1 of 4 of the Scheme Layout Plans (APP-010).</p> <p>For reference a visual illustration was undertaken from Maylands Cottages, viewpoint D during the summer (AS-005) and winter (TR010029/EXAM/9.23). This series of four photomontages during both summer and winter provide a visual representation of the likely changes to the view over time from a residential receptor which is closer to the Scheme (approx. 380 metres) than the corresponding visual receptors at Woodstock Avenue during the opening year and 15 years following opening (once planting has matured).</p> <p>These visual illustrations demonstrate that visual impacts experienced during the construction period and early years of operation would be mitigated by</p>

Reference	Relevant Representation	Highways England's response
		<p>the proposed environmental measures and the woodland belt located to the west of the loop road.</p> <p>Since submitting the DCO application Highways England has developed plans for the Scheme further, including considering feedback received and has proposed potential changes to the Scheme. These proposed changes are outlined in Highways England's letter to the Examining Authority (ExA) dated 4 December 2020 (AS-029). One of the proposed changes to the submitted Scheme is the provision of an environmental bund around the loop road, which will provide noise and visual benefits to residents at Maylands Cottages and Woodstock Avenue, as well as to Maylands Golf course. Views on this and the other proposed changes are being sought as part of a non-statutory targeted consultation that is currently underway and ends on 4 February 2021. Subject to the outcome of the consultation process, any changes to the Scheme will be subject to a change request to the ExA which is proposed to be made no later than Deadline 3 (18 February 2021).</p>
RR-003-6	<p>The changes to this junction will have a negative effect on the value of my home. As a neighbourhood watch coordinator, I try to be proactive and requested a meeting with all parties involved (HE, Havering Council, TFL, Essex CC) with this project to highlight and reiterate our many concerns as a neighbourhood. This meeting took place at the Holiday Inn Brentwood on 20th March 2019 and minutes were kindly produced by [Redacted]. Our major concern</p>	<p>Those with an interest in properties affected by the Scheme maybe entitled to compensation. Under Part I of the Land Compensation Act 1973 ('the Act'), compensation can be claimed by people who own and also occupy property that has been reduced in</p>

Reference	Relevant Representation	Highways England's response
	<p>throughout this whole consultation process is access to and from our road (plus Kenilworth Avenue) and being able to avoid the M25j28 roundabout. Please can this particular issue be raised at the highest level as this significantly impacts all our daily lives (residents of Woodstock and Kenilworth Avenue).</p> <p>I would like to be reassured that all issues highlighted by myself and all other residents involved have been heard by the right people involved in this project?</p>	<p>value by more than £50 by physical factors caused by the use of a new or altered road.</p> <p>The physical factors are noise, vibration, smell, fumes, smoke and artificial lighting and the discharge on to the property of any solid or liquid substance.</p> <p>The cause of the physical factors must be the new or altered road in use. For example, if a road is altered, the noise and other adverse effects must arise from the traffic using the altered stretch of road. Part I compensation cannot be claimed for the effects of traffic further down the road where no alteration has taken place.</p> <p>Under the provisions of the Act, a road is altered only when there is a change to the location, width or level of the carriageway or an additional carriageway is provided beside, above or below an existing one. Part I compensation is not payable when the carriageway has simply been resurfaced.</p> <p>Loss of view or privacy, personal inconvenience and physical factors arising during the construction of the road are also not included under Part I compensation.</p> <p>For specific guidance and to apply to make a Part I Claim, please go to:  <a href="https://www.gov.uk/compensation-road-property-value">https://www.gov.uk/compensation-road-property-value</a></p>

**RR-004 BNP PARIBAS REAL ESTATE ON BEHALF OF ROYAL MAIL GROUP**

Reference	Relevant Representation	Highways England's response
RR-004-1	<p>BNPPRE act on behalf of Royal Mail and whilst our clients do not have an in principle objection to the proposed scheme we are seeking to secure mitigations to protect our operations within the location of the project. Under section 35 of the Postal Services Act 2011 (the "Act"), Royal Mail has been designated by Ofcom as a provider of the Universal Postal Service. Royal Mail is the only such provider in the United Kingdom.</p> <p>The Act provides that Ofcom's primary regulatory duty is to secure the provision of the Universal Postal Service. Ofcom discharges this duty by imposing regulatory conditions on Royal Mail, requiring it to provide the Universal Postal Service. The Act includes a set of minimum standards for Universal Service Providers, which Ofcom must secure. The conditions imposed by Ofcom reflect those standards.</p> <p>Royal Mail is under some of the highest specification performance obligations for quality of service in Europe. Its performance of the Universal Service Provider obligations is in the public interest and should not be affected detrimentally by any statutorily authorised project. Royal Mail's postal sorting and delivery operations rely heavily on road communications. Royal Mail's ability to provide efficient mail collection, sorting and delivery to the public is sensitive to changes in the capacity of the highway network. Royal Mail is a major road user nationally.</p> <p>Disruption to the highway network and traffic delays can have direct consequences on Royal Mails operations, its ability to meet the Universal Service Obligation and comply with the regulatory regime</p>	<p>Highways England wishes to make no comment on this part of the representation.</p>

Reference	Relevant Representation	Highways England's response
	for postal services thereby presenting a significant risk to Royal Mails business.	
RR-004-2	<p>There are eight operational facilities within 8 miles of this proposal, Brentwood VP/DO, Harold hill DO, Hornchurch DO, Romford MC, Upminster DO and Billericay DO. The location, nature and scale of the proposed improvements could present risk of construction phase impact / delays to Royal Mail's road based operations on the surrounding road network. Every day, in exercising its statutory duties Royal Mail vehicles use all the main roads that may potentially be affected by additional traffic arising from the construction of the proposed junction improvements. Any periods of road disruption / closure, night or day, have the potential to impact operations. Royal Mail does not wish to stop or delay the improvements from coming forward for development. However, Royal Mail does wish to ensure the protection of its future ability to provide an efficient mail sorting and delivering service. In order to do this, Royal Mail requests that:</p>	<p>Highways England's approach to construction is to carry out works in a considerate manner with a view to minimising their effects so far as practicable.</p>
RR-004-3	<p>1. the DCO includes specific requirements that during the construction phase Royal Mail is consulted by Highways England or its contractors at least one month in advance on any proposed road closures / diversions / alternative access arrangements, hours of working, and the content of the final CTMP, and</p>	<p>Highways England does not consider that any further consultation requirements are needed. Requirement 10 of the draft DCO (APP-015) requires the preparation and implementation of a Traffic Management Plan (TMP). Under Requirement 10 the TMP will have to be submitted to and approved by the Secretary of State following consultation with the relevant highway authority before construction works can start.</p>

Reference	Relevant Representation	Highways England's response
RR-004-4	2. The final CTMP includes a mechanism to inform major road users (including Royal Mail) about works affecting the local highways network (with particular regard to Royal Mail's distribution facilities near the DCO application boundary as identified above).	The TMP will contain proposals to mitigate impacts for road users, such as Royal Mail, during construction. The TMP will take account of views expressed by the highway authority.
RR-004-5	Royal Mail reserves its position to object to the DCO application if the above requests are not adequately addressed.	Highways England wishes to make no comment on this part of the representation.

**RR-005 BRENTWOOD BOROUGH COUNCIL**

Reference	Relevant Representation Issue	Highways England response
RR-005-1	<p>Brentwood Borough Council is a host authority as the application red line includes a small area within the borough. Notwithstanding this Advice Note 2 (S18) encourages local authorities to register to take part in the process. On behalf of Brentwood my representations are likely to be limited to the effects the proposal may have on this local authority area rather than the broader issues of the proposal.</p> <p>In pre application discussions it was established that the issues that are likely to be relevant to Brentwood's comments may include the visual effect of the proposal, landscape, ecology, noise and air quality. We have had useful discussions in that process and therefore the extent to which I will need to comment further will be assessed later in the process.</p>	<p>Highways England welcomes the opportunity to continue dialogue with Brentwood Borough Council throughout the examination process and has agreed a Statement of Common Ground (TR010029/EXAM/ 9.9) submitted alongside this document, as requested in the ExA's Rule 8 letter.</p>

**RR-006 CADENT GAS LIMITED**

Reference	Relevant Representation	Highways England's response
RR-006-1	<p>Cadent is a licensed gas transporter under the Gas Act 1986, with a statutory responsibility to operate and maintain the gas distribution networks in North London, Central and North West England. Cadent's primary duties are to operate, maintain and develop its networks in an economic, efficient and coordinated way.</p>	<p>Highways England wishes to make no comment on this part of the representation.</p>
RR-006-2	<p>Cadent wishes to make a relevant representation to the M25 Junction 28 Improvement DCO in order to protect its position in light of infrastructure which is within or in close proximity to the proposed DCO boundary. Cadent's rights to retain its apparatus in situ and rights of access to inspect, maintain, renew and repair such apparatus located within or in close proximity to the order limits including should be maintained at all times and access to inspect such apparatus must not be restricted.</p> <p>Cadent has a high pressure (major accident hazard) gas pipeline which are affected by works proposed and which may require diversions subject to the impact. Cadent has been liaising with the Promoter since early 2019 in respect of potential impacts to its apparatus and a detailed design review is underway which will be complete January 2020 however an adequate form of Protective Provisions has yet to be agreed for inclusion within the DCO. As a responsible statutory undertaker, Cadent's primary concern is to meet its statutory obligations and ensure that any development does not impact in any adverse way upon those statutory obligations.</p>	<p>Protective provisions are being discussed with Cadent, and Highways England hopes to agree a mutually acceptable form of provisions prior to the end of examination. In addition, Highways England is seeking to agree a Statement of Common Ground with Cadent Gas, a draft of which is submitted alongside this document, as requested in the ExA's Rule 8 letter (TR010029/EXAM/9.13).</p>



Reference	Relevant Representation	Highways England's response
RR-006-3	Cadent wishes to reserve the right to make further representations as part of the examination process but in the meantime will seek to engage with the promoter with a view to reaching a satisfactory agreement.	Highways England wishes to make no comment on this part of the representation.

**RR-007 CHELMSFORD COUNTY COUNCIL**

Reference	Relevant Representation	Highways England's response
RR-007-1	<p>Thank you for consulting Chelmsford City Council on the above scheme. The scheme is supported by Chelmsford City Council as it will:</p> <ul style="list-style-type: none"><li>• reduce congestion</li><li>• improve safety</li><li>• support development and economic growth.</li></ul> <p>Chelmsford City Council agrees with all the proposed infrastructure measures proposed to achieve the above improvements. Chelmsford City Council would not wish to make any comments on matters such as heritage, biodiversity, geology, drainage, utilities and visual impact since these are more relevant for the host authority. Chelmsford City Council wishes to remain involved in future consultations</p>	<p>Highways England welcomes the support of Chelmsford City Council.</p>

**RR-008 EASTERN POWER NETWORKS PLC**

Reference	Relevant Representation	Highways England's response
RR-008-1	<p>I am writing on behalf of Eastern Power Networks plc (EPN). EPN owns and operates Electric Lines and/or Electrical Plant (as those terms are defined in Section 64(1) of the Electricity Act 1989) in, on, over or under the land to be acquired and/or temporarily used under the above Order. These rights and apparatus have been acquired and are used for the purposes of its statutory undertaking.</p> <p>EPN objects to the making and confirmation of the Order unless at the cost of the acquiring authority there are first provided to it on no less favourable tenure suitable alternative sites and suitable alternative rights in, on, over or under land in substitution to those to be acquired and/or temporarily used under the above Order and in, on over or under which there are first installed and commissioned Electric Lines and Electrical Plant in substitution for those in the land to be acquired and/or temporarily used under the above Order, before that land is acquired and/or temporarily used so that my client can carry out its statutory functions and contractual obligations no less efficiently than previously.</p>	<p>Highways England understands that Eastern Power Networks plc (Eastern Power Networks) is a subsidiary company of UK Power Networks Holdings Limited (UKPN). It is understood that Eastern Power Networks cover the licencing for the area in which the Scheme falls, however, UKPN remain the parent company. Highways England continues to have detailed discussions with UKPN as the distribution network operator and therefore considers this Relevant Representation to have been made in respect of the interests as included in the Book of Reference (AS-021) of both Eastern Power Networks and UKPN.</p> <p>Highways England and Eastern Power Networks have been discussing the matters raised by Eastern Power Networks in its Relevant Representation. The parties are actively engaged in the negotiation of an agreement to address the concerns raised.</p>
RR-008-2	<p>Please treat this letter as an objection by EPN to the relocation/extinguishment of rights and apparatus mentioned above because their relocation will be detrimental to the carrying on of its undertaking. No alternative land, rights and apparatus for those proposed to be acquired under the above Order are in place. EPN reserves the right to amend or supplement its objections in the light of any information that later becomes available. The above objection(s) will be deemed to be withdrawn upon signature of an</p>	<p>See above. In addition, Highways England has been in detailed discussions with UKPN throughout the preliminary design for the Scheme and the need to divert an existing 11kV overhead electric line. This is identified in the draft Development Consent Order (dDCO) (APP-015) as Work No. 30. Land has been identified for the proposed diversion as shown on sheets 2 and 3 of the land plans (APP-005) as being either land</p>

Reference	Relevant Representation	Highways England's response
	<p>appropriate deed of Undertaking by an authorised signatory of the Acquiring Authority.</p>	<p>or rights to be permanently acquired in land to accommodate the UKPN diversion.</p> <p>Article 9 of the dDCO also allows the benefit of the Order to be transferred or leased to others by Highways England. The consent of the Secretary of State is required for a transfer or grant, except where it is made to specified companies in relation to certain utility diversion works, including UKPN for the purposes of Work No. 30 on the basis that it is appropriate for UKPN to be able to carry out those works. Highways England has agreed to amend the definition of UKPN in the dDCO to refer to Eastern Power Networks in the next version of the dDCO submitted to the Examining Authority.</p> <p>UKPN also has other apparatus within the highway or land to be acquired by Highways England for the Scheme. Diversions of these assets are not included as a separate scheduled work within the dDCO, but are authorised by general powers within the dDCO. To the extent any other diversions may be required, there are protective provisions included within Part 1 of Schedule 9 to the dDCO for the protection of electricity undertakers apparatus and to ensure their continued ability to carry out their functions despite the interference with their rights / apparatus required to facilitate the Scheme.</p>

**RR-009 ENVIRONMENT AGENCY**

Reference	Relevant Representation	Highways England's response
RR-009-1	<p><b>Draft Order</b></p> <p>Although the published protective provisions for the Environment Agency (Schedule 9, Part 3) within the draft Order (reference: TR010029/APP/3.1) are based on our standard protective provisions (dated April 2019), there are some deviations and changes to the wording. We have previously advised the applicant that they should use our standard protective provisions in any Order, and that we would be unlikely to be able to agree to disapplication of any legislation unless this form of protective provisions appears in the DCO.</p> <p>We are considering the form of protective provisions put forward by the applicant and will engage with the representatives of the applicant on these matters shortly.</p>	<p>The proposed protective provisions contained within Part 3 of Schedule 9 to the draft Development Consent Order (DCO) (APP-015) are, as noted by the Environment Agency, based on its standard protective provisions.</p> <p>They have also been drafted having regard to the provisions which were agreed between Highways England and the Environment Agency in relation to Highways England's M25 junction 10/A3 Wisley Interchange Scheme and are consistent with those provisions save that the word 'reasonably' has been omitted from paragraph 23 where it should appear before the words 'incurred by the Agency'.</p> <p>Highways England proposes to add the word 'reasonably' to this paragraph when the draft DCO is next updated and remains in discussion with the Environment Agency over the proposed protective provisions.</p>
RR-009-2	<p><b>Waste deposits</b></p> <p>Waste is an outstanding issue. The baseline conditions within Chapter 12 Materials and Waste (reference: TR010029/APP/6.1) identify the historic landfill (former Brook Street) and unpermitted recently deposited waste. The Work Plans TR010029/APP/2.3 also demonstrate that part of the scheme construction will occur in both these areas. We note that investigations and potential actions</p>	<p>The waste deposits matters are being addressed in Section 3.3 of the revised Statement of Common Ground with the Environment Agency (APP-099) which is submitted along this document at Deadline 1.</p> <p>The ground investigation works for the Scheme is now complete and it is presented in the Ground Investigation</p>

Reference	Relevant Representation	Highways England's response
	<p>regarding the unpermitted recently deposited waste are still ongoing.</p> <p>We are concerned that the only mechanism referenced (paragraphs 12.8.8 and 12.12.4) for dealing with these wastes at the application site is a Materials Management Plan (MMP). The MMP is also referenced within the Register of Environmental Actions and Commitments (REAC, document reference: TR010029 7.3) as requirements MW1.1 and MW2.1. MMPs are used as part of a CL:AIRE Definition of Waste Code of Practice (DoWCoP) to permit the re-use of both natural soils and made-ground without the need to apply for an Environmental Permit. Soil reuse under the CL:AIRE DoWCoP arrangement is possible for sites where naturally occurring uncontaminated soils are found.</p> <p>However, this will not be possible for materials deposited as waste either within the historical landfill or the unpermitted recently deposited waste. Both these areas are considered controlled waste and the recovery of them will require an Environmental Permit. DoWCoP specifically excludes landfill and waste from its scope therefore this framework cannot be used for a large part of the scheme's development. We would also need to discuss in due course the status of the existing Environmental Permit for the permitted section of the site. The existing Environmental Permit would need to be surrendered following the removal of waste and decommissioning of the permitted part of the site.</p>	<p>report (TR010029/EXAM/9.25) which is also submitted to the ExA at Deadline 1.</p> <p>Highways England intends to apply for an Environmental Permit for the reuse of controlled wastes excavated from the historical landfill and recently deposited material. A pre-application submission to the Environment Agency National Permitting Team was submitted in December 2020 to define the type of environmental permit required to be obtained.</p>
RR-009-3	<p>Although there are some brief references to the Environmental Permitting Regulations with Table 1.2 of Chapter 12, and also Appendix A of the Consents and Agreements Positions Statement (TR010029/APP/2.13), this is not explicit enough. The advice we</p>	<p>Highways England intends to apply for an Environmental Permit for the reuse of controlled wastes excavated from the historical landfill and recently deposited material. A pre-application submission to the</p>

Reference	Relevant Representation	Highways England's response
	<p>provided at the Section 42 Planning Act 2008 consultation was clear, that Chapter 12 Materials and Waste needed to reference the need for an Environmental Permit to complete these works and allow the treatment, or redeposit of suitable waste to achieve the desired landform. This was also an issue we raised in our response to the scoping consultation in December 2017. This matter can be satisfactorily resolved if a commitment to obtain an Environmental Permit from us in respect of the areas of controlled wastes on site (the historic landfill (former Brook Street) and unpermitted recently deposited waste) is included within Tables 1.1 and 1.2 of the REAC. We also ask that the Statement of Common Ground is updated to reflect this.</p> <p>We will engage with the representatives of the applicant on these matters shortly. We can provide more detailed written representations at a later date should any matters be ongoing.</p>	<p>Environment Agency National Permitting Team has been submitted in December 2020 to define the type of environmental permit required to be obtained. The need for an Environmental Permit is discussed in section 12.8 Design, mitigation and enhancement measures of the updated Materials and Waste chapter (APP-034).</p> <p>Highways England will continue to engage with the Environment Agency on this matter and it is covered in Section 3.3 of the revised Statement of Common Ground (APP-099), is submitted at Deadline 1.</p> <p>(Note: reference made by the Agency to Table 1.2 of Chapter 12 should be to Table 12.1)</p>
RR-009-4	<p><b>Flood risk</b></p> <p>The application site is partially within Flood Zone 2 and 3 which represent zones of medium and high annual probability of fluvial flooding from the River Ingrebourne and the Weald Brook.</p> <p>The Flood Risk Assessment (document reference: TR010029/APP/6.6) has assessed the impact of the scheme works on the flood risk. The works assessed include the proposed M25 loop road, the M25 offslip and A12 onslip, the River Ingrebourne and Weald Brook culvert extensions and the river realignments. Floodplain compensation areas have been provided to mitigate for any displacement of flood storage by the scheme, to ensure there is no loss of floodplain storage during any design event including 35% for climate change. We agree that there would be no increase in</p>	<p>Highways England welcomes the Environment Agency's agreement on this matter and is aware of its requirements to obtain approval for works close to watercourses.</p>

Reference	Relevant Representation	Highways England's response
	fluvial flood risk as a result of the works, notwithstanding any requirements to obtain our approval for the works close to watercourses as required.	
RR-009-5	Hydraulic modelling was undertaken to understand the baseline flood risk at the site and assess suitable mitigation. We believe the modelling is sufficient to underpin the assessment of flood risk and design of mitigation measures. We have no concerns with the proposed phasing arrangements for delivery of floodplain compensation areas to ensure that at no point during the scheme construction there will be a loss of flood storage on site.	Highways England welcomes the Environment Agency's agreement on this matter.
RR-009-6	We will continue to engage with representatives of the applicant on the river crossing bridge designs. These should be designed with a 600mm freeboard above the 1 in 100 year plus climate change flood level but where this cannot be achieved demonstrate how they will withstand the impact of floating debris during a flood event. As agreed within our Statement of Common Ground (document reference: TR010029/APP/8.1) these designs will be submitted for our approval at protective provisions stage. Therefore, we consider that flood risk is an area of agreement.	Highways England welcomes the Environment Agency's agreement on this matter.
RR-009-7	As a minor point, the REAC (document reference: TR010029 7.3) references that we are proposed to review information related to surface water flood risk or drainage (e.g. RD1.9 and RD1.10 under Table 1.2 Actions before the start of construction). Although we have an interest in pollution prevention and water quality, surface water flood risks and the design of surface water runoff are not within our remit, so other responsible agencies such as the relevant lead local flood authority will need to agree to review these details.	Noted. Highways England will engage with the relevant planning authority (London Borough of Havering and Essex County Council as the Local Lead Flood Authorities) on these matters going forward.



Reference	Relevant Representation	Highways England's response
RR-009-8	<p><b>Water Framework Directive Mitigation works</b></p> <p>During the pre-application phase our discussions with the applicant have focused largely on our concerns regarding the impact of the proposed scheme on the River Ingrebourne and Weald Brook. Both are main rivers and therefore overseen by the Environment Agency as a regulator should any works be proposed either in-channel or within close proximity. Our discussions focussed broadly on the impacts on the rivers from the scheme's bridges (Grove Bridge, Duck Wood Bridge and Maylands Bridge) and the Grove culvert extension on the River Ingrebourne. We stated early on in the discussions that we expected a scheme of this size to provide environmental improvements to the main watercourses affected by the scheme, in addition to any mitigation / compensation measures required.</p>	<p>Highways England agrees with this summary. Section 5.1 of the Water Framework Directive compliance assessment report (APP-091) presents a summary of mitigation and enhancements embedded into the design of the Scheme.</p>
RR-009-9	<p>As the competent authority on Water Framework Directive (WFD) 2000/60/EC we investigate the current condition of rivers and publish the data. The River Ingrebourne is currently classified as achieving 'moderate' status under the Water Framework Directive (WFD). The Weald Brook is a main tributary of the River Ingrebourne. Although the Weald Brook is not classified separately under the WFD, its condition contributes to the overall WFD status of the Ingrebourne river catchment. Our Thames River Basin Management Plan (2015) sets out the objectives to help all waterbodies achieve good status, and we aim to work in partnership with others to improve waterbodies. We would not be able to accept proposals likely to cause further deterioration to a WFD designated river or prevent it from attaining good status in the future. The Water Framework Directive Assessment (reference: TR010029/APP/6.7)</p>	<p>Highways England agrees with this summary and wishes to make no further comment.</p>

Reference	Relevant Representation	Highways England's response
	submitted with this application has provided a sufficiently detailed assessment of the impacts and proposed mitigation.	
RR-009-10	We agree that with the appropriate mitigation measures in place which consist of the embedded and additional mitigation both within and outside the DCO boundary, the scheme will be WFD compliant. We have been able to reach a broad agreement on an acceptable package of mitigation measures for impacts to the River Ingrebourne and Weald Brook within the DCO boundary. We support the additional enhancements such as floodplain lowering, unlined ephemeral drainage ditches and maintenance of riparian trees which will add enhanced habitat value.	Highways England welcomes agreement on this matter and will continue to engage with the Environment Agency through detailed design.
RR-009-11	As we have noted through our pre-application engagement on this scheme, the additional mitigation measures also include mitigation works outside of the DCO boundary. This is because (and we agree) that with all the mitigation measures within the DCO boundary this still results in a deficit in riverine habitat (Appendix E of WFD Assessment). With support provided by the applicant's consultants we have identified potential options for off-site mitigation works on the Ingrebourne WFD waterbody. This is recognised within the WFD Assessment in paragraph 5.3.1 as W13 (Mitigation works, outside of the DCO boundary, delivered by the EA as part of their programme of works within the Ingrebourne WFD waterbody). Further work will be carried out to investigate the feasibility prior to implementation of one or a combination of mitigation options we have identified. We are in receipt of Heads of Terms for the legal agreement in relation to this and will continue to liaise with representatives of the applicant.	Highways England welcomes the Environment Agency's collaborative approach to this matter. Highways England and the Environment Agency are working on setting out the mechanism of delivering the off-site mitigation works outlined in the WFD (APP-091) through a legal agreement between both parties, with the Environment Agency being the party responsible for the implementation of the mitigation measures outside the DCO boundary.

Reference	Relevant Representation	Highways England's response
RR-009-12	<p>We are broadly satisfied with the environmental mitigation commitments set out within Parts 1 and 2 of the REAC for Biodiversity and Road Drainage and Water Environment and look forward to commenting further at detailed design stages.</p> <p>Therefore, we consider that WFD mitigation and compliance is in principle an area of agreement and provided an agreement on terms acceptable to the Environment Agency can be concluded this issue should be resolved.</p>	<p>Highways England welcomes the Environment Agency's agreement on these matters.</p>
RR-009-13	<p><b>Groundwater and land contamination</b></p> <p>The applicant has undertaken a preliminary ground investigation for the site (Appendix 10.1 Preliminary Geo environmental Assessment Report TR010029/APP/6.3). The baseline conditions have been adequately characterised for the DCO application and we believe the scheme could be implemented without presenting an unacceptable risk to controlled waters. GS1.1 of Table 1.2 of the REAC (document reference: TR010029 7.3) has included the commitment to a Ground Investigation Report and where contamination risks are identified and mitigation required, a Site Specific Remediation Strategy. Given that piled foundations will be required for the proposed bridge crossings we also support the inclusion of a Piling Risk Assessment in GS1.1 and GS1.4 of the REAC.</p> <p>We are therefore satisfied that any outstanding issues can be addressed through the appropriate Requirements and the environmental commitments listed within the REAC. We will continue engage with the representatives of the applicant on these matters if necessary.</p>	<p>Highways England welcomes agreement from the Environment Agency that the Scheme could be implemented without presenting an unacceptable risk to controlled waters.</p> <p>The ground investigation works for the Scheme is now complete and it is presented in the Ground investigation report (TR010029/EXAM/9.25) which is submitted to the ExA at Deadline 1.</p>

**RR-010 ESSEX COUNTY COUNCIL**

Reference	Relevant Representation	Highways England's response
RR-010-1	Essex County Council is a statutory consultee on the scheme and wishes to register to participate in the examination.	Highways England wishes to make no comment on this part of the representation.

**RR-011 ESSEX COUNTY COUNCIL**

Reference	Relevant Representation	Highways England's response
RR-011-1	<p>Essex County Council generally supports the scheme however we remain concerned on the affect the scheme will have on traffic trying to access the junction from Brook Street. Currently there is significant traffic congestion that will worsen with the scheme.</p>	<p>Highways England welcomes Essex County Council's (ECC) support for the principle of the Scheme and will continue to actively engage with ECC around the matters raised in this representation.</p> <p>As explained in Section 2 of the Transport Assessment Supplementary Information Report (PDB-003) submitted at Procedural Deadline B (21 December 2020), proposals for Brook Street mitigation have been developed following submission of the DCO application for the Scheme. It is confirmed that the Scheme (Do something scenario) will include the extended inter-green at the junction of the A12 east off-slip with the roundabout to create longer gaps for vehicles to safely exit Brook Street. However, the Scheme will exclude the optimisation of traffic signals at the junctions of both Nags Head Lane and Mascalls Lane with the A1023 Brook Street. This supersedes the information presented in Sections 5.4 to 5.7 of the Transport Assessment Report (APP-098) and demonstrates that journey times in both directions on the A1023 Brook Street improve with the Scheme (Do-something) compared to without the Scheme (Do-minimum), especially westbound towards junction 28. Consequently, the Scheme will reduce traffic congestion on the A1023 Brook Street, rather than worsen it.</p>

Reference	Relevant Representation	Highways England's response
RR-011-2	<p>The congestion that has been indicated by Highways England could be of a scale that will have adverse effects on Brentwood's emerging local plan and mean that some potential sites in the area of Warley will be unable to come forward. The proposal will worsen traffic conditions for all using Brook Street and there are no current plans for any mitigation.</p>	<p>As stated in response RR-011-1 above, the Scheme will reduce traffic congestion on Brook Street, rather than worsen it. As explained in Section 5.3 of the Transport Assessment Report (APP-098), this accounts for the forecast increased traffic demand generated by committed and planned developments in the vicinity, which includes those in the Brentwood Local Plan (2016 Draft Brentwood Local Plan) classified as near certain or more than likely, as agreed with Brentwood Borough Council.</p> <p>In accordance with Department for Transport (DfT) Transport Analysis Guidance (TAG), the cumulative forecast traffic growth was “balanced” so that within each local authority area it matched DfT’s National Trip End Model (NTEM) forecast growth. This ensures that there is no double counting of traffic growth due to committed and planned development, since NTEM traffic growth is based on forecast changes in demographics, such as population size, economic activity, car ownership, etc. that can only occur with the delivery of residential and commercial development and, consequently, NTEM inherently already accounts for this.</p> <p>Therefore, the Scheme will not have an adverse effect on Brentwood’s emerging Local Plan. Furthermore, it is the responsibility of Brentwood Borough Council to assess the traffic impact of their emerging Local Plan and identify and fund any required mitigation schemes to</p>

Reference	Relevant Representation	Highways England's response
		<p>the highway network through the Local Plan Infrastructure Delivery Plan.</p> <p>Although the Scheme would reduce traffic congestion and delay on Brook Street, Highways England is aware that it does not fully resolve this issue. Consequently, Highways England is also seeking to secure separate funding for the optimisation of traffic signals at the junctions of both Nags Head Lane and Mascalls Lane with Brook Street to further reduce delays along Brook Street through their designated funding programme. Designated funds are separate to Highways England's core work of operating, maintaining and improving England's strategic road network. They provide ring-fenced funding to be invested in and to support initiatives that deliver lasting benefits for road users, the environment and communities across England. If funding is secured, it would be used to support Essex County Council to implement the optimisation of the traffic signals at both junctions if deemed necessary and appropriate. However, this would be a separate scheme to the M25 junction 28 improvement Scheme.</p>

**RR-012 GILLIAN EDWARDS**

Reference	Relevant Representation	Highways England's response
RR-012-1	<p>I am concerned that the existing one way system from Woodstock Avenue forcing residents to have to travel around the J28 roundabout will become more difficult and more time consuming to manoeuvre.</p> <p>The noise and pollution levels will increase. Although I recognise the need for the junction to be altered the residents of Woodstock Avenue will continue to experience traffic delays and disruption to daily life.</p> <p>We desperately need a route to be installed to prevent the need for having to travel around the junction. I am particularly concerned about emergency and care services having limited access to our road during this time as we have many elderly residents who moved to Woodstock Avenue prior to the M25 being built in the 1980s. We have problems with council services already and this will surely add to the difficulties.</p>	<p>Highways England understands that Woodstock Avenue is currently accessed directly to and from the A12 Colchester Road. This section of the A12 is owned and maintained by Transport for London. It is a dual carriageway with traffic from Woodstock Avenue wishing to travel towards London needing to turn left on to the A12, negotiate the roundabout and then travel along the westbound carriageway of the A12.</p> <p>During construction, measures will be in place to ensure that traffic will be managed appropriately in order to avoid, as far as practicable, adverse effects on the road network. Arrangements will be put in place by the Principal Contractor, to ensure emergency services on blue lights, would be able attend any emergencies in respect of properties on Woodstock Avenue. These measures will be set out in a traffic management plan that will be produced in line with Requirement 10 of the draft DCO (APP-015).</p> <p>An assessment of the Scheme on noise and vibration is presented in Chapter 6 (Noise and Vibration) of the Environmental Statement (APP-028) with design, mitigation and enhancement measures detailed at section 6.9, including the contractor being part of the Considerate Contractors Scheme and keeping local residents informed of the works. The assessment concludes that with the application of recommended management and mitigation measures, outlined in the</p>



Reference	Relevant Representation	Highways England's response
		<p>REAC (APP-097), there are unlikely to be any significant effects from noise due to the construction of the Scheme and changes in noise from the operation of the Scheme will be negligible.</p> <p>An assessment of the effects of the Scheme on air quality is presented in Chapter 5 (Air Quality) of the Environmental Statement (APP-027). The assessment concludes that with the application of appropriate mitigation measures, outlined in the Register of Environmental Actions and Commitments (REAC) (APP-097), there is unlikely to be a significant effect on air quality due to either the construction or operation of the Scheme, as detailed at section 5.10 of the Environmental Statement.</p> <p>The REAC (APP-097) outlines the mitigation measures required before the start of construction (Table 1.2), during construction (Table 1.3) and after construction (Table 1.4) and initially forms part of the Outline Construction Environmental Management Plan (CEMP) (APP-096). The CEMP will be prepared and maintained by the Principal Contractor which will reflect the mitigation contained with the REAC and will be secured through requirement 4 of the Development Consent Order (APP-015).</p> <p>Once completed, the Scheme would increase the capacity at M25 junction 28, significantly reducing the congestion and delay for many motorists using the roundabout. Queuing and delays on the A12 eastbound off slip are expected to reduce significantly taking</p>

Reference	Relevant Representation	Highways England's response
		<p>account of forecast traffic growth. Section 2 of the Transport Assessment Supplementary Information Report (PDB-003) submitted at Procedural Deadline B (21 December 2020) presents the information demonstrating this. This improvement is relevant to Woodstock Avenue residents as the roundabout is used to facilitate the movement from Woodstock Avenue to the A12 westbound carriageway by car. After construction, Woodstock Avenue residents will benefit not only from the reductions in traffic congestion, but also from a significant reduction in queuing time on the A12 eastbound off slip.</p> <p>The option of installing an alternative means of access/exit from Woodstock Avenue is an issue outside the scope of the Scheme and would need to be considered by Transport for London as the responsible authority for this stretch of the A12.</p> <p>Since submitting the DCO application Highways England has developed plans for the Scheme further, including considering feedback received and has proposed potential changes to the Scheme. These proposed changes are outlined in Highways England's letter to the Examining Authority dated 4 December 2020 (AS-029). One of the proposed changes to the submitted Scheme is the provision of an environmental bund around the loop road, which will provide noise and visual screening benefits to residents at Maylands Cottages and Woodstock Avenue, as well as to Maylands Golf course. Views on this and the other</p>

Reference	Relevant Representation	Highways England's response
		<p>proposed changes are being sought as part of a non-statutory targeted consultation that is currently underway and ends on 4 February 2021. Subject to the outcome of the consultation process, any. changes to the Scheme will be subject to a change request to the ExA which is proposed to be made no later than Deadline 3 (18 February 2021).</p>

**RR-013      INGATESTONE & FRYERNING PARISH COUNCIL**

Reference	Relevant Representation	Highways England's response
RR-013-1	<p>Ingatestone &amp; Fryerning Parish Council welcome any efforts by Essex Highways to improve the safety and traffic flow through this busy junction.</p> <p>The Proposed scheme appears to be a positive step forward without closing and completely re-designing the junction all together from scratch.</p>	<p>Highways England welcomes the support of Ingatestone &amp; Fryerning Parish Council.</p>

**RR-014 JANE ALLAN**

Reference	Relevant Representation	Highways England's response
RR-014-1	<p>Please consider my issues/concerns below:</p> <ul style="list-style-type: none"> <li>• Long term increased traffic, noise (day and night) and widespread congestion adjacent to my home- particularly with increased congestion travelling from the A12 on to the M25 northbound- suggest a free flow road is installed at M25j28 roundabout.</li> </ul>	<p>Once completed, the assessment of the Scheme on noise and vibration is presented in Chapter 6 (Noise and Vibration) of the Environmental Statement (APP-028) with design, mitigation and enhancement measures detailed at section 6.9, including the contractor being part of the Considerate Contractors Scheme and keeping local residents informed of the works. The assessment concludes that with the application of recommended management and mitigation measures, outlined in the REAC (APP-097), there are unlikely to be any significant effects from noise due to the construction of the Scheme and changes in noise from the operation of the Scheme will be negligible.</p> <p>Once completed, the Scheme would increase the capacity at M25 junction 28, significantly reducing the congestion and delay for many motorists using the roundabout. Queuing and delays on the A12 eastbound off slip are expected to reduce significantly taking account of forecast traffic growth. Section 2 of the Transport Assessment Supplementary Information Report (PDB-003) submitted at Procedural Deadline B (21 December 2020) presents the information demonstrating this. This improvement is relevant to Woodstock Avenue residents as the roundabout is used to facilitate the movement from Woodstock Avenue to the A12 westbound carriageway by car. After construction, Woodstock Avenue residents will benefit</p>

Reference	Relevant Representation	Highways England's response
		<p>not only from the reduction in traffic congestion on the roundabout, but also from a reduction in queuing time on the A12 eastbound off slip. A dedicated free flow lane from the A12 west to the M25 north would also potentially compromise access and egress for Grove Farm to and from the slip roads due to the resulting higher traffic speeds that would be likely in the nearside lane on the slip roads, and the free-flow nature of the suggested lane.</p>
RR-014-2	<ul style="list-style-type: none"> <li>Increased long term problems driving from my home and returning to my home due to increased traffic and congestion (including all local and major road links) plus restricted access and unacceptable delays to emergency services hence I would like to request that prior to commencement of the M25j28 roadworks, changes are made along the A12 to allow residents of Woodstock Avenue to turn right without having to drive round the M25j28 roundabout. The majority of my journeys involve this route. I would like to request that this specific point is urgently highlighted to the Secretary of State (for consideration) dealing with approval of this scheme.</li> </ul>	<p>As above, the implementation of the Scheme would increase the capacity at junction 28, reducing the delay for many on the roundabout and the approaches to the roundabout, and will have a positive impact on most of the journey time for movements through the junction in all time periods.</p> <p>The option of installing an alternative means of access/exit from Woodstock Avenue is outside the scope of the Scheme and would need to be considered by Transport for London as the responsible authority for this section of the A12.</p>
RR-014-3	<ul style="list-style-type: none"> <li>Restricted access to poorly maintained public paths and public transport (buses) plus unsafe foot paths along the A12 and across M25j28 - limited barriers/ crossings and uneven surfaces for walking, cycling, wheelchairs and disabled vehicles.</li> </ul>	<p>An assessment of the existing non-motorised user (NMU) routes within the DCO boundary has been carried out and is contained within paragraphs 13.10.48 to 13.10.53 of Chapter 13 (People and communities) of the Environmental Statement (ES) (APP-035). The assessment notes that minimal changes are proposed to the existing NMU routes. During the construction phase,</p>

Reference	Relevant Representation	Highways England's response
		<p>all existing routes would remain open until new routes are complete to ensure there is no negative effect on NMUs. Paragraphs 13.10.92 and 13.10.03 of the NMU assessment conclude that there would be no significant effect on NMU's and moreover, the newly created footpath on the off-slip would be wider than existing, improving this facility.</p> <p>Notwithstanding this, Highways England are currently in the process of applying for Road Investment Strategy 2 Designated Funds for the implementation (construction) of a proposed NMU route in the vicinity of M25 junction 28. Designated funds are separate to Highways England's core work of operating, maintaining and improving England's strategic road network. They provide ring-fenced funding to be invested in and to support initiatives that deliver lasting benefits for road users, the environment and communities across England.</p> <p>The NMU scheme proposes the conversion of 3.1km of existing walking route into a high-quality shared use cycling and walking route. The proposal comprises continental-standard cycling provision between A1023 / Kavanaghs Road junction, and the M25 junction 28. The proposed improvements would continue west of the junction linking with the NCN route 136 in Harold Wood and have been developed in consultation with Essex Country Council.</p>

Reference	Relevant Representation	Highways England's response
RR-014-4	<ul style="list-style-type: none"> <li>Increased flooding on M25j28 roundabout towards Brentwood (A1023). Increased pollution and flooding in my surrounding area- particularly from Maylands fields and the Grove Farm area on to the A12.</li> </ul>	<p>A Flood Risk Assessment (APP-090) has been prepared for the Scheme which provides an assessment of flood risk and demonstrates that the proposed mitigation would achieve an acceptable level of flood risk and could not increase flood risk elsewhere in the local area.</p> <p>Chapter 8 Road Drainage and the Water Environment of the ES (APP-043) presents the assessment of effects on flood risk from the construction and operation of the Scheme. Paragraphs 8.10.8 and 8.10.22 to 8.10.24 in Chapter 8 (APP-043) conclude that with mitigation, including the construction of two formal floodplain compensation areas and improvements to the Ingrebourne River upstream of the A12 to increase floodplain storage, no adverse impacts on flood risk will occur from the Scheme.</p> <p>The Drainage Strategy Report (APP-092) outlines the preliminary drainage design for the Scheme, and this includes details of the pollution control measures included to manage runoff from the road network.</p> <p>The Register of Environmental Actions and Commitments (REAC) (APP-097). The REAC lists the measures required before the start of construction (Table 1.2), during construction (Table 1.3) and after construction (Table 1.4) and initially forms part of the Outline Construction Environmental Management Plan (CEMP) (APP-096). The CEMP will be prepared and maintained by the Principal Contractor and will reflect the mitigation contained with the REAC which will be</p>



Reference	Relevant Representation	Highways England's response
		<p>secured through requirement 4 of the draft Development Consent Order (dDCO) (APP-015).</p> <p>Under requirement 8 of the dDCO written details of the surface and foul water drainage system, reflecting the mitigation measures set out in the REAC including means of pollution control, have to be submitted to and approved by the Secretary of State.</p>
RR-014-5	<ul style="list-style-type: none"> <li>Disturbances to wildlife in the vicinity of the roadworks.</li> </ul>	<p>An assessment of the effects from the Scheme on biodiversity is presented in Chapter 7 Biodiversity of the ES (APP-029). Chapter 7 describes the potential impacts of the Scheme on important biodiversity resources, including habitats and species. It also sets out the proposed mitigation and compensation measures to reduce the effects of the Scheme. This includes measures to protect habitats and species throughout construction.</p> <p>The mitigation measures are also outlined in the Register of Environmental Actions and Commitments (REAC) (APP-097) which lists the measures required before the start of construction (Table 1.2), during construction (Table 1.3) and after construction (Table 1.4) and initially forms part of the Outline Construction Environmental Management Plan (CEMP) (APP-096). The CEMP will be prepared and maintained by the Principal Contractor and will reflect the mitigation contained with the REAC which will be secured through requirement 4 of the draft Development Consent Order (APP-015).</p>

Reference	Relevant Representation	Highways England's response
RR-014-6	<ul style="list-style-type: none"> <li>Devaluation of my home.</li> </ul>	<p>Those with an interest in properties affected by the Scheme maybe entitled to compensation.</p> <p>Under Part I of the Land Compensation Act 1973 ('the Act'), compensation can be claimed by people who own and also occupy property that has been reduced in value by more than £50 by physical factors caused by the use of a new or altered road.</p> <p>The physical factors are noise, vibration, smell, fumes, smoke and artificial lighting and the discharge on to the property of any solid or liquid substance. The cause of the physical factors must be the new or altered road in use. For example, if a road is altered, the noise and other adverse effects must arise from the traffic using the altered stretch of road. Part I compensation cannot be claimed for the effects of traffic further down the road where no alteration has taken place.</p> <p>Under the provisions of the Act, a road is altered only when there is a change to the location, width or level of the carriageway or an additional carriageway is provided beside, above or below an existing one. Part I compensation is not payable when the carriageway has simply been resurfaced.</p> <p>Loss of view or privacy, personal inconvenience and physical factors arising during the construction of the road are also not included under Part I compensation.</p>

Reference	Relevant Representation	Highways England's response
		<p>For specific guidance and to apply to make a Part I Claim, please go to: <a href="https://www.gov.uk/compensation-road-property-value">https://www.gov.uk/compensation-road-property-value</a>.</p>
RR-014-7	<p>I also have concerns regarding communication issues between all agencies involved including Highways England, TFL, Havering Council and Essex County Council - responsibilities for important issues which cross boundaries (as many do- for example flooding on the M25j28 roundabout towards Brentwood as soon as it rains) should be clearly defined and monitored for completion within a realistic time frame.</p> <p>I would like to request: - a co-ordinated approach is taken with local residents and to request that where possible information is shared in plain English - maybe a designated helpline/ email address? - scheduled/ ad hoc meetings (virtual if necessary) are held with local residents/ their representative groups as necessary throughout the planned roadworks? I request total transparency from all parties involved with this project.</p>	<p>Highways England has worked with the host authorities (London Borough of Havering, Essex County Council and Brentwood Borough Council) and Transport for London throughout all stages of development of the Scheme and continues to do so.</p> <p>During construction, the Principal Contractor will document and respond to any relevant communications from external interested parties during construction. The proposed communication framework is outlined in section 3.5 in the Outline Construction Environmental Management Plan (APP-096), as secured under Requirement 4 of the draft Development Consent Order (APP-015).</p>

**RR-015 JASON ELLIS**

Reference	Relevant Representation	Highways England's response
RR-015-1	<p>M25, J28 planned works [Redacted]</p> <p>I write with reference to the above and following receipt of a letter about the works on the 21st July 2020.</p> <p>I have reviewed the plans and whilst I understand the need to make the amendments to aid flow of traffic etc the duration of the works and increased traffic noise is going to affect my property.</p> <p>What is the intention and compensation that is intended for property owners like myself who are going to suffer for the duration of the works and future increase traffic and noise levels which will ultimately affect the value and desirability of the property. Await to hear proposals in both regards.</p>	<p>The recognition for the need for the Scheme is welcomed.</p> <p>An assessment of the Scheme on noise and vibration is presented in Chapter 6 (Noise and Vibration) of the Environmental Statement (APP-028) with design, mitigation and enhancement measures detailed at section 6.9, including the contractor being part of the Considerate Contractors Scheme and keeping local residents informed of the works. The assessment concludes that with the application of recommended management and mitigation measures, outlined in the REAC (APP-097), there are unlikely to be any significant effects from noise due to the construction of the Scheme and changes in noise from the operation of the Scheme will be negligible.</p> <p>During construction, measures will be in place to ensure that traffic will be managed appropriately in order to avoid, as far as practicable, adverse effects on the road network. These measures will be set out in a traffic management plan that will be produced in line with Requirement 10 of the draft DCO (APP-015).</p> <p>Those with an interest in properties affected by the Scheme maybe entitled to compensation.</p> <p>Under Part I of the Land Compensation Act 1973 ('the Act'), compensation can be claimed by people who own and also occupy property that has been reduced in</p>

Reference	Relevant Representation	Highways England's response
		<p>value by more than £50 by physical factors caused by the use of a new or altered road.</p> <p>The physical factors are noise, vibration, smell, fumes, smoke and artificial lighting and the discharge on to the property of any solid or liquid substance. The cause of the physical factors must be the new or altered road in use. For example, if a road is altered, the noise and other adverse effects must arise from the traffic using the altered stretch of road. Part I compensation cannot be claimed for the effects of traffic further down the road where no alteration has taken place.</p> <p>Under the provisions of the Act, a road is altered only when there is a change to the location, width or level of the carriageway or an additional carriageway is provided beside, above or below an existing one. Part I compensation is not payable when the carriageway has simply been resurfaced.</p> <p>Loss of view or privacy, personal inconvenience and physical factors arising during the construction of the road are also not included under Part I compensation.</p> <p>For specific guidance and to apply to make a Part I Claim, please go to: <a href="https://www.gov.uk/compensation-road-property-value">https://www.gov.uk/compensation-road-property-value</a>.</p>

**RR-016 JESSIE MCDONNELL**

Reference	Relevant Representation	Highways England's response
RR-016-1	I am extremely concerned about the noise and pollution these new roads will cause. Also concerned about the amount of traffic. I am opposing this new road scheme	<p>An assessment of the Scheme on noise and vibration is presented in Chapter 6 (Noise and Vibration) of the Environmental Statement (APP-028) with design, mitigation and enhancement measures detailed at section 6.9, including the contractor being part of the Considerate Contractors Scheme and keeping local residents informed of the works. The assessment concludes that with the application of recommended management and mitigation measures, outlined in the Register of Environmental Actions and Commitments (REAC) (APP-097), there are unlikely to be any significant effects from noise due to the construction of the Scheme and changes in noise from the operation of the Scheme will be negligible.</p> <p>An assessment of the effects of the Scheme on air quality is presented in Chapter 5 (Air Quality) of the Environmental Statement (APP-027). The assessment concludes that with the application of appropriate mitigation measures, outlined in the REAC (APP-097), there is unlikely to be a significant effect on air quality due to either the construction or operation of the Scheme, as detailed at section 5.10 of the Environmental Statement.</p> <p>The REAC (APP-097) outlines the mitigation measures required before the start of construction (Table 1.2), during construction (Table 1.3) and after construction (Table 1.4) and initially forms part of the Outline</p>

Reference	Relevant Representation	Highways England's response
		<p>Construction Environmental Management Plan (CEMP) (APP-096). The CEMP will be prepared and maintained by the Principal Contractor which will reflect the mitigation contained with the REAC and will be secured through requirement 4 of the Development Consent Order (APP-015).</p> <p>Traffic growth is forecast regardless of whether the junction 28 scheme goes ahead or not, and the Scheme itself will not result in any notable increase in traffic volumes. The Scheme provides additional capacity at junction 28 to accommodate forecast traffic growth and will therefore reduce traffic congestion and delay on the approaches to the roundabout that would otherwise occur.</p> <p>Once completed, the Scheme would increase the capacity at M25 junction 28, significantly reducing the congestion and delay for many motorists using the roundabout. Queuing and delays on the A12 eastbound off slip are expected to reduce significantly taking account of forecast traffic growth. Section 2 of the Transport Assessment Supplementary Information Report (PDB-003) submitted at Procedural Deadline B (21 December 2020) presents the information demonstrating this.</p> <p>This improvement is relevant to Woodstock Avenue residents as the roundabout is used to facilitate the movement from Woodstock Avenue to the A12 westbound carriageway by car. After construction, Woodstock Avenue residents will benefit not only from</p>

Reference	Relevant Representation	Highways England's response
		the reductions in traffic congestion, but also from a reduction in queuing time on the A12 eastbound off slip.



**RR-017 LONDON BOROUGH OF HAVERING**

Reference	Relevant Representation	Highways England's response
RR-017-1	<p>The Council acknowledges that Junction 28 of the M25 (also known as the Brook Street interchange) ("the Junction") is a collision 'hotspot' as well as a junction that currently experiences significant levels of congestion. The operation of the Junction impacts the journey times of residents of Havering. The Council recognises that traffic volumes at the Junction are expected to increase significantly over the next 15/20 years and improvements to the Junction are required either through additional capacity improvement or through other forms of demand management to manage future increases in demand.</p> <p>Strategic modelling work developed to support the Council's emerging Local Plan demonstrated that traffic volumes are expected to increase on major routes going through the borough (including the Transport for London Road Network). The Council welcomes further infrastructure investment within Havering especially where this will provide for safe and convenient movement and will complement wider investment and growth in the borough.</p>	<p>Highways England welcomes the support for the principle and need for the Scheme. As has been recognised, the Scheme will increase capacity of the road network to accommodate forecast traffic growth and thereby, reduce both traffic congestion and delay at the junction. Consequently, the Scheme aligns with London Borough of Havering's support for further infrastructure investment within the borough, especially where this will provide for safe and convenient movement and will complement wider investment and growth.</p>
RR-017-2	<p>The Council does have concerns about several aspects of the Scheme. These include the following matters: Construction traffic and the knock-on effects on traffic in Havering, lighting, air quality, noise and the environment, including the implications of the Scheme and the Lower Thames Crossing scheme potentially being constructed in tandem.</p>	<p>Highways England's responses are provided below.</p>

Reference	Relevant Representation	Highways England's response
RR-017-3	<p>Whilst construction routes have been considered, it is not clear how the traffic will divert onto local roads and what the impacts will be. The Council notes that the closure of the A12 Eastbound off-slip for construction purposes is not preferred by Highways England (HE) at this stage, although lane restrictions are. The finalisation of such details is, however, left to the construction contractor by virtue of dDCO Requirement 10.</p> <p>Havering has significant concern that if a contractor instigated full closure of the A12 EB off-slip there would be severe limitation on accessibility for local residents in Woodstock Avenue (which has a left-in / left-out access to the A12 only). Closure of the A12 off slip would lead to an unacceptable 14km diversion to the Ingatestone A12/A1023 interchange to travel westwards to the remainder of the borough and other destinations in the greater London area.</p>	<p>Temporary traffic management proposals to enable construction of the Scheme have been developed following submission of the DCO application. These, along with revised forecast traffic impacts due to construction of the Scheme and proposed mitigation measures, are presented in Section 6 of the Transport Assessment Supplementary Information Report (PDB-003), submitted to the ExA at Procedural Deadline B (21 December 2020), which supersedes the information presented in Section 8 of the Transport Assessment Report (APP-098).</p> <p>The temporary traffic management arrangements to enable construction of the Scheme do not require full closure of the A12 eastbound off-slip to junction 28 except for occasional overnight closures.</p> <p>Requirement 10 of the draft DCO (APP-015) requires the preparation and implementation of a traffic management plan that will have to be submitted to and approved by the Secretary of State following consultation with the relevant highway authority before the works can start. The traffic management plan will contain commitments such as those set out above to ensure that traffic will be managed appropriately in order to avoid, so far as practicable, adverse effects on the road network. Arrangements will be put in place by the Principal Contractor, to ensure emergency services on blue lights would be able to attend any emergencies in respect of properties on Woodstock Avenue.</p>

Reference	Relevant Representation	Highways England's response
RR-017-4	<p><b>Impacts of the scheme on local traffic.</b></p> <p>The Transport Assessment (TA) for the scheme does not examine through local traffic modelling the issue of local traffic impacts. Of particular relevance is understanding the impact on Gallows Corner junction. Gallows Corner is a five-arm junction connecting the A127 and A12 trunk routes as well as two of Havering's own roads (A118 Main Road and Straight Road). This junction currently experiences severe congestion particularly during peak periods. The Council has concerns over the A12 between the Brook Street Interchange and Gallows Corner Junction and the approaches to the A12 on borough operated roads.</p> <p>A number of Havering's junctions already operate at capacity so it is important that the "knock on" implications of this Scheme on the wider road network are fully understood. It should be noted that access to the main construction compound also requires further clarification as at present this is not fully addressed in the Transport Assessment (TA).</p>	<p>As explained in Section 5.2 of the Transport Assessment Report (APP-098), the traffic models used to evaluate the traffic impacts of the Scheme consist of a strategic traffic model that covers the road network over a large area around the north east quadrant of the M25, including Gallows Corner junction, and a more detailed operational traffic model that covers the road network in the immediate vicinity of junction 28, but does not include Gallows Corner junction. Gallows Corner junction is not included in the operational traffic model because the strategic traffic model showed that the changes in traffic flows at that junction due to the Scheme are small and will not, therefore, have a significant impact on its operational performance or capacity. Consequently, a more detailed traffic impact assessment of Gallows Corner junction using an operational model is not required.</p> <p>Evidence that the Scheme would have a negligible impact upon the Gallows Corner junction is presented in Section 4 of the Transport Assessment Supplementary Information Report (PDB-003) submitted at DCO Procedural Deadline B. Access arrangements in respect of the main construction site compound are also dealt with in the Transport Assessment Supplementary Information Report at paragraphs 6.1.5 to 6.1.7.</p>

Reference	Relevant Representation	Highways England's response
RR-017-5	<p><b>Noise</b></p> <p>The Havering Noise Important Area (NIA) is set within the boundary of the proposed scheme. Of particular note, Gallows Corner junction is located within the NIA. Further evidence is required to understand the level of noise impacts arising from the scheme at a local level and any appropriate mitigation.</p>	<p>The noise and vibration study area is shown in Figure 6.1 of the Environmental Statement (APP-041).</p> <p>Gallows Corner junction (the junction of the A12, A118 and A127) is not within the defined noise study area, and the noise assessment has not examined receptors in this area. The noise study area has been set in line with the DMRB and extends to 600m from works and bypassed routes, and Gallows Corner is approximately 1.5km outside this study area.</p> <p>The Noise Important Areas (NIAs) considered in the assessment are shown in Table 6.7 in Chapter 6 Noise and vibration of the Environmental Statement (APP-028) and are also shown on Figure 6.1 (APP-041). Paragraph 6.8.25 in Chapter 6 (APP-028) identifies that noise levels at properties within NIAs would change by less than 1dB in the opening year of the Scheme, and paragraph 6.8.30 identifies that there are no long term increases in noise greater than 1dB at any NIA.</p> <p>Changes in noise smaller than 1dB are negligible, and consequently noise mitigation has not been considered for the NIAs in the noise assessment. The noise assessment has included Putwell Bridge Caravan Park and the Gardens of Peace. Putwell Bridge Caravan Park was identified as a specific receptor, with noise calculation points on all facades of three caravans identified within the Park. Results are presented in the ES:</p>

Reference	Relevant Representation	Highways England's response
		<p>In terms of noise from construction this is shown in Table 6.11 in Chapter 6, and conclusions about significance are made in Tables 6.18 and 6.20. These show that there is potential for adverse effects at the caravan park during construction, but these effects are not expected to be significant. Additional noise mitigation beyond that in the CEMP is not required.</p> <p>The Gardens of Peace are identified in Table 6.21 of the ES (APP-028), which indicates that there is potential for cumulative effects if the Gardens of Peace were to be constructed at the same time as the Scheme.</p> <p>In terms of operational noise, the caravan park is shown in Tables 6.1 and 6.2 in Appendix 6.3. These show that all changes in noise are smaller than 1dB, which is a negligible change. Noise mitigation is not required for negligible changes in noise.</p> <p>The Gardens of Peace is covered by the noise contours in Figures 6.5 to 6.15 (APP-041). Figure 6.9 shows the change in noise on scheme opening, and this identifies a change in noise in yellow, indicating a change in noise smaller than 1dB, which is a negligible change. Noise mitigation is not required for negligible changes in noise.</p>

Reference	Relevant Representation	Highways England's response
		<p>Figures 6.10 and 6.11 (APP-041) show the long-term changes in noise. Figure 6.10 shows change in noise by the future year with the scheme, identifying a change in light blue, indicating a decrease in noise between 0 and 3dB. Figure 6.11 shows the long-term changes without the scheme in place, with some parts of the site in yellow (increase in noise between 0 and 3dB) and parts in light blue (decrease in noise between 0 and 3dB). A comparison of these figures shows that future noise levels with the Scheme would be marginally quieter than future noise levels without the Scheme, and noise mitigation is not required. (It is noted that the key for figures 6.10 and 6.11 is incorrect, which is being picked up in ES errata).</p>
RR-017-6	<p><b>Air Quality</b></p> <p>The Council has an Air Quality Management Area which is within the boundary of the proposed scheme. If additional traffic is forecast to use the boroughs strategic roads, in particular the A127 and Gallows Corner junction, the average annual mean levels for NO2 and PM10 are considered highly likely to deteriorate.</p> <p>Local traffic modelling of Gallows Corner and the local road network is required to evidence the air quality impact of the proposed scheme on the local road network.</p>	<p>The air quality study area for traffic during the operational phase has been determined in accordance with the traffic change criteria set out in Highways England's Design Manual for Roads and Bridges (DMRB) Volume 11, Section 3, Part 1 HA 207/07 Air Quality guidance. This guidance defines the criteria for determining the Affected Road Network (ARN) for local air quality assessment (paragraph 5.4.3, APP-027). The traffic change criteria were applied to traffic output from the strategic SATURN traffic model to determine the ARN. The SATURN traffic model includes London Borough of Havering strategic roads, including the A127 and Gallows Corner junction. The extent of the ARN is presented in Figure 5.1 (APP-040). None of the traffic</p>

Reference	Relevant Representation	Highways England's response
		<p>change criteria is exceeded at the A127 or Gallows Corner junction, indicating the effect of the Scheme on air quality would be imperceptible at these locations.</p> <p>Since the assessment was undertaken the DMRB HA 207/07 air quality guidance has been superseded by DMRB LA105. The criteria for determining the ARN is described in Table 2.1 and paragraph 3.2.2 of Appendix 4.1 - DMRB Sensitivity Test (APP-050). The revised guidance requires the ARN to be determined by speed band changes rather than average speed changes. The impact of this revision on the study area was included in APP-050 which concluded only four additional links outside of the initial air quality study area would meet the criteria for assessment (three of which were over 4 km from the Scheme (paragraph 3.2.2 of APP-050)). The A127 and links associated with Gallows Corner junction did not exceed the revised traffic change criteria, indicating that the effect of the Scheme on air quality would still be imperceptible under the revised guidance.</p>
RR-017-7	<p><b>Heritage</b></p> <p>Of the Designated Heritage Assets identified within Chapter 11: Cultural Heritage (11.7.2-7), the following are within the London Borough of Havering:</p> <ul style="list-style-type: none"> <li>Tylers Hall Farm House – Grade II Listed Building – HE Ref: 1079905</li> </ul>	<p>The listed buildings at Tylers Hall are described in Table 12.1 of Appendix 11.1 in the Environmental Statement (ES) (APP-082) and noted in Sections 11.7.5 and 11.7.35 of Chapter 11 in the ES (APP-033). Although not specifically named, they are part of the listed buildings noted in Section 11.8.3 of the ES (APP-033) that would not be affected by the Scheme. The constrained setting of the buildings within a larger, modern working farm limits the extent by which the</p>

Reference	Relevant Representation	Highways England's response
	<ul style="list-style-type: none"> <li>Timber Framed Range of Weatherboarded Outbuildings to Tylers Hall Farmhouse – Grade II Listed Building – HE Ref: 1183938</li> </ul> <p>The Cultural Heritage Chapter does not discuss or conclude upon potential impacts to the two listed buildings at Tylers Farm. Whilst it is believed that the scheme will not have a significant adverse effect upon these two designated heritage assets this does need to be evidenced within the Environmental Statement.</p>	<p>setting contributes to the historic significance of the assets. The Scheme would not alter the setting of the buildings within the larger farm and therefore was not discussed in specific detail.</p>
RR-017-8	<p>Of the Non-Designated Heritage Assets identified within Chapter 11: Cultural Heritage (11.7.8-9), the following are within the London Borough of Havering:</p> <ul style="list-style-type: none"> <li>DLO33196</li> <li>DLO33198</li> <li>DLO33238</li> <li>MLO23390</li> <li>MLO12476</li> <li>MLO14553</li> <li>MLO15564</li> <li>MLO104464</li> <li>MLO104564</li> <li>MLO109095</li> <li>MLO109189.</li> </ul>	<p>The non-designated heritage assets are discussed as follows, with a proportionate assessment of impact included:</p> <ul style="list-style-type: none"> <li>DLO33196 and DLO33238 are discussed in Chapter 11 of the ES (APP-033) in section 11.8.7 noting a minor adverse effect. DLO33198 is discussed in Section 11.7.14 (APP-033). A summary of the residual effects on DLO33238 is contained in Table 11.5 (APP-033). DLO33198 is not within the DCO boundary and would therefore not experience any physical impacts. As a sub-surface geological feature with archaeological potential, the setting does not contribute to its historic significance and no further assessment was undertaken.</li> <li>MLO23390 is a suggested building based on documentary evidence (indicating that there was a building shown in that location on a historic map but is no longer there). As it is not within the DCO boundary (see Figure 11.2 in the ES (APP-046)), there is no potential for impact.</li> </ul>



Reference	Relevant Representation	Highways England's response
	<p>The Cultural Heritage Chapter does not decisively conclude whether there would be an impact (adverse or otherwise) upon all of these non-designated heritage assets.</p>	<ul style="list-style-type: none"> <li>• MLO12476 is evidence based on place-name analysis and is not technically a heritage asset. It is discussed in Section 11.7.21 of Chapter 11 of the ES (APP-033).</li> <li>• MLO14553 refers to buildings shown on maps dating between 1618-1778 (see Appendix 11.1 of the ES (APP-082)); it is now part of the Maylands Golf Course. As the location is not within the footprint of the Scheme construction (see Figure 11.2 in the ES (APP-046)), there is no potential for impact.</li> <li>• MLO15564 refers to cartographic evidence (see Appendix 11.1 of the ES (APP-082)); it is now a modern housing estate. As the location is not within the DCO boundary, there is no potential for impact.</li> <li>• There is no potential for physical impacts to MLO104464; setting impacts are discussed in Section 11.8.9 and Table 11.5 in the ES (APP-033).</li> <li>• MLO104564 is discussed in Section 11.7.38 in the ES (APP-033) as significant as the last substantial area of common land in the London Borough of Havering. As the Scheme does not alter any of the common land, there is no potential for impacts to its significance.</li> <li>• MLO109095 is an area of ancient woodland, discussed in Section 11.7.44 in the ES (APP-033) as significant for ecological evidence. The asset is not within the DCO boundary, so there is no potential for impact to its heritage significance.</li> <li>• Impacts to MLO109189 are discussed in Section 11.8.6, Table 11.5 in the ES (APP-033).</li> </ul>

Reference	Relevant Representation	Highways England's response
		<p>As is the case with many potential archaeological remains suggested by documentary and/or cartographic evidence, decisive conclusions cannot be made without intrusive investigative works. Due to land access concerns and ground cover, no such investigations were conducted for the ES (as described in section 11.6, APP-033). However, the Archaeological Management and Mitigation Strategy (as discussed in section 11.6.1 and 11.9, APP-033 and Table 1.2, ref CH1.1 in the Register of Environmental Actions and Commitments (REAC), (APP-097) would be prepared to cover the identification, evaluation and recording of significant archaeological material in advance of and during construction. Under Requirement 9 of the draft Development Consent Order (APP-015) Highways England will not be able to commence construction until a Written Scheme of Investigation (WSI) of areas of archaeological interest has been approved by the Secretary of State, in consultation with the relevant planning authority, for that part. The WSI will reflect the relevant mitigation measures included in the REAC.</p>
RR-017-9	<p>The nineteenth century timber framed buildings (Grid Ref: 556600, 192439) associated with Grove Farm have not been included in the assessment. This omission was noted in the previous Built Heritage consultation (dated May 2020). These buildings were considered within Preliminary Environmental Information Report (dated Nov 2018) and remain included in Appendix 11.2 (Archaeological Desk-Based Assessment). The conclusion that</p>	<p>The legislation, planning and policy framework for cultural heritage (Section 11.3 of the ES (APP-033) provides the sources required to establish the baseline heritage resource, as does the methodology for assessment of the cultural heritage (Section 11.5 in the ES (APP-033). The buildings in question are not identified on any of the local Historic Environment Records, local lists of historically important buildings, or</p>

Reference	Relevant Representation	Highways England's response
	<p>they are not heritage assets (Chapter 11: Cultural Heritage – 11.7.34) is not evidenced.</p>	<p>the National Heritage List for England, nor are they within a Conservation Area.</p> <p>The archaeological desk-based assessment (DBA) (APP-083) was a third-party report prepared for the Preliminary Environmental Information Report (PEIR). While these documents did include discussions of the buildings at Grove Farm, noting the presence of buildings in the same location on early 20<sup>th</sup> century maps, there was no determination that the buildings themselves held heritage interest that would merit consideration in planning decisions, as required by the NPPF and DMRB, which is reflected in the ES assessment (APP-033 Section 11.7.24).</p>
<p>RR-017-10</p>	<p><b>Landscape and green belt implications</b></p> <p>The Council is generally satisfied with the landscape and visual impact assessment findings and the concluding significance of effect(s). However, the panoramic photographs within the Landscape and visual figures document (Doc ref: TR010029/APP/6.2) have not been presented in accordance with The Visual Representation of Development Proposals Technical Guidance Note (TGN) 06/19 (Landscape Institute, September 2019).</p> <p>This visual representation is important as it ensures the assessment of visual impact and overall significance of effect(s) is accurate and in turn an appropriate judgement of the assessed impacts can be made. For instance, the panoramic photographs</p>	<p>The landscape and visual impact assessment methodology and assessment criteria adopted in Chapter 9 of the ES (APP-031) are presented in the Landscape Effects (section 11.3.5) and follows the DMRB guidance document IAN 135/10. The locations of visual receptors are shown in Figure 9.7 of the ES (APP-044).</p> <p>Since the assessment was undertaken the DMRB IAN 135/10 guidance has been superseded by DMRB LA 107. A sensitivity test (APP-050) was undertaken by reviewing the current findings (based on previous IAN 35/10) against the updated DMRB guidance (LA 107). The updated DMRB guidance (LA107) would not change the overall findings and a summary is presented</p>

Reference	Relevant Representation	Highways England's response
	<p>should be presented as cylindrical panoramas of up to 90° HFoV at A1 width with an image size of 820mm x 250mm.</p>	<p>in Table 3.5 of the sensitivity test (APP-050). Therefore, it is concluded that the assessment undertaken is not likely to result in any changes to the landscape and visual effects presented in the ES (APP-031).</p> <p>LA 107 makes reference to The Visual Representation of Development Proposals Technical Guidance Note 06/19 which recommends that for complex schemes the preparation of photomontages would aid the discussions with various parties and aid the landscape and visual assessments.</p> <p>The Photomontage methodology (AS-008) refers to a previous version of the Visual Representation of Development Proposals Technical Guidance Note (TGN, February 2017), however the photomontages have been produced in accordance with the latest version of this guidance (September 2019). Each of the five viewpoint location photomontage figures (AS-002 to AS-006), show the proposed representative views and follow the TGN with regards to the correct printing and viewing distance arrangements for each of the photomontage sheets. Each of the views (existing, opening year, year 1 and year 15) also contain the required printing preferences based on the latest version of the Guidance (September 2019).</p> <p>A revised version of the Photomontage Methodology that references the September 2019 version of the Visual Representation of Development Proposals TGN will be submitted by Deadline 2.</p>

Reference	Relevant Representation	Highways England's response
RR-017-11	<p><b>Cumulative impacts</b></p> <p>In addition to the Scheme for the M25 J28, a further DCO scheme is being prepared by HE for a new crossing over the River Thames between Thurrock and Kent known as Lower Thames Crossing.</p> <p>The Council is extremely concerned about the potential cumulative impact arising from two substantial infrastructure projects being built concurrently in close proximity to the borough's strategic highway network. It is likely that there will be a considerable adverse impact on the local highway network in the borough and its wider environment if traffic is displaced from the motorway during and post construction of these projects. There is no evidence cumulative impacts of land use proposals outside the M25 corridor have been assessed.</p>	<p>With regards to cumulative environmental effects:</p> <ul style="list-style-type: none"> <li>• An assessment of cumulative environmental effects between the M25 junction 28 scheme and other development, including Lower Thames Crossing (LTC), has been undertaken in Chapter 15 of the ES (APP-037). The assessment follows the methodology outlined in the Planning Inspectorate's Advice Note 17. LTC was identified as a project which had the potential to result in cumulative environmental effects in conjunction with the Scheme.</li> <li>• The cumulative effects assessment was based on the conclusions of the individual preceding topic chapters of the ES with regard to the Scheme (APP-026 to APP-036), and the latest environmental information available with regard to the LTC scheme, as of the 28 February 2020 (the cumulative effects assessment cut-off date). As the LTC DCO application has yet to be accepted by the Planning Inspectorate, the assessment was primarily based on the publicly available documents, which were the Preliminary Environmental information Report (PEIR), and the materials forming the LTC's January 2020 supplementary consultation.</li> <li>• The assessment relies upon the intersection of study areas to identify cumulative effects between two schemes. The study areas for each environmental discipline are justified within their respective chapters of the ES for M25 junction 28 and have been</li> </ul>

Reference	Relevant Representation	Highways England's response
		<p>determined in order to capture all significant environmental effects arising from the Scheme. Where environmental effects of the Scheme are likely to be wider reaching, a larger study area is therefore given. These study areas usually form radii around the DCO Boundary of the Scheme and are not based on the M25 corridor.</p> <ul style="list-style-type: none"> <li>Figure 15.1 of the Environmental Statement (APP-048) indicates the study areas used in the cumulative effects assessment (this figure also shows the proposed Order Limits for the LTC Scheme as it was on 28 February 2020). As these study areas are designed to capture all the significant environmental impacts arising from the Scheme, any new environmental impacts noted outside of these areas (including any arising from LTC) are not “cumulative” as they would not be a result of the Scheme but from other developments. In which case, compensation/mitigation for any such effect are not the responsibility of Highways England in respect of this Scheme.</li> </ul> <p>With regards to cumulative traffic effects during the operational phase:</p> <ul style="list-style-type: none"> <li>Section 5.3 of the Transport Assessment Report (APP-098) explains the methodology used to derive forecast traffic demand and the assumptions regarding proposed development on which it is based.</li> </ul>

Reference	Relevant Representation	Highways England's response
		<p>It explains that the traffic modelling for the Scheme takes account of traffic forecast to be generated by general background growth, taken from the Department of Transport's (DfT) National Trip End Model (NTEM), in combination with development proposals in the vicinity of the Scheme that are considered near certain or more than likely to be delivered.</p> <ul style="list-style-type: none"> <li>• The LTC scheme is included in the Do-minimum scenario against which the M25 junction 28 scheme has been assessed. Therefore, the assessment of the Scheme is a cumulative one that assumes that the LTC project is implemented.</li> </ul> <p>Appropriate adjustment has been made to avoid double counting, since NTEM already accounts for many of the proposed developments in the vicinity of the Scheme. The list of proposed developments included in the traffic forecasts that are not already accounted for in NTEM are listed in the Uncertainty Log and include developments both inside and outside of the M25, e.g. Havering's and Brentwood's emerging Local Plans. The approach to traffic forecasting and the traffic modelling are fully compliant with DfT Transport Analysis Guidance (TAG) and represent a traffic assessment of the cumulative impacts of land use proposals.</p>

Reference	Relevant Representation	Highways England's response
		<p>With regards to cumulative traffic effects during construction, as regards LTC, this is dealt with in section 6.3 of the Transport Assessment Supplementary Information Report (PDB-003) submitted at Procedural Deadline B (21 December 2020).</p>
RR-017-12	<p><b>Drafting of the Draft Development Consent Order</b></p> <p>The wording of the draft DCO fails to meet our expectation. The Council has concerns that we ask the ExA to consider.</p> <ul style="list-style-type: none"> <li>• We see no requirement to remove temporary works.</li> <li>• The approval processes for requirements and documents exclude LB Havering in a number of areas of environmental responsibility which fall to itself.</li> <li>• The principle of “deemed consent” for matters which fall to Havering to determine is unacceptable as is the concept of ‘consultation’ which, as currently set out, invites consultation to take place but not a requirement to reach substantive agreement with Havering on matters within its compass.</li> <li>• Havering will require authority to inspect the works with regard to environmental matters within its remit.</li> </ul>	<p>Highways England welcomes comments from the London Borough of Havering on the draft Development Consent Order (dDCO) (APP-015) as part of the examination process.</p> <p>In response to the specific concerns that the London Borough of Havering has raised at this stage, Highways England's comments are set out below.</p> <p>Firstly, in relation to the removal of temporary works, provision is included for this within article 35(5) and article 36(6) of the draft DCO. Before giving up temporary possession of land, Highways England is required to remove all temporary works and to restore the land to the reasonable satisfaction of the landowner.</p> <p>Secondly, the approach taken with regards to the proposed requirements set out within Schedule 2 to the draft DCO has been drafted having regard to a number of relevant precedents and is reasonable having regard to the nature, scale and national significance of the Scheme. Notwithstanding, Highways England continues to liaise with the London Borough of Havering in order to further understand any specific concerns it might have.</p>



Reference	Relevant Representation	Highways England's response
		<p>Thirdly, with regards to the concept of 'deemed consent' and 'consultation':</p> <ul style="list-style-type: none"> <li>• 'deemed consent' is a well precedented principle and for Nationally Significant Infrastructure Projects it is necessary so as to prevent a third party from unnecessarily or unreasonably delaying the scheme. Highways England has proposed reasonable periods of time for third parties, including the London Borough of Havering, to determine a request for approval. For instance, article 13 (temporary alteration, diversion and restriction of use of streets) allows a street authority a period of 28 days to either issue or refuse consent; and</li> <li>• 'consultation' is also well precedented and has been agreeable to local authorities on other DCOs. Requirement 17 of the dDCO makes clear that where details are required to be submitted to the Secretary of State pursuant to a requirement, evidence of consultation must also be submitted, and in particular a summary report setting out the consultation undertaken by Highways England to inform the details submitted and Highways England's response to that consultation is also required. The London Borough of Havering's consultation responses would therefore be available to the Secretary of State in determining how to deal with an application by Highways England for discharge of a DCO requirement.</li> </ul>

Reference	Relevant Representation	Highways England's response
		<p>Finally, with regards to inspection of the works, DCOs do not usually provide a general right for local authorities to inspect works, given that works are authorised by the Secretary of State and must be constructed in strict accordance with the requirements set down within the draft DCO. It is not clear from the relevant representation which works the London Borough of Havering would like to inspect or why. Highways England continues to liaise with the London Borough of Havering in order to further understand any specific concerns it might have.</p>
RR-017-13	<p>The Council retains the right to comment on other areas of the applicant's proposals as the Examination proceeds.</p>	<p>Highways England wishes to make no comment on this part of the representation.</p>

**RR-018 LOUISE BOWYER**

Reference	Relevant Representation	Highways England's response
RR-018-1	<p>I am very concerned as the traffic at the roundabout is already a nightmare daily for us.</p> <p>As you may be aware Woodstock Avenue have to use the roundabout daily to get anywhere. I have to leave at 8am to get to school for 8.45 at Wigleybush Lane which is just the other side of the roundabout. Some days I do not make it on time. I would like for there to be a slip road on the A12 for us to possibly turn into Maylands way so that we do not have to go round the roundabout once works commence. This would mean that we could go the back way into Brentwood for school and shopping without getting stuck on the roundabout for hours.</p>	<p>Once completed, the Scheme would increase the capacity at M25 junction 28, significantly reducing the congestion and delay for many motorists using the roundabout. Queuing and delays on the A12 eastbound off slip are expected to reduce significantly taking account of forecast traffic growth. Section 2 of the Transport Assessment Supplementary Information Report (PDB-003) submitted at Procedural Deadline B (21 December 2020) presents the information demonstrating this. This improvement is relevant to Woodstock Avenue residents as the roundabout is used to facilitate the movement from Woodstock Avenue to the A12 westbound carriageway by car. After construction, Woodstock Avenue residents will benefit not only from the reduction in traffic congestion on the roundabout, but also from a reduction in queuing time on the A12 eastbound off slip.</p> <p>Access for all residents will be maintained throughout construction. During construction, measures will be in place to ensure that traffic will be managed appropriately in order to avoid, as far as practicable, adverse effects on the road network. Arrangements will be put in place by the Principal Contractor to ensure emergency services on blue lights would be able to attend any emergencies in respect of properties on Woodstock Avenue. These measures will be set out in a traffic management plan that will be produced in line with Requirement 10 of the draft DCO (APP-015).</p>

Reference	Relevant Representation	Highways England's response
		The option of installing an alternative means of access/exit from Woodstock Avenue is outside the scope of the Scheme and would need to be considered by Transport for London as the responsible authority for this section of the A12.

**RR-019 LUDDINGTON GOLF LIMITED**

Reference	Relevant Representation	Highways England's response
RR-019-1	Luddington Golf Limited (LGL) are the long Leaseholders and operators of Maylands Golf Course (MGC), which will be affected by this Scheme/ Application in the following ways:	Highways England wishes to make no comment on this part of the representation.
RR-019-2	<p>1) Maylands will lose use of the club's Practice Range area for the duration of the construction works.</p> <p>The practice Range is an integral element of the Golf business at Maylands and by losing these facilities it will detrimentally affect both members and visitors. This will negatively impact on the business through general loss of income, the teachers will not be able to teach and therefore lose their income, and membership and visitor play will diminish due to the inability of the Club to offer such facilities, which will negatively impact on revenues for the business. Highways England have offered no alternative or replacement for these practice facilities.</p>	<p>It is proposed that an area of land to the west of the proposed loop road, (understood to be within an area utilised as a practice area by Maylands Golf Club), would be required as a surplus construction material deposition area during (and following) construction. This would temporarily occupy approximately half of the land used as a practice area for the duration of the construction works. In accordance with article 35 of Part 4 of the draft Development Consent Order (APP-015), Highways England would restore land acquired temporarily to the reasonable satisfaction of the owners of the land. A corner section of this area of around 10% of the total area would be permanently acquired to enable the construction of a surface water attenuation pond.</p> <p>Notwithstanding the above, a targeted non-statutory consultation process is currently underway which re-considers the arrangements of the surplus construction material deposit area and proposes its remodelling into an environmental bund of 2.5m in height. The environmental bund would provide a level of visual and noise screening benefits to residents at Maylands Cottages and Woodstock Avenue, as well as to Maylands</p>

Reference	Relevant Representation	Highways England's response
		<p>Golf Club. The land proposed for this environmental bund would be permanently acquired as part of the Scheme.</p> <p>Provision of the bund within the Scheme depends upon the ExA being willing to accept a change to the application. Subject to the outcome of the consultation process, any changes to the Scheme will be subject to a change request to the ExA which is proposed to be made no later than Deadline 3 (18 February 2021).</p> <p>The practice area which would be affected by this element of the Scheme is understood by Highways England to not to have any formal planning permission for use as a practice area, nor is it understood to be documented in any lease agreement (see entry for plot 1/11 on page 42 of the Book of Reference (APP-021)).</p> <p>The use of this land was raised with the lessees and operators of the golf club in a letter dated to them on 23 July 2020 following their response to the targeted consultation. Discussions are ongoing between Highways England and the lessee/occupier (i.e. Luddington Golf Limited).</p>
RR-019-3	<p>2) The proposed road will have a significant detrimental impact on the 1st and 2nd holes at Maylands both in terms of: length, playability, quality of the landscape, visual and noise pollution and generally the leisure experience for the users whether they be member or visitor.</p>	<p>The impact of the Scheme on Maylands Golf Course is shown on the Works Plans (APP-006), Land Plans (APP-005), Book of Reference (AS-021) and further described in Chapter 13 – People and Communities of the Environment Statement (ES) (APP-035). An assessment of the impact of the Scheme on Maylands Golf Course as a community asset, is contained in paragraphs 13.8.18 to</p>

Reference	Relevant Representation	Highways England's response
	<p>This in turn will have a negative impact on the business and therefore the future sustainability of the course and the business.</p>	<p>13.8.38 of Chapter 13 of the ES and draws upon the findings provided within the Landscape and Visual (APP-031) and Noise and Vibration (APP-028) and Air Quality (APP-027) assessments undertaken in the preceding chapters of the ES.</p> <p><u>Length, playability and leisure experience</u></p> <p>As a result of the impacts of the Scheme on the golf course, which proposed the permanent acquisition of plot 1/12 as shown on the Land Plans (APP-005) which comprises the existing tee area of hole 2 of the golf course, Highways England have proposed the re-provision of hole 2.</p> <p>As indicated on the Land Plans, plot 1/14 has been proposed to be temporarily acquired in order to facilitate the construction of a replacement hole 2 which would allow for the provision of a hole of equal length, playability and quality as the existing hole. The hole has been designed with the assistance of specialist guidance to ensure it is suitable playable and in Highways England's opinion, offers a hole of equal quality and safety. The hole would offer a similarly challenging golf hole to the existing hole ensuring that the quality of the leisure experience for the users would be maintained.</p> <p><u>Amenity effects</u></p> <p>In regard to the impact on amenity. The air quality assessment detailed in section 5.10 of Chapter 5 of the ES (APP-027) indicates that there will be a slight adverse</p>

Reference	Relevant Representation	Highways England's response
		<p>effect to holes 1 and 2 during construction arising from dust emissions, however, no significant adverse effects are expected during the operation stage. No other significant adverse effects are expected during either the construction or operational stages of the Scheme</p> <p>Regarding the construction stage, the new hole 2 is designed to allow it to be constructed and made available for use without the need to close the existing hole 2 during construction works, which would avoid any interruption to the playability of the course. No land is proposed to be taken from hole 1 and it is therefore not necessary to provide replacement land for this element of the course.</p> <p>Moreover, an outline Construction and Environmental Management Plan (CEMP) (APP-096) has been prepared which details the mitigation measures that would be employed during construction to minimise the impact of construction dust arising.</p> <p>Notwithstanding the above, Highways England is at present consulting upon various proposed changes to the Scheme including further detail on the proposed accommodation works for the benefit of the golf course. The proposed changes provide further detail on the final design of the replacement hole and indicate how a boardwalk could be introduced to guide players back from the newly created 2<sup>nd</sup> green to the 3<sup>rd</sup> tee. In addition, the proposed 2.5m high environmental bund (see above at</p>



Reference	Relevant Representation	Highways England's response
		RR-019-2) would provide a level of visual and noise screening benefits to the golf club.
RR-019-4	<p>During the consultation process with Highways England (HE) over the scheme, LGL and MGC were asked to provide an Impact Assessment Report on the effect of the scheme on the golf course.</p> <p>Weller Designs Limited (highly regarded Golf Course Architects) were instructed to provide the report and within it provide alternatives for alterations to the course to keep it intact as an 18-hole Golf Course and Practice Range. This report was funded by HE and within it Weller Designs provided alternatives that would mitigate in particular (and as a minimum) the effect on the 2nd Hole and what might be acceptable to the operators of MGC as an alternative.</p> <p>Following submission of the report HE then asked Weller Designs to present a 'do minimum' scheme of alterations which they did. This was still not accepted by HE who then employed another golf course architect to produce a further 'do minimum' alternative which now forms part of this planning application.</p>	<p>Highways England has sought to understand the impacts of the Scheme on the golf course and to propose suitable accommodation works. Several meetings have been held with the lessee and operator of Maylands Golf Course as set out in section 8.3 of the Consultation Report (APP-022) and a number of options for addressing the proposed land take have been discussed.</p> <p>A targeted consultation took place from 31 January 2020 to 27 February 2020, which related to a proposed extension of the red line boundary of the Scheme to allow the reconfiguration of the second hole of Maylands Golf Course. In response to this, the operators of the club issued Highways England with a report detailing their preferred option for the remodelling of the golf course, which differs from the option put forward by Highways England as part of the DCO application.</p> <p>Highways England, with the assistance of a golf course architect, considered the proposal put forward by the club and set out its views upon it in a letter to the club, dated 23 July 2020.</p> <p>In summary, Highways England does not intend to pursue the option preferred by the golf club (known as "Option 1a") for the following reasons:</p>

Reference	Relevant Representation	Highways England's response
		<ul style="list-style-type: none"> <li>• The proposal amounts to a considerably greater level of mitigation to the potential impacts caused by the Scheme than that proposed by Highways England. It would not be a proportionate response to the effects of the Scheme on the course</li> <li>• The golf club's option would have a greater impact on the green belt designation than Highways England's option</li> <li>• The club's option would involve a greater level of tree clearance than Highways England's option and would therefore be less advantageous in environmental terms as regards this matter There are safety concerns over the arrangement of the newly proposed 3<sup>rd</sup> green and its interaction with the 8<sup>th</sup> hole tee off area</li> <li>• The golf club's option would not be possible to construct without temporary arrangements which would affect the golf course or require temporary closures of it.</li> </ul> <p>Highways England's proposal has been developed with the support of a qualified experienced golf course designer and would allow a replacement hole to be constructed without the closure of the existing hole. This would prevent any closure to the course and any interruption to its playability.</p>

Reference	Relevant Representation	Highways England's response
RR-019-5	<p>This alternative was assessed by Weller Designs who concluded that the scheme would be undesirable both in design and operational terms on the following basis:</p> <ul style="list-style-type: none"> <li>i) Health and Safety. After playing the hole players have to take a potentially dangerous walk back down the play line to the next hole.</li> <li>ii) It is disruptive operationally and will cause long delays to the golf course 'round time'.</li> <li>iii) It will deter members and visitors and therefore have a negative impact on the business and its sustainability.</li> <li>iv) Therefore it will have a negative impact on the sustainability of this historical and established golf course designed by the renowned architect Harry Colt and arguably one of the best courses in Essex.</li> <li>v) It is ecologically disadvantageous compared to the Weller Designs Scheme.</li> </ul> <p>LGI have provided their findings to HE and have concluded that the suggested alterations to the golf course in this scheme would be unacceptable going forward and have a negative impact on the business and future sustainability of the course and business.</p> <p>LGL also asked Weller Designs to further modify their proposed scheme in terms of total 'Land take' and 'costs of construction', which they have done and have presented to HE.</p>	<p>Highways England's proposed accommodation works for the golf course have been developed in conjunction with a qualified golf course architect.</p> <p>With regards to the safety aspects of Highways England's proposal, Highways England acknowledges that under the option proposed, it would not be permissible for players to tee off from the new second hole until those who had completed playing the hole had reached the third tee. To improve this situation, a change is proposed by Highways England, namely the creation of a boardwalk in order to provide a route back to the third tee. The boardwalk would direct players away from the hitting zone of players behind them. This would reduce any delay in play. In order to provide the boardwalk it would be necessary to increase the area needed for the accommodation works (Work No. 32 in the draft Development Consent Order (APP-15)) and this is also one of the proposed changes upon which Highways England is consulting at present.</p> <p>In summary, Highways England's proposed re-provision of hole 2 constitute an adequate replacement hole in terms of hole length, hole quality and safety and would continue to provide an interesting feature for players. The sustainability of the business would be maintained and the ability for the replacement hole to be constructed without closing the existing hole during construction</p>

Reference	Relevant Representation	Highways England's response
		<p>works would ensure there would be no interruption to the playability of the course as a whole.</p> <p>In regard to the ecological impact, the proposed solution has been considered by the Highways England's ecological specialists and designed to minimise any impact on the Great Crested Newt pond identified adjacent to the existing hole 2. The limited tree removal and land take when compared with the option put forward by Weller Designs on behalf of the club will result in a more favourable effect on ecological receptors.</p>
RR-019-6	<p>We object to the application because the current scheme does not give reasonable mitigation of the negative effects of the new road on the business, the club and the land at Maylands GC.</p> <p>Reasonable alternatives have been presented by Ourselves and our professional advisors, Weller Designs, through their impact assessment and subsequent alternative scheme which we believe have not been considered properly or in the correct context.</p>	See Highways England's responses above.

**RR-020 MATTHEW BODLEY CONSULTING LIMITED ON BEHALF OF GLEBELANDS ESTATES LIMITED**

Reference	Relevant Representation	Highways England's response
RR-020-1	<p>I act on behalf of Glebeland Estates Limited ("GEL") which owns land in Romford which is affected by the M25 Junction 28 Improvements Development Consent Order being promoted by Highways England ("HE").</p> <p>GEL owns approximately 300 acres of land to the west of junction 28 which is accessed via the A12 Colchester Road. The land includes the Maylands Golf and Country Club and surrounding land</p>	<p>Highways England wishes to make no comment on this part of the representation.</p>
RR-020-2	<p>A significant area of GEL's land has been included in the Development Consent Order application. Approximately 195,000 m<sup>2</sup> (48 acres) has been identified as pink land for acquisition and a further 80,000 m<sup>2</sup> (20 acres) has been identified as green land for temporary possession.</p> <p>The Golf Club is leased to Luddington Golf Ltd ("LDL") by way of a long lease. LDL operates the Golf Club. HE's proposed land take includes land within the lease and will therefore have an effect on the landlord and tenant contractual relationship between GEL and LDL. Accordingly, I am in contact with LDL and have liaised with them regarding the potential impact on the Golf Course.</p>	<p>Highways England wishes to make no comment on this part of the representation.</p>
RR-020-3	<p>The land which HE is seeking to acquire includes the second hole, the practice area as well as other parts of the Golf Course. A standard golf course requires 18 holes and the loss of any of</p>	<p>All temporary and permanent land take proposed as part of the Scheme is identified on the Land Plans (APP-005).           All discussions which took place with Luddington Golf Limited and Glebelands Estates Limited during the pre-</p>

Reference	Relevant Representation	Highways England's response
	<p>the holes would be unacceptable. The Golf Club will be unable to operate if one of the holes is compulsorily acquired.</p> <p>I am aware of the contact that has taken place between HE and LDL regarding proposals to reconfigure parts of the Golf Course to accommodate HE's proposed land acquisition. I am aware that LDL instructed Weller Design Ltd, a specialist Golf Course architect, to undertake an impact assessment and to review the alternative design proposals put forward by HE.</p>	<p>application phase of the Scheme are set out within section 8.3 of the Consultation Report (APP-022).</p> <p>Highways England proposes a replacement hole be provided to address the loss of hole 2 so that the golf course would retain the required 18 holes. Moreover, the proposed option for the re-provision of hole 2 would enable the new hole to be constructed and made available for use without the need for the existing hole 2 to close. There would therefore be no interruption to the playability of the course.</p>
RR-020-4	<p>I have been provided with a summary of the outcome of Weller's findings which conclude the HE's proposals are unacceptable in health and safety, operational, playability, social, environmental, ecological and economic terms.</p> <p>In addition, to the potential loss of the second hole, the proposals will impact adversely upon the visual and noise amenity of the first hole and lead to the loss of the practice area. In summary, it will make the Golf Course less playable and less attractive to members and visitors which will weaken the standing of the course resulting in its deterioration which will have a severe adverse impact on the Golf Club and its members and guests.</p> <p>The worst case scenario would be that membership and revenues decline which could lead to a deterioration of the quality of the club or potentially threaten its future existence and result in closure.</p>	<p>The impact of the Scheme on Maylands golf course is shown on the Works Plans (APP-006), Land Plans (APP-005), Book of Reference (AS-021) and further evidenced within Chapter 13 (People and Communities) of the Environmental Statement (ES) (APP-035). An assessment of the impact of the Scheme on Maylands golf course as a community asset, is contained in paragraphs 13.8.18 to 13.8.26 of Chapter 13 of the ES and draws upon the findings provided within the landscape, and visual and noise assessments undertaken.</p> <p>Further details of the requirement for the land is set out in the Statement of Reasons (APP-019), particularly paragraphs 4.12.1, Table A.1.1, Table A.1.3 and Appendix B.</p> <p><u><a href="#">Length, playability and leisure experience</a></u></p>

Reference	Relevant Representation	Highways England's response
		<p>As a result of the impacts of the Scheme on the golf course, which proposed the permanent acquisition of plot 1/12 as shown on the Land Plans (APP-005) which comprises the existing tee area of hole 2 of the golf course, Highways England have proposed the re-provision of hole 2.</p> <p>As indicated on the Land Plans, plot 1/14 has been proposed to be temporarily acquired in order to facilitate the construction of a replacement hole 2 which would allow for the provision of a hole of equal length, playability and quality as the existing hole. The hole has been designed with the assistance of specialist guidance to ensure it is suitable playable and in Highways England's opinion, offers a hole of equal quality and safety. The hole would offer a similarly challenging golf hole to the existing hole ensuring that the quality of the leisure experience for the users would be maintained.</p> <p><u>Amenity effects</u></p> <p>In regard to the impact on amenity. The air quality assessment detailed in section 5.10 of Chapter 5 of the ES (APP-027) indicates that there will be a slight adverse effect to holes 1 and 2 during construction arising from dust emissions however no significant adverse effects are expected during the operation stage. No other significant adverse effects are expected during either the construction or operational stages of the Scheme.</p> <p>Regarding the construction stage, the new hole 2 is designed to allow it to be constructed and made available</p>

Reference	Relevant Representation	Highways England's response
		<p>for use without the need to close the existing hole 2 during construction works which would avoid any interruption to the playability of the course. No land is proposed to be taken from hole 1 and it is therefore not necessary to provide replacement land for this element of the course.</p> <p>Moreover, an outline Construction and Environmental Management Plan (CEMP) (APP-096) has been prepared which details the mitigation measures that would be employed during construction to minimise the impact of construction dust arising.</p> <p>Notwithstanding the above, a targeted non-statutory consultation process is currently underway which re-considers the arrangements of the surplus construction material deposit area and proposes its remodelling into an environmental bund of 2.5m in height. The environmental bund would provide a level of visual and noise screening benefits to residents at Maylands Cottages and Woodstock Avenue, as well as to Maylands Golf Club. The land proposed for this environmental bund would be permanently acquired as part of the Scheme.</p> <p>Provision of the bund within the Scheme depends upon the ExA being willing to accept a change to the application. Subject to the outcome of the consultation process, any changes to the Scheme will be subject to a change request to the ExA which is proposed to be made no later than Deadline 3 (18 February 2021).</p>



Reference	Relevant Representation	Highways England's response
		<p>In regard to the practice area, Highways England proposes that an area of land to the west of the proposed loop road, understood to be utilised as an informal practice area by Maylands Golf Club, would be required as a surplus construction material deposition area during (and following) construction. This area would temporarily occupy approximately half of the area currently employed as a practice area for the duration of the works. In accordance with article 35 of Part 4 of the draft Development Consent Order (APP-015), Highways England would restore land acquired temporarily to the reasonable satisfaction of the owners of the land. A corner section of this area of around 10% of the total area would be permanently acquired to enable the construction of a surface water attenuation pond.</p> <p>It is understood that the area referred to as a practice area does not have any formal planning permission for this use. Nor is it understood to be documented in any lease agreements between the landlord and the tenant.</p> <p>The formal use of this land was raised with the golf club in the letter issued to them on 23 July 2020 in response to the comments received from them during the targeted consultation. Discussions are ongoing between Highways England and Luddington Golf Limited. Discussions are also being sought with Glebelands Estates.</p>
RR-020-5	The Golf Club has existed in this location since 1936 having been designed by Harry Colt, a renowned twentieth century golf course architect.	Maylands Golf Course is recognised within Chapter 13 (People and Communities) of the Environmental Statement (ES) (APP-035) as a receptor within the

Reference	Relevant Representation	Highways England's response
	<p>It is an historic and important community facility. It provides both physical exercise and mental health benefits to its members and their guests, many of whom are retired and elderly. The primary function of the club is the playing of golf but in addition the club hosts dinners and events which provides members and guests with the opportunity to meet and socialise with each other.</p> <p>The club also provides economic benefits in the form of employment to the ground staff, teachers, professionals and catering staff. HE's proposals are likely to have a detrimental impact on the club which would in turn have a detrimental impact on the social and environmental well-being of its members, guests and employees which predominantly come from the local community. It will also have a detrimental impact on the economic well-being of the employees.</p> <p>I understand that LGL, and its architect Weller, has put forward alternative less intrusive proposals which would mitigate the adverse impacts of HE's scheme but that these have been rejected by HE</p>	<p>Community Assets assessment, noted in Section 13.7. The impacts and effects of the Scheme on the golf course are recognised through this chapter and in response, it is proposed that an adequate replacement of the second hole in terms of hole length, hole quality and safety is provided in order to ensure that the benefits to the community which the golf course offers are maintained.</p> <p>Several meetings have been held with Luddington Golf Limited as set out in Section 8.3 of the Consultation Report (APP-022) and a number of options for addressing the proposed land take have been discussed.</p> <p>With regard to the alternative proposals put forward by Weller Designs, a targeted consultation took place from 31 January 2020 to 27 February 2020 which related to a proposed extension of the red line boundary of the Scheme to allow the reconfiguration of the second hole of Maylands Golf Course. In response to this, Maylands Golf Club issued Highways England with a report detailing their preferred option for the remodelling of the golf course which differs from the option put forward as part of the DCO application.</p> <p>Highways England, with the assistance of a golf course designer, reviewed and considered the option put forward by the golf club and provided a response letter issued to the golf club on 23 July 2020 outlining Highways England's position and providing justification for the option put forward as part of the DCO application.</p>

Reference	Relevant Representation	Highways England's response
		<p>The option which was put forward as the preferred option by the golf club (Option 1a) is not being put forward by Highways England for the following reasons:</p> <ul style="list-style-type: none"> <li>• The proposal amounts to a considerably greater level of mitigation to the potential impacts caused by the Scheme than that proposed by Highways England. It would not be a proportionate response to the effects of the Scheme on the course</li> <li>• The golf club's option would have a greater impact on the green belt designation than Highways England's option</li> <li>• The club's option would involve a greater level of tree clearance than Highways England's option and would therefore be less advantageous in environmental terms as regards this matter. There are safety concerns over the arrangement of the newly proposed 3<sup>rd</sup> green and its interaction with the 8<sup>th</sup> hole tee off area</li> <li>• The golf club's option would not be possible to construct without temporary arrangements which would affect the golf course or require temporary closures of it.</li> </ul> <p>The proposed option for the re-provision of a golf hole proposed by Highways England was developed in with the support of a qualified experienced golf course designer, and would allow a replacement hole to be constructed without the closure of the existing hole. This would prevent any closure to the course and any interruption to its playability.</p>

Reference	Relevant Representation	Highways England's response
RR-020-6	<p>In addition to the Golf Course, other land owned by GEL has been included for acquisition. My client intends to bring forward redevelopment proposals on its other land which are likely to be adversely affected by the proposed land acquisition. The full extent of this impact is not currently clear and we are in the process of reviewing this.</p>	<p>Highways England is aware of the planning history of the site (including an application for a burial ground and extension of the golf course) but is not aware of any current formal planning proposals which have been put forward for the area in question.</p> <p>In the London Borough of Havering's Local Plan (2016-2031) (currently at examination) the land owned by Glebelands is washed by Green Belt and there are no site allocations for development.</p> <p>A development land assessment is included in Section 13.10 of Chapter 13 of the ES (APP-035). This documents all the known development proposals either consented or in the planning system that may be affected by the Scheme, listed in the baseline section in paragraph 13.7.11.</p> <p>Highways England is continuing to seek to engage in discussions with Glebelands Estates to gain an understanding of the certainty in respect of any future development proposals.</p>
RR-020-7	<p>GEL objects to the compulsory acquisition of its land due to the adverse impact it will have on the Golf Club and its other landholdings.</p> <p>Aside from its general objection to the acquisition of its land, GEL is of the opinion that the extent of land which has been identified for permanent acquisition is excessive and goes significantly beyond the extent of the permanent works. In particular it is not</p>	<p>The total extent of land required to enable the works forming the Scheme comprises approximately 81 hectares, of which approximately 60 hectares of land is proposed to be acquired permanently (freehold to be acquired where not already held by Highways England).</p> <p>With regard to plots 1/10, 1/12, 1/13, 3/20 and 3/22, the reasons why these plots are to be acquired permanently</p>

Reference	Relevant Representation	Highways England's response
	<p>apparent why there is a need for HE to permanently own significant parts of plots 1/10, 1/12, 1/13, 3/20 and 3/22.</p>	<p>is set out in Table A1.1 within Appendix A to the SoR (APP-019) and Schedule 6 of the draft DCO (APP-015).</p> <p>Areas of land within plots 1/10, 1/13, 3/20 and 3/22 are required to mitigate and compensate for the effect of the Scheme on important biodiversity resources, primarily the Ingrebourne Valley Site of Metropolitan Importance for Nature Conservation (SMI) and an important population of great crested newts. As detailed in the biodiversity assessment (Chapter 7 of the ES, APP-029), the Scheme will lead to the permanent loss of approximately 4.9 ha of SMI habitat, with a larger area subject to temporary loss during the construction stage. Without mitigation or compensation for this loss, there would be a significant adverse effect on the SMI. Construction of the Scheme will lead to the permanent loss of terrestrial habitat available to great crested newt. Great crested newts are a European Protected Species and Highways England is required by law to ensure that the favourable conservation status of this important population of great crested newts is maintained. To reduce the adverse effect of the Scheme on these important biodiversity resources, mitigation and compensation proposals include habitat creation and long-term management of these habitats. Long-term management is necessary to ensure that habitat establishes appropriately and continues to provide the right conditions to meet the objectives of the mitigation design. Permanent acquisition of these plots is required to secure the appropriate long-term</p>

Reference	Relevant Representation	Highways England's response
		management of habitats required to reduce the adverse effects of the Scheme.
RR-020-8	It appears that HE could achieve its objectives in an alternative less intrusive manner by reducing the extent of the landtake. This could be achieved by taking less land or alternatively it may be more appropriate to reduce the extent of the permanent landtake and instead take some of this land on a temporary basis and return it to my client on completion of the works, or a combination of the two.	<p>All of the land subject to compulsory acquisition and temporary possession powers is necessary to construct, operate, maintain and mitigate the Scheme, and are necessary to achieve the objectives of the Scheme. The extent of the land sought is reasonable and proportionate. This is set out in Section 5.3 of the Statement of Reasons (APP-019).</p> <p>Highways England requires a degree of flexibility as to where certain elements of the Scheme can be constructed. Defined limits of deviation are provided for in the draft DCO (APP-015) and shown on the Works plans (APP-006). At the time of submission, all the land included in the Order limits is necessary to enable the delivery of the Scheme as set out in the Statement of Reasons (APP-019).</p>
RR-020-9	Furthermore, GEL has road safety concerns regarding the proximity of the proposed new maintenance access and slip road on the A12 to GEL's existing access and egress into its site.	<p>A replacement access has been provided into the field north of the A12 to replace the existing field access located near to the A12 eastbound off-slip road. The new access is shared with access to the proposed balancing pond. It has been located adjacent to the existing access into Maylands Golf Course. The proximity of the new maintenance access to GEL's existing access was identified as problem 1 of the Stage 1 road safety audit.</p> <p>However, usage of this access is anticipated to be infrequent and has been assessed that it does not</p>

Reference	Relevant Representation	Highways England's response
		<p>present a safety issue. A detailed response explaining why Highways England disagreed with the recommendation in the road safety audit can be viewed in the audit report which has been included in Table 6-8 of the Transport Assessment Report (APP-098). As GEL's use of its existing access and egress is low Highways England does not consider that its proximity to the realigned A12 slip road presents a safety issue and no such issue was raised in the Stage 1 road safety audit.</p>
RR-020-10	<p>In summary, GEL opposes the acquisition of its land interests and would like the opportunity to discuss the matter with HE to see if there is a way in which its concerns can be addressed and accommodated within the scheme proposals. We would also like the opportunity of expanding upon our grounds of objection via the Examination process and to appear at any hearings into the use of compulsory acquisition powers.</p>	<p>Highways England is continuing to actively engage with GEL and has been seeking to arrange a meeting to continue discussions relating to GEL's concerns.</p> <p>There will be opportunity for interested parties to attend and speak at the open floor hearings which will take place as part of the examination stage of the DCO.</p>

**RR-021 MR GROVES ON BEHALF OF THE GROVES FAMILY**

Reference	Relevant Representation	Highways England's response
RR-021-1	<p>As we the residents of (Redacted) are the last street before the M25 junction 28 and have no access to a right turn at the end of our road, we would have to endure constant delays exiting and entering our road. Both day and night probably for 3 years once the project begins. As well as the constant noise of the works again both night and day.</p>	<p>Given the feedback received as a result of consultation on the Scheme during the pre-application stage, Highways England understands that the concerns raised are centred around potential impacts of the Scheme on Woodstock Avenue.</p> <p>Once completed, the Scheme would increase the capacity at M25 junction 28, significantly reducing the congestion and delay for many motorists using the roundabout. Queuing and delays on the A12 eastbound off slip are expected to reduce significantly taking account of forecast traffic growth. Section 2 of the Transport Assessment Supplementary Information Report (PDB-003) submitted at Procedural Deadline B (21 December 2020) presents the information demonstrating this. This improvement is relevant to Woodstock Avenue residents as the roundabout is used to facilitate the movement from Woodstock Avenue to the A12 westbound carriageway by car. After construction, Woodstock Avenue residents will benefit not only from the reduction in traffic congestion on the roundabout, but also from a reduction in queuing time on the A12 eastbound off slip.</p> <p>This improvement is relevant to Woodstock Avenue residents as the roundabout is used to facilitate the movement from Woodstock Avenue to the A12 westbound carriageway by car. After construction,</p>



Reference	Relevant Representation	Highways England's response
		<p>Woodstock Avenue residents will benefit not only from the reduction in traffic congestion on the roundabout, but also from a reduction in queuing time on the A12 eastbound off slip</p> <p>During construction, measures will be put in place to ensure that traffic will be managed appropriately in order to avoid, as far as practicable, adverse effects on the road network. Arrangements will be put in place by the Principal Contractor, to ensure emergency services on blue lights, would be able attend any emergencies in respect of properties on Woodstock Avenue. These measures will be set out in a traffic management plan that will be produced in line with Requirement 10 of the draft Development Consent Order (APP-015).</p> <p>An assessment of the Scheme on noise and vibration is presented in Chapter 6 (Noise and Vibration) of the Environmental Statement (APP-028) with design, mitigation and enhancement measures detailed at section 6.9, including the contractor being part of the Considerate Contractors Scheme and keeping local residents informed of the works. The assessment concludes that with the application of recommended management and mitigation measures, outlined in the REAC (APP-097), there are unlikely to be any significant effects from noise due to the construction of the Scheme.</p> <p>The majority of construction works will take place between 07:00 to 19:00 Monday to Friday, as set out in paragraph 5.3.1 of the Outline Construction Environmental Management Plan (APP-096). It is</p>

Reference	Relevant Representation	Highways England's response
		<p>anticipated that night-time working Monday to Friday will be required on occasion on the existing highway network when closures would take place. It is anticipated that these activities will be undertaken between 23.00 and 07.00.</p> <p>Any proposals for weekend working or noisy works outside the main proposed hours would be agreed in advance with the local authority pursuant to Section 61 of the Control of Pollution Act 1974 as set out in NV2.1 on page 38 of the Register of Environmental actions and commitments (APP-097). Tables 1.2 and 1.3 of the REAC also confirm that Highways England would provide a clear and easy to access complaints and advice helpline and ensure that complaints are responded to, investigated and addressed promptly, including those in relation to construction noise and vibration.</p>
RR-021-2	<p>There is also a concern of the environmental impact this may cause both of the wildlife and the increase pollution as a result of the motorway being closer to our property. It is therefore my opinion that there has been no thought of the effect these works will have of the residents of (Redacted)</p>	<p>An assessment of the effects from the Scheme on biodiversity is presented in Chapter 7 Biodiversity of the ES (APP-029). Chapter 7 describes the potential impacts of the Scheme on important biodiversity resources, including habitats and species. It also sets out the proposed mitigation and compensation measures to reduce the effects of the Scheme. This includes measures to protect habitats and species throughout construction.</p> <p>An assessment of the Scheme on noise and vibration is presented in Chapter 6 (Noise and Vibration) of the Environmental Statement (APP-028) with design,</p>

Reference	Relevant Representation	Highways England's response
		<p>mitigation and enhancement measures detailed at section 6.9, including the contractor being part of the Considerate Contractors Scheme and keeping local residents informed of the works. The assessment concludes that with the application of recommended management and mitigation measures, outlined in the REAC (APP-097), there are unlikely to be any significant effects from noise due to the construction of the Scheme and changes in noise from the operation of the Scheme will be negligible.</p> <p>An assessment of the effects of the Scheme on air quality is presented in Chapter 5 (Air Quality) of the Environmental Statement (APP-027). The assessment concludes that with the application of appropriate mitigation measures, outlined in the Register of Environmental Actions and Commitments (REAC) (APP-097), there is unlikely to be a significant effect on air quality due to either the construction or operation of the Scheme, as detailed at section 5.10 of the Environmental Statement.</p> <p>The mitigation measures are also outlined in the Register of Environmental Actions and Commitments (REAC) (APP-097) which lists the measures required before the start of construction (Table 1.2), during construction (Table 1.3) and after construction (Table 1.4) and initially forms part of the Outline Construction Environmental Management Plan (CEMP) (APP-096). The CEMP will be prepared and maintained by the Principal Contractor and will reflect the mitigation contained with the REAC which</p>

Reference	Relevant Representation	Highways England's response
		<p>will be secured through requirement 4 of the draft Development Consent Order (APP-015).</p> <p>Highways England has been mindful of local residents and in response to comments raised during statutory consultation a meeting was facilitated to discuss potential access issues to and from Woodstock Avenue on 20 March 2019. This meeting included representatives from Highways England, Transport for London, London Borough of Havering and Woodstock Avenue residents. Engagement with the residents is recorded and addressed, in Chapters 7, 8 and 9 in the Consultation Report (APP-022). During the meeting Highways England's representatives explained the constraints and the impact of the Scheme on the wider road network, both during construction and operation. These are all outlined in both the Transport Assessment Report (APP-098) and the Transport Assessment supplementary Information Report (PDB-003) submitted at procedural deadline B (21 December 2020). Highways England has also developed plans for the Scheme further, including feedback received. These proposed changes are outlined in Highways England's letter to the Examining Authority dated 4 December 2020 (AS-029) and views are currently being sought on them as part of a non-statutory targeted consultation that ends on 4 February 2021.</p>

**RR-022 NATIONAL GRID ELECTRICITY TRANSMISSION PLC AND NATIONAL GRID GAS**

Reference	Relevant Representation	Highways England's response
RR-022-1	<p>Representation by National Grid Electricity Transmission Plc ("National Grid") to the Proposed M25 Junction 28 Development Consent Order ("the Project").</p> <p>National Grid wishes to make a relevant representation to the Project in order to protect its position in relation to infrastructure and land which is within or in close proximity to the proposed Order Limits.</p>	<p>Highways England wishes to make no comment on this part of the representation.</p>
RR-022-2	<p>National Grid's rights to retain its apparatus in situ and rights of access to inspect, maintain, renew and repair such apparatus located within or in close proximity to the Order limits should be maintained at all times and access to inspect and maintain such apparatus must not be restricted.</p> <p>The documentation and plans submitted for the above proposed scheme have been reviewed in relation to impacts on National Grid's existing and apparatus and land interests located within this area, and National Grid will require protective provisions to be included within the DCO to ensure that its interests are adequately protected and to ensure compliance with relevant safety standards.</p>	<p>The draft Development Consent Order (DCO) (APP-015) contains, within Part 1 of Schedule 9, protective provisions for the benefit of electricity, gas, water and sewerage undertakers and these would apply for the benefit of both National Grid Electricity Transmission Plc and National Grid Gas Plc.</p> <p>Highways England is currently engaged in discussions with National Grid with a view to further understanding any concerns National Grid might have regarding the proposed protective provisions and more generally as regards the protection of its apparatus and associated rights of access.</p>
RR-022-3	<p>National Grid Electricity Transmission has a high voltage electricity overhead transmission line within and in close proximity to the Order Limits. The overhead line forms an essential part of the electricity transmission network in England and Wales as follows:</p>	<p>The impact of the Scheme on this overhead electricity installation has been discussed with National Grid and agreement reached upon clearances and maintenance access. National Grid advised in letters dated 3 April 2019 and 11 October 2019 that they have no objection to the Scheme. However, discussions are ongoing regarding</p>

Reference	Relevant Representation	Highways England's response
	<ul style="list-style-type: none"> <li>ZB (275kV) overhead line route -Elstree to Warley.</li> </ul>	<p>protective provisions and a draft Statement of Common Ground (TR010029/EXAM/ 9.12) is submitted along with this document at Deadline 1.</p>
RR-022-4	<p>National Grid Gas has a high-pressure gas transmission pipeline located within and in close proximity to the proposed order limits. The transmission pipeline forms an essential part of the gas transmission network in England, Wales and Scotland:</p> <ul style="list-style-type: none"> <li>Feeder Main 18 (Stapleford Tawney to Horndon 'A').</li> </ul>	<p>National Grid advised in letters dated 3 April 2019, 15 August 2019 and 11 October 2019 that they have no objection to the Scheme. However, discussions are ongoing regarding protective provisions as detailed in the draft Statement of Common Ground noted above.</p>
RR-022-5	<p>As a responsible statutory undertaker, National Grid's primary concern is to meet its statutory obligations and ensure that any development does not impact in any adverse way upon those statutory obligations. National Grid reserves the right to make further representations as part of the examination process but in the meantime is negotiating with the promoter with a view to reaching a satisfactory agreement.</p>	<p>Highways England is currently engaging in discussions with National Grid as mentioned above.</p>

**RR-023 PUBLIC HEALTH ENGLAND**

Reference	Relevant Representation	Highways England's response
RR-023-1	<p>Public Health England (PHE) welcomes the opportunity to comment on your proposals at this stage of the project and can confirm that:- With respect to Registration of Interest documentation, we are reassured that earlier comments raised by us on 28th January 2019 and 21st November 2019 have been addressed.</p> <p>In addition, we acknowledge that the Environmental Statement (ES) has not identified any issues which could significantly affect public health. We are satisfied with the methodology used to undertake the environmental assessment.</p>	<p>Highways England welcomes the agreement of Public Health England on this matter.</p>
RR-023-2	<p>We note that the main ground investigation and associated risk assessment have not been provided. It is assumed that these will be agreed with the relevant local authorities in consultation with the Environment Agency, as the relevant regulatory authorities with regards to land contamination.</p>	<p>A preliminary ground investigation for the site is presented in Appendix 10.1 of the Environmental Statement (APP-075). Table 1.2 of the Register of Environmental Actions and Commitments (APP-097) has included the commitment (reference GS1.1) to completing a Ground Investigation Report and appropriate risk assessments which will be submitted to the local planning authorities and Environment Agency.</p> <p>The ground investigation works for the Scheme is now complete and it is presented in the Ground Investigation report (TR010029/EXAM/9.25) which is submitted to the ExA at Deadline 1.</p>
RR-023-3	<p>PHE notes that the Environmental Statement Chapter 13: People and Communities was developed using the methodology provided</p>	<p>The Environmental Statement describes the environmental effects of the Scheme using the DMRB</p>

Reference	Relevant Representation	Highways England's response
	<p>by DMRB Volume 11 Section 3. However, this methodology was superseded by DMRB LA112: Population and Human Health, in January 2020.</p> <p>It is therefore our expectation that the most recent Highways England methodology should be used to assess and report the effect of this development on population and human health.</p>	<p>guidance available at the time of undertaking the preliminary design, which includes the preliminary environmental design mitigation work shown on Figure 2.2 (APP-039).</p> <p>Appendix 4.1 DMRB Sensitivity Test in the Environmental Statement (APP-050) outlines the key parts of the DMRB guidance used in the Environmental Statement and considers whether the DMRB updates would change the outcome of the environmental assessments, including those of the assessment in Chapter 13 People and Communities (APP-035).</p> <p>Section 3.9 in Appendix 4.1 (APP-050) presents the comparison of the predicted effects stated in Chapter 13 (APP-035) and the predicted effects under the updated DMRB guidance for Population and Human Health. This section concludes that there would be no change in the effects observed as a result of changes to the methodology (see Table 3.8 in APP-050).</p>
RR-023-4	<p>On the basis of the documentation as reviewed we have no additional comments to make at this stage and can confirm that we have chosen NOT to register an interest with the Planning Inspectorate on this occasion. Please do not hesitate to contact us if you have any questions or concerns.</p>	<p>Highways England wishes to make no comment on this part of the representation.</p>



**RR-024 SAVILLS (UK) LTD (SAVILLS (UK) LTD) ON BEHALF OF GARDENS OF PEACE MUSLIM CEMETERY**

Reference	Relevant Representation	Highways England's response
RR-024-1	<p><b>Gardens of Peace Muslim Cemetery - Plots 1/8 - Representation against Highways England's M25 Junction 28 Improvement Scheme</b></p> <p>Savills (UK) Ltd has been instructed by the Trustees of Gardens of Peace Muslim Cemetery to act on their behalf in relation to the M25 Junction 28 Improvement Scheme ("the Scheme"). As per Highways England (HE) letter dated 14th May 2020 with Development Consent Order (DCO) plans enclosed, Gardens of Peace owns Plot 1/8.</p>	<p>Highways England wishes to make no comment on this part of the representation.</p>
RR-024-2	<p>Please note, whilst Gardens of Peace appear to be the registered owner Plot 1/9, this is an error at Land Registry and accordingly Gardens of Peace are in the process of having a boundary survey undertaken with the revised plan registered at the Land Registry by early November. This will remove what HE identify as Plot 1/9 from their ownership.</p>	<p>The Book of Reference (BoR) submitted by Highways England to the Planning Inspectorate (latest version AS-009 and 010) includes a footnote against the Garden of Peace Muslim Cemetery's listed interest in plot 1/9 which states: <i>"The land covered by plot 1/9 is expected to be formalised at the land registry where the owner of the Putwell Bridge Caravan Park is expected to be registered as owner following on from a boundary agreement dated 15 October 2019"</i></p> <p>This acknowledges the current position as regards ownership of plot 1/9. However, plot 1/9 has been confirmed as no longer being required for construction and therefore will be removed from the BoR at subsequent updates.</p>

Reference	Relevant Representation	Highways England's response
RR-024-3	<p>Plot 1/8 is subject to temporary possession with permanent rights. In response to HE letter addressed to Gardens of Peace, dated 21st July 2020, we are instructed to submit the following representation against HE's Scheme.</p>	<p>Highways England wishes to make no comment on this part of the representation.</p>
RR-024-4	<p>Gardens of Peace is a charity, and thus non-profit making, providing burials for the Muslim community in London. Gardens of Peace rely solely on Lillah donations and burial and funeral fees to maintain the cemeteries, pay wages and to build a fund for future maintenance and development of cemetery land. Given the nature of cemeteries, Gardens of Peace are required to plan well in advance for future expansion.</p> <p>Accordingly, Gardens of Peace acquired 30 acres of land (known as "Maylands") in 2007 to ensure they had a "land bank" for a new cemetery to serve the Muslim community once the existing cemetery neared capacity. Plots 1/8 forms part of Maylands. In recent years, it was evident the new cemetery was required and accordingly, Gardens of Peace applied for planning permission in 2014 which was declined. Planning was subsequently approved on Appeal on 23/1/2017.</p> <p>However, whilst Gardens of Peace were already under pressure to commence development of the new cemetery, Covid-19 exacerbated this pressure with an increase in mortality rates. Gardens of Peace are now under significant time pressure to open their new Cemetery to allow for adult burials.</p>	<p>See response below at RR-024-5.</p>
RR-024-5	<p>Maylands, including the area subject to Plot 1/8, has always been designated a greenfield site and therefore, the overall design and</p>	<p>Highways England is aware of the planning permission for the burial ground and has sought to work with the</p>

Reference	Relevant Representation	Highways England's response
	<p>look of the proposed cemetery had to overcome a number of stringent conditions to be approved. Gardens of Peace have already expended a considerable sum in professional fees to draw up the overall design for the optimum use of the site.</p> <p>The extensive preliminary ground works (costing in excess of £500,000) commenced in 2017, which included clearing the site, preserving the trees in woodland belt, work clearing soil of roots, harrowing, installing site services – ducts for water, electricity, borehole water, road works, foul connections, site drainage, fencing, perimeter screen planting and a boundary wall.</p> <p>In order to develop into a cemetery (which is due to commence in the first half of 2021), planning approval allows for the construction of a car park for cars and coaches, constructing an access off the A12 into the site with roads leading to the car park and the main office building and chapel facilities for mourners, extensive landscaping to make the cemetery a sympathetic area whilst providing up to 10,000 burials and constructing a building to act as general workshop / store.</p>	<p>promoters of that site along with Cadent Gas Limited (“Cadent”) to understand the constraints (see section 4.14 of the Statement of Reasons (APP-019)).</p>
RR-024-6	<p>An opening date of February 2022 has always been targeted to allow a smooth transition from their current cemetery to Maylands.</p> <p>However, if the Scheme is progressed as proposed, meeting the opening date will not be possible for the following reasons:</p> <ul style="list-style-type: none"> <li>• The Scheme will cause delays and interruptions to Gardens of Peace’s contractor’s work schedule</li> </ul>	<p>Highways England welcomes confirmation on the proposed opening date of February 2022 for the cemetery at Oak Farm, Maylands.</p> <p>Highways England has been liaising with representatives of the Trustees of Gardens of Peace Muslim Cemetery (the “Trustees”) throughout the development of the high-pressure gas-pipeline diversion to understand the constraints and layout of the proposed burial ground to minimise disruption. Early discussions were undertaken</p>

Reference	Relevant Representation	Highways England's response
	<ul style="list-style-type: none"> <li>Gardens of Peace will have to redesign their scheme to allow development of the cemetery whilst the junction improvement works are being undertaken</li> <li>Even once the Scheme is completed, Gardens of Peace will not be able to open the cemetery as the subject area will require developing to allow the cemetery to be opened for burials and mourners.</li> </ul> <p>Having a part completed cemetery will not be acceptable to Gardens of Peace, given the sensitive use of the site.</p>	<p>with Cadent to consider possible options for diverting the gas main. This led to a corridor being identified for the proposed diversion. Views on this corridor were sought as part of the supplementary consultation that took place from 4 November until 2 December 2019.</p> <p>The route of the high-pressure gas-pipeline-has been refined since that supplementary consultation (see Section 9.9 of the Consultation Report (APP-022)). Following discussions with representatives of the Trustees and having considered the permitted layout of the burial grounds site, the alignment of the gas-pipeline diversion was chosen in order to minimise any potential impacts of the work on the site. The design layout of the burial ground was provided by the Trustees and the pipeline diversion route designed to ensure that potential impacts are kept to a minimum. Following construction, the use of the land would be returned to the burial ground's approved purpose. This has been achieved by locating the pipeline along the proposed access road for service vehicles in order to avoid the burial areas and associated gardens.</p> <p>The main access into the site would not be affected by the Scheme. The construction area for the high-pressure gas-pipeline-diversion will have a solid site hoarding to the cemetery and the contractor will work with landowners and prepare a Construction Environmental Management Plan (CEMP) to minimise disruption. Preparation of the CEMP would be based on the Outline CEMP (APP-096)</p>

Reference	Relevant Representation	Highways England's response
		<p>submitted as part of the DCO application and is secured by Requirement 4 of the dDCO (APP-015).</p> <p>The diverted gas-pipeline would require temporary land take to facilitate its construction and then permanent rights over land to allow for future maintenance and repair. As is usual for underground assets, the limits of deviation for the gas-pipeline are required to provide flexibility through the detailed design stage. Since submission of the DCO application, further discussions have taken place between Cadent and representatives of the Trustees and Highways England. These discussions have resulted in a proposed change to the limits of deviation for the gas-pipeline diversion and a refinement of the permanent rights sought in plot 1/8. This proposed change is currently the subject of a non-statutory targeted consultation, which ends on 4 February 2021.</p> <p>Subject to the outcome of the consultation process, any changes to the Scheme will be subject to a change request to the ExA which is proposed to be made no later than Deadline 3 (18 February 2021).</p>
RR-024-7	<p>We note on the HE website that the start date for the Scheme is listed as 2021-2022 and therefore will not be completed in advance of February 2022 to allow Gardens of Peace to progress their development.</p>	<p>Highways England considers that the opening of the Gardens of Peace burial ground would be able to proceed in a phased manner, alongside the implementation of the Scheme and this has been discussed with the Trustees. In addition, throughout discussions Highways England and Cadent have been working with the Trustees to</p>

Reference	Relevant Representation	Highways England's response
	<p>Accordingly, if the Scheme is progressed as proposed the opening of the cemetery will be entirely in the hands of HE contractors.</p>	<p>accommodate their concerns relating to the temporary construction impacts of the Scheme.</p> <p>As stated in the Environmental Statement, Section 2.6 (APP-029), the main construction works of the Scheme will be divided into 5 phases. Pre-phases including early works, site mobilisation, utilities diversions and ecological mitigation and compensation works will commence spring 2022. The Cadent high-pressure gas-pipeline diversion is assumed to be constructed between spring 2022 to autumn 2022. This will be confirmed by Cadent during the detailed design of their proposed gas pipeline.</p> <p>As outlined in response above, the construction area for the high-pressure gas-pipeline diversion will be boarded off and the contractor will work with landowners and prepare an outline Construction Environmental Management Plan (CEMP) to minimise disruption. This would be based on the Outline CEMP (APP-096) submitted as part of the DCO application (Requirement 4 of the draft DCO (APP-015)).</p>
RR-024-8	<p>In addition to the above, we also take this opportunity to raise the following concerns about the Scheme based on the information provided to date:</p> <p>i) <b>Insufficient Information Provided</b> – Whilst a conference call has been held with Gardens of Peace, their development advisors, Savills, Highways England and Atkins Global, further information could be provided for Gardens of Peace to better understand the effects of the Scheme on their property.</p>	<p>The Works Plans (APP-006) and Land Plans (APP-005) submitted with the DCO application indicate the area within which the high-pressure gas-pipeline diversion would be undertaken. The plans provide a corridor within which the gas-pipeline would be constructed. The final positioning of the pipeline is subject to detailed design by Cadent.</p>

Reference	Relevant Representation	Highways England's response
	<p>A site meeting was provisionally arranged ahead of the representation deadline, but later cancelled as HE were not in a position to give any further clarity on the Scheme. We therefore currently have insufficient information to enable full understanding of the effects of the Scheme on Garden of Peace's land and thus are not able to fully respond to the Scheme proposals.</p>	<p>The discussions with the Trustees, as noted, are set out within Section 9.12 of the Consultation Report (APP-022) and since submission of the application there have been numerous meetings and other communications where information has been shared between the Trustees, Cadent and Highways England to address the effects of the Scheme on the burial ground.</p> <p>The concerns regarding the final alignment of the pipeline and impact on the Gardens of Peace development are noted and are being taken into account during the detailed design process which is being undertaken by Cadent.</p> <p>Highways England is continuing to actively engage with the Trustees to address their concerns. As a result of these discussions Highways England is proposing to modify the limits of deviation for the gas pipeline and refine the area of permanent rights sought over plot 1/8. This proposed change is currently subject to a non-statutory targeted consultation with a view to Highways England making a formal change request to the ExA no later than Deadline 3 (21 February 2021).</p>
RR-024-9	<p>ii) <b>Future Land Use Restrictions</b> – We have requested on more than one occasion the proposed wording of the easement for the gas main. We are yet to have sight of this and are therefore unclear as to any future land use restrictions which may adversely impact on the number of burials available on the land. This is important to Gardens of</p>	<p>The gas pipeline already runs through the site and a length of this is being diverted. The existing easement is 20 feet wide (approximately 6.1m), As has been explained to the Trustees once constructed, the re-aligned gas pipeline would, subject to local exception, require an easement of 6.1m from either side of the pipe</p>

Reference	Relevant Representation	Highways England's response
	<p>Peace as the land was acquired for the purpose of a cemetery and if a large area is to be sterilised due to the presence of the gas main, the proposed cemetery will have to be redesigned. Furthermore, it will reduce the expected income generated by the sale of burials which could have a permanent impact on the reinvestment into the cemetery.</p>	<p>totalling 12.2m. The underground high-pressure gas-pipeline is proposed to be installed a minimum of 1.2m below the surface of the ground, approximately 75 metres through plot 1/8. The proposed alignment is shown on sheet 1 of the Work plans (see Work no. 29 - APP-006). Once the pipeline is installed, access will be sought for operation, inspection, repair, protection, maintenance and renewal works. Such works will be infrequent in nature and the land would be restored to the reasonable satisfaction of the owner.</p> <p>However, as noted above, the final position of the gas-pipeline within the appropriate limits of deviation is subject to detailed design. A construction corridor has been indicated on the Works Plans (APP-006) to identify an area where the gas-pipeline would lie once detailed design has been completed.</p> <p>As described in the paragraph above, following discussions with representatives of the Trustees and having considered the permitted layout of the burial grounds site, the alignment of the gas-pipeline diversion was chosen in order to minimise any potential impacts of the work on the site. The design layout of the burial ground was provided by the Trustees and the pipeline diversion route designed to ensure that potential impacts are kept to a minimum. Following construction, the operation of the cemetery and the area needed for burial plots would not be affected. This has been achieved by locating the pipeline and services to run along the</p>



Reference	Relevant Representation	Highways England's response
		<p>proposed access road for service vehicles in order to avoid the burial areas and associated gardens.</p> <p>Again, the concerns raised by the Trustees are noted and are being taken into account. As outlined above Highways England is proposing a refinement to the area over which permanent rights for the pipeline diversion are sought. This proposed change is currently subject to a non-statutory targeted consultation as mentioned in the paragraph above.</p> <p>Highways England is continuing to actively engage with representatives of the Trustees to discuss further.</p>
RR-024-10	<p>iii) <b>Area subject to Temporary Possession</b> – The land subject to the DCO is excessive and can be redesigned to have a lesser impact on Gardens of Peace's land, or, be moved entirely off Gardens of Peace's land to minimise the disruptions caused by the Scheme's and allow for the proper running of their intended use.</p>	<p>Highways England understands from Cadent that all of this land is required on a temporary basis in order to carry out the gas pipeline diversion works. See Section 5.3 of the Statement of Reasons (APP-019).</p>
RR-024-11	<p>iv) <b>Development of the Site</b> – During the construction period of the Scheme, the main access into the cemetery, the car parking area to be used by all mourners and a substantial number of burial sites, approximately 250, will be significantly affected.</p>	<p>The construction period for gas pipeline diversion is estimated to run from April 2022 to October 2022.</p> <p>From the cemetery landscape masterplan and discussions with the Trustees, it is understood that there would be two site entrances into the burial ground; one to be used by mourners, situated just east of the existing bus lay-by on the A12 westbound carriageway, a second service entrance adjacent to Putwell Bridge and an internal access road. The entrance adjacent to Putwell</p>

Reference	Relevant Representation	Highways England's response
		<p>Bridge caravan site will be a service access only to the burial ground. The gas-pipeline-diversion has been designed to run under the internal access road at the eastern end of the site. Construction of the Scheme will only use the service entrance and not the mourner's entrance.</p> <p>Highways England estimate that a section of the internal access road and approximately 50m in length of the parking area would be required temporarily as a construction working area for Cadent. In terms of impact on the burial sites the construction period is estimated to last only six months and under a phased use of the burial plots starting from the west of the site there will be no impact.</p>
RR-024-12	<p>v) <b>Gas Main Design</b> – Cadent Gas have recently undertaken a walk over survey and it has been confirmed by Highways England that any detailed designs on the gas main will not be available until next year. This therefore causes Gardens of Peace uncertainty in terms of their current development plan and schedule and consequently may cause additional delays in commencing their development until Cadent have confirmed the final design of the gas main.</p>	<p>Since submission of this relevant representation, Highways England has been in further discussion with Cadent and the Trustees as outlined in the response above.</p>
RR-024-13	<p>vi) <b>Effect of Construction</b> – Gardens of Peace are also concerned about the effect of congestion caused by the junction improvement works on the running of the cemetery during the Scheme works.</p>	<p>Highways England will seek to undertake the construction works to minimise disruption to the road network. Traffic measures will be set out in a traffic management plan that will be prepared in line with Requirement 10 of the draft DCO (APP-015). Requirement 10 also requires the</p>

Reference	Relevant Representation	Highways England's response
		implementation of a traffic management plan that will have to be submitted to and approved by the Secretary of State following consultation with the relevant highway authority before the works can start.
RR-024-14	With all the above in mind, it is evident that if the Scheme is not amended as currently proposed, it will have a significant and long lasting detrimental effect on the cemetery at a time where there is already significant pressure to provide burial space. We reserve the right to amend, extend or withdraw this representation in due course. Please confirm receipt of this representation.	Highways England wishes to make no comment on this part of the representation.

**RR-025 STEVEN MONKSFIELD**

Response Reference	Relevant Representation Issue	Highways England Response
RR-025-1	<p>I have concerns regarding the disruption to traffic when trying to get round the Brentwood roundabout whilst the improvements are going on.</p> <p>As you will be aware the residents that live in our road have no option but to go round the Brentwood roundabout every time we leave our homes. I feel very strongly that we need a right hand turn from the A12 maybe near the junction with Maylands way to give us an option of avoiding the roundabout. Much similar to the one we currently have at the bottom of Kenilworth Ave.</p> <p>Without this in place I feel it will be virtually impossible for us to get our children to school or ourselves to work on time due to the extra time it will take to go round the roundabout.</p>	<p>Given the feedback received, as a result of consultation on the Scheme during the pre-application stage, Highways England understands that the concerns raised are centred around potential impacts of the Scheme on Woodstock Avenue.</p> <p>During construction, measures will be in place to ensure that traffic will be managed appropriately in order to avoid, as far as practicable, adverse effects on the road network. Arrangements will be put in place by the Principal Contractor, to ensure emergency services on blue lights, would be able attend any emergencies in respect of properties on Woodstock Avenue. These measures will be set out in a traffic management plan that will be produced in line with Requirement 10 of the draft Development Consent Order (APP-015).</p> <p>Once completed, the Scheme would increase the capacity at M25 junction 28, significantly reducing the congestion and delay for many motorists using the roundabout. Queuing and delays on the A12 eastbound off slip are expected to reduce significantly taking account of forecast traffic growth. Section 2 of the Transport Assessment Supplementary Information Report (PDB-003) submitted at Procedural Deadline B (21 December 2020) presents the information demonstrating this.</p>

Response Reference	Relevant Representation Issue	Highways England Response
		<p>This improvement is relevant to Woodstock Avenue residents as the roundabout is used to facilitate the movement from Woodstock Avenue to the A12 westbound carriageway by car. After construction, Woodstock Avenue residents will benefit not only from the reduction in traffic congestion on the roundabout, but also from a reduction in queuing time on the A12 eastbound off slip.</p> <p>The option of installing an alternative means of access/exit from Woodstock Avenue is an issue outside the scope of the Scheme and therefore would need to be considered by Transport for London as the responsible authority for this stretch of the A12.</p>

**RR-026 THE JONES FAMILY**

Reference	Relevant Representation Issue	Highways England's response
RR-026-1	<p>We [Redacted] have a number of businesses in operation here providing employment for maybe 100 people. Our property will be significantly affected by the proposals.</p> <p>We have grave concerns about the proposed works on both our living conditions and the ongoing operation of our business and the others that are located here.</p> <p>The views we have expressed to the project team over the last 2 years about the proposed design do not appear to have been incorporated into the submission.</p>	<p>Highways England has been engaged in discussions with the Jones family, the landowners of Grove Farm during preliminary design regarding the proposed Scheme. The outcome of those discussions has informed the design of the Scheme which has sought to minimise and mitigate impacts on Grove Farm where possible.</p> <p>Scheme design changes have been made as a result of discussions with the Jones family including a reduction of the red line boundary and exclusion of the residential property. The attenuation pond proposed on Grove Farm (Work Number 21B on Works Plans (APP-006)) has been redesigned to address landowner concerns over the amount of land take and this resulted in the size of the pond being reduced by approximately half.</p> <p>The Consultation Report (APP-022) and Consultation Report Annexes A and B (APP-023) set out the iterative discussions that have been held with the Jones family during the preliminary design. ES Chapter 3 (APP-026) also provides commentary on the assessment of the design options considered and the reasons for discounting other options in favour of the Scheme. Highways England continues to engage with the Jones family with regards to the Scheme.</p>
RR-026-2	<p>We note that the proposed new A12 east bound slip road would be located some 20m nearer to our property and at a significantly greater elevation making it level with our bedroom window. We</p>	<p><b>Construction noise</b></p>

Reference	Relevant Representation Issue	Highways England's response
	<p>have not seen any details of noise and vibration mitigation measures and we are therefore unable to understand the impact on our living conditions.</p> <p>The submitted information understandably deals with these issues generally but we believe that there is insufficient evidence provide to support the assertion that the impact would be negligible is hard for us to understand.</p>	<p>Construction noise impacts at Grove Farm are reported in Table 6.11 of Chapter 6 of the ES (APP-028). This identifies that daytime construction activities are expected to produce between 67 to 79 dB against a baseline of 64dB, and nighttime construction activities are expected to produce up to 76dB against a baseline of 61dB. Table 6.18 identifies that without mitigation the impacts at Grove Farm would be significant, resulting from daytime and nighttime activities on the new A12 off-slip and the M25 on-slip, and from daytime activities in the construction of a new haul route.</p> <p>Section 6.9 of the Chapter 6 of the ES (APP-028) describes the mitigation for construction noise. In addition to the working practices that are being implemented across the Scheme, there will be a temporary noise barrier installed at Grove Farm to block the line of sight from the activities and minimise the noise levels (see paragraph 6.9.10), which would avoid the impacts being significant. The residual adverse impacts shown in Table 6.20 would be managed through the described working practices and through open communication channels.</p> <p>Construction vibration impacts at Grove Farm are reported in paragraph 6.8.13 of the ES (APP-028), with perceptible impacts from ground compaction and paragraph 6.10.9 identifies that these impacts would not be significant. In respect of mitigation for this impact, section 6.9 recommends that dead rolling, rather than vibratory rolling, is used within 20m of Grove Farm to prevent perceptible vibration levels. This is covered in</p>

Reference	Relevant Representation Issue	Highways England's response
		<p>Table 1.1 under the Noise and Vibration section on page 6 in the Register of Environmental Actions and Commitments (REAC) (APP-097).</p> <p><b>Operational noise</b></p> <p>Operational noise impacts at Grove Farm are reported in Appendix 6.3 of the Environmental Statement (APP-055). Table 6.1 (APP-055) shows the road traffic noise levels with and without the Scheme.</p> <p>In all situations at Grove Farm noise levels are shown to be between 72 and 73dB. Noise levels are also shown to decrease by less than 1dB when the Scheme opens and will remain lower than existing levels by the future year (2037).</p> <p>Although the new proposed slip road will be located nearer to the residential property than the current slip road, the new slip road is proposed to be surfaced with a lower noise surfacing (as outlined in Table 1.1 under the Noise and Vibration section on page 6 in the REAC (APP-097)) compared with the current bitumen surfacing.</p> <p>In addition, sections of the existing A12 and M25 carriageways are also proposed to be resurfaced with lower noise surfacing which would reduce noise from traffic on these sections of the carriageways as well. Overall, as a result of the lower noise surfacing, changes in road traffic noise levels have been assessed as negligible with the Scheme in place and therefore mitigation measures are not considered necessary. See</p>



Reference	Relevant Representation Issue	Highways England's response
		<p>the reference to the REAC mentioned in the paragraphs above.</p>
RR-026-3	<p>The proposals show a new exit from the site at approximately the same location as the existing exit but with an approach some 20m shorter, reducing the space for vehicles to wait when exiting the site.</p> <p>We believe that it would be feasible and preferable to move the exit westwards down the slip road and away from our house to provide more room for exiting vehicles to queue and where they would be a better distance from our house. The proposals show the existing entrance to the site being maintained in its current position and a new exit slip from the M25 north entry slip road being built to provide maintenance access.</p> <p>We believe that it is feasible and preferable for these to be combined into one access serving both the site and the maintenance requirements.</p>	<p>Highways England will continue discussions with the Jones Family as to the detailed design of any solution to address this concern including the possibility of adjusting the location of the egress within the limits of deviation. Highways England is also exploring the option of 'Keep Clear' road markings. Having regard to the low numbers of large vehicles which have been observed exiting the site during peak hours it is considered that the 'Keep Clear' markings would facilitate access onto the A12 slip road from the new egress and reduce the risk of queueing on the egress.</p> <p>With regards to combining the proposed maintenance tracks with a new egress, this is not acceptable as the maintenance tracks are proposed for maintenance vehicles use only. There would be safety implications in connecting a private exit to the A12 in the location where the maintenance track connects with it. Moving the Grove Farm access further north along the M25 on slip is considered not acceptable as it would result in private vehicles, including heavy goods vehicles, slowing down to make a left turn on a section of slip road where other vehicles are expected to accelerate in preparation to join the M25 motorway.</p>

Reference	Relevant Representation Issue	Highways England's response
RR-026-4	<p>We would ask that the balancing/attenuation pond shown to be constructed be relocated as far north as possible to keep it clear of our other activities on site.</p>	<p>A key consideration for the location of the attenuation pond is the drainage strategy in this location. An existing ditch runs from the M25 to the Weald Brook in the location of the proposed pond forming Work Number 21B. This ditch has to be relocated to the north of the loop in order to accommodate Alder Wood Bridge and the associated contiguous bored piles wall. (Work Number 22 - application document APP-006), sheet 1 (APP-05). This was a key consideration in the assessment of the location of the pond.</p> <p>The Drainage Strategy submitted with the application (APP-092) outlines the considerations behind the proposed location of the pond (Work Number 21B on Works Plans (APP-006). Highways England has looked at the possibility of relocating the pond forming Work Number 21B to the north of the loop road so as to address the concerns raised by Grove Farm that the land take was excessive. Careful consideration has been given to the size and location of the drainage ponds, including the pond and there are various considerations that have informed the submitted design. The pond has not been designed to the north of the loop road due to greater engineering and environmental constraints.</p> <p>As set out in paragraph 3.6.3 of the Drainage Strategy (APP-092), the location of the pond on the southern side of the loop road (Work no.21B) was considered the most suitable option for the following engineering reasons:</p>

Reference	Relevant Representation Issue	Highways England's response
		<ul style="list-style-type: none"> <li>• To convey carrier pipes to a pond on the northern side from the M25 on slip, which is in cutting on that side, deep manholes would be required increasing cost and maintenance issues.</li> <li>• A pond on the northern side, would be located on the opposite or high side of the super elevation and would require a crossing of the carriageway from the surface water collection system.</li> </ul> <p>Additionally, a pond to the north of the loop would require significant works to enable a discharge the runoff into the Weald Brook.</p> <p>In terms of environmental impact, the woodland area at the north of the loop road lies within a designated site, Ingrebourne Valley Site of the Metropolitan Importance for Nature Conservation (as shown on the biodiversity sites and features plan (APP-012)) and the construction of the pond at this location would involve the loss of more woodland habitat from this site. Highways England is aiming to avoid, minimise and mitigate the environmental impacts of the Scheme as much as possible as well as considering the impact on the landowners (see Chapter 13 – People and Communities chapter of the ES (APP-035)).</p>
RR-026-5	We have asked for further information and engagement from the applicant on these issues but regrettably none of the issues we have raised have been resolved.	Throughout the development of the Scheme, Highways England has engaged with the Jones family as set out in the Consultation Report (APP-022, APP-023). These discussions will continue during examination of the

Reference	Relevant Representation Issue	Highways England's response
		Scheme and into detailed design so as to seek to address concerns where this is appropriate.

**RR-027 THURROCK COUNCIL**

Reference	Relevant Representation	Highways England's response
RR-027-1	On the basis of the application accepted for examination on 24th June 2020, Thurrock Council raises no objections to the proposed development	Highways England currently has no comment to make on this point.

**RR-028 TRANSPORT FOR LONDON**

Reference	Relevant Representation	Highways England's response
RR-028-1	<p><b>2. Summary of TfL's position</b></p> <p>TfL is in principle supportive of a scheme to improve the operation of Junction 28 of the M25. We recognise that the junction regularly operates at capacity, affecting the reliability of the road network. However, we have some significant reservations as to the approach promulgated by the DCO, which we wish to draw to the attention of the Examining Authority for consideration during the Examination.</p>	<p>Highways England welcomes Transport for London's (TfL) support for the principle of the Scheme and will continue to actively engage with TfL around the matters raised in this representation.</p>
RR-028-2	<p>TfL's key concerns are summarised below, including references to the relevant sections of this document where more information is provided:</p> <ul style="list-style-type: none"> <li>• Ownership and maintenance responsibilities (Section 3) – The draft DCO provides that the replacement A12 eastbound off slip road will form part of the TLRN. For the reasons set out below, HE ought to retain full responsibility for the replacement off slip and for it to form part of the Strategic Road Network (SRN) managed by HE. Resolution of this issue will determine TfL's position on several of the remaining issues below. In the absence of any commitment by HE to accept management and maintenance responsibilities for the off slip road (and other infrastructure referred to in paragraph 3.1 below) as part of the SRN (or to adequately compensate us for doing so), we must reserve our position in respect of all matters set out in this Representation. In order for us to be in a position to withdraw our objection on this ground, we will require an Agreement with HE to document the responsibilities of each organisation in respect of</li> </ul>	<p>Please see Highways England's response to these matters, provided in detail in paragraphs RR-028-3 to RR-028-30 below.</p>

Reference	Relevant Representation	Highways England's response
	<p>the altered road network (on terms acceptable to us and as more fully set out in paragraph 3.5), with modifications to the DCO where necessary.</p> <ul style="list-style-type: none"> <li>• Approvals and consultation (Section 4) – TfL's approval ought to be sought (as part of the DCO) in respect of the design and construction of infrastructure delivered by HE to the extent it may affect our assets and/or in respect of those assets which we may inherit. In addition to the need to consult us on such matters, we also consider that in order for such consultation to be meaningful, the timescales for consultation by the undertaker and/or the local authority (as detailed in paragraph 4.5) ought to be extended. Given the potential impact on our assets, Requirement 3 (detailed design), Requirement 4 (Construction Environmental Management Plan), Requirement 5 (Landscaping), Requirement 6 (Contaminated Land and Groundwater) and Requirement 8 (Surface and Foul Water Drainage) of the DCO ought to be amended (having regard to the justification in paragraph 4.5) so as to require our approval to be given to relevant details and documents prior to commencement of the authorised development.</li> <li>• Scope of works and design information (Section 5) – TfL requires further detail about the scope and design of works on our land (and those works not on our land but that have the potential to impact on our land/highway), both permanent and temporary, to understand the future implications for maintenance and operations. We are not yet satisfied that the design of the new infrastructure takes into account the ground instability in the local area. Sufficient information is not available to reach a finding that the design is fit for purpose both now and for the life of the</li> </ul>	

Reference	Relevant Representation	Highways England's response
	<p>development. Further information is required to assure us that the scheme can be constructed alongside other road improvement schemes, particularly the Lower Thames Crossing (LTC), without the potential for conflict.</p> <ul style="list-style-type: none"> <li>• Land ownership and rights (Section 6) – TfL requires further detail about the justification for and extent of the interests required by HE to deliver the scheme. We further note that the land acquisition proposed by HE to deliver the scheme should be used to resolve land ownership discrepancies and align the highway and ownership boundaries.</li> <li>• Assessment of traffic impacts (Section 7) – Further details on the approach to traffic modelling is required. TfL is concerned about the limited assessment of how the new junction layouts under different growth scenarios and with changes to traffic patterns forecast to result from opening of the LTC.</li> <li>• Environmental impacts (Section 8) – Despite the scheme being partly within London, for some environmental topics there has been limited demonstration of how the scheme is consistent with environmental policy in London.</li> <li>• Transfer of Benefit (Section 9) – The powers under the DCO could be used widely by other parties with the consent of the Secretary of State. This gives rise to an unacceptable risk that someone other than HE or its contractor could be working on TfL land/highway.</li> </ul>	
RR-028-3	<p><b>3. Ownership and maintenance responsibilities</b></p> <p>As above, Article 16 and Schedule 4 Part 2 of the draft DCO specifies that the new A12 eastbound off slip road will become a</p>	<p>The drafting in Article 16 of the draft DCO (APP-015) designating the new A12 eastbound off-slip as a GLA road has followed the precedent set by TfL in the</p>

Reference	Relevant Representation	Highways England's response
	<p>Greater London Authority (GLA) road and therefore part of the TLRN, with TfL being the highway authority. Assuming any part of the new roads are to become "GLA Roads", we are considering the proposed mechanism for this to happen as set out under Article 16 (b) of the draft DCO. The proposed mechanism lacks any documentary evidence of how a road would become a GLA Road at the necessary time, unlike an order issued under section 14B of the Highways Act 1980.</p> <p>Notwithstanding the points above, the new A12 eastbound off slip road is both substantially longer than the existing A12 eastbound off slip road and incorporates a more complex engineering solution, with a substantial new bridge over the new loop road (Maylands Bridge) and a large embankment and support structure either side.</p>	<p>Silvertown Tunnel DCO 2018 for designating roads as GLA roads (see Art 50 of that Order). It is unclear what documentary evidence TfL consider is lacking as the made DCO would offer the necessary documentary evidence.</p>
RR-028-4	<p>Article 11 (4) states that where a bridge is constructed under the DCO to carry a highway (other than a trunk road or special road) over a trunk road or special road, the highway surface (being the elements over the waterproofing membrane) is to be maintained by and at the expense of TfL. HE is stated to be responsible for the remainder of the bridge structure. This is expressed to be "unless otherwise agreed".</p> <p>The requirements of Article 11 (4) are presumed to apply to the new Maylands Bridge forming part of the new off slip road. Without prejudice to TfL's position generally regarding the maintenance of highway infrastructure constructed or altered pursuant to the DCO set out in paragraph 3.4 below, the position regarding responsibility for the maintenance of the new embankment on one side of the bridge and support structure on</p>	<p>Highways England is currently in ongoing discussions with TfL regarding proposed ownership and maintenance responsibilities for new infrastructure.</p>



Reference	Relevant Representation	Highways England's response
	<p>the other side of the bridge and associated infrastructure, particularly drainage, is uncertain. Accordingly, the ownership and maintenance responsibility split of the new infrastructure as set out in the draft DCO is not only potentially unacceptable to us but is also unclear and uncertain.</p>	
RR-028-5	<p>TfL does not seek to become highway authority for, or otherwise take responsibility for the maintenance of, any highway infrastructure constructed or modified as part of the scheme, unless it is determined that there is a compelling operational need for us to do so. If this were the case, we would seek reimbursement from HE for all reasonable additional costs incurred in fulfilling these responsibilities as a result of the scheme. This position reflects the lack of sustained funding for highways maintenance in London. The Explanatory Memorandum to the DCO acknowledges (and we agree) that the matters set out in Article 16 of the DCO are “integral to the implementation of the authorised development”. As such, it is imperative that there is clarity as to the ownership, management and maintenance of the infrastructure proposed and that the necessary commitments are secured from HE so that the DCO does not unduly add to and/or prejudice our ability to carry out our maintenance functions.</p>	<p>Highways England is currently in ongoing discussions with TfL regarding the proposed ownership and maintenance responsibilities of new infrastructure. The existing A12 eastbound off-slip is currently part of the TfL network, not the strategic road network. Highways England considers it appropriate to replicate the existing position.</p>
RR-028-6	<p>TfL will require a separate agreement with HE to clarify and secure any agreed position on the responsibilities of TfL and HE pursuant to the DCO. Amendments to the DCO may also be needed where there is any conflict with the agreed position reached. In addition to the ownership and maintenance responsibilities described above, the agreement may also need to provide us with assurances as to the following:</p>	<p>Highways England is currently engaged in ongoing discussions with TfL regarding the proposed responsibilities of both organisations, in particular regarding ownership and maintenance responsibilities, with a view to entering into an agreement to document these matters. Highways England will update the</p>

Reference	Relevant Representation	Highways England's response
	<ul style="list-style-type: none"> <li>• TfL's ability to be consulted upon, and approve, the design and construction of the scheme to the extent that it impacts on our assets or assets that are to become the responsibility of us (see Section 4 below);</li> <li>• TfL's reasonable requirements for the standard and specification of completion of works in respect of those assets we will inherit (if any);</li> <li>• a commitment from HE not to obstruct or otherwise impact upon TfL's highway (and the operation and maintenance of the same) without our consent and subject to the reasonable terms we prescribe;</li> <li>• indemnification for any damage to TfL's assets which HE's works may cause; and</li> <li>• the timescales and terms on which HE will remain liable for any necessary repairs and issues associated with defects (for example for aftercare of landscaping) arising out of the works.</li> </ul> <p>TfL would welcome further engagement with HE on these issues at the earliest opportunity.</p>	<p>Examining Authority on progress as regards these discussions in due course.</p>
RR-028-7	<p>TfL is hopeful that an agreement can be reached with HE but, until such an agreement is in place to safeguard our interests, and the safety and integrity of our road network, we must object to the DCO. In the event that progress is not made with HE to incorporate the necessary protections and safeguards for our infrastructure in an agreement, we will need to insist that protective provisions in favour of us as highway authority are incorporated into the DCO.</p>	<p>Highways England is currently in ongoing discussions with TfL regarding the proposed responsibilities of both organisations, in particular regarding ownership and maintenance responsibilities, with a view to entering into an agreement to document these matters. Highways England will update the Examining Authority on progress as regards these discussions in due course.</p>

Reference	Relevant Representation	Highways England's response
RR-028-8	<p><b>4. Approvals and consultation</b></p> <p>TfL expects to have a substantive role in assuring both the design and construction of those parts of the scheme which affect our assets or those assets that will become our responsibility. We also expect to have a substantive role in informing the construction programme and traffic management arrangements during the construction period given the impact the construction will have on the A12 and the wider TLRN.</p> <p>The authorised development should not commence until TfL approval is given. The scope of our role in this regard needs to be agreed with HE but, in order for us to be in a position to withdraw our objection on this ground, we must be able to meaningfully comment on the information and proposals worked up by HE and submitted in order to discharge HE's responsibility under Schedule 2 of the DCO. We note that only planning authorities, not highway authorities, are specified in the draft DCO as being consulted on detailed design (Schedule 2 Requirement 3); we also need to be consulted on detailed design in our role as highway authority and an amendment to this Requirement is needed.</p>	<p>Highways England is currently in ongoing discussions with TfL regarding the proposed responsibilities of both organisations, in particular regarding ownership and maintenance responsibilities. This in turn will inform discussions regarding consultation (whether under the requirements set down within Schedule 2 to the dDCO (APP-015) or otherwise).</p> <p>With regards to detailed design, Highways England agrees in principle that TfL should be consulted on matters of detailed design in so far as these relate to assets that are to be inherited by TfL or which will interface with TfL's assets or functions. Highways England does not agree that the authorised development should not commence until TfL has given its approval.</p> <p>As to traffic management, provision is already included within Requirement 10 of the dDCO for TfL, as a relevant highway authority, to be consulted on the traffic management plan. As such Highways England considers adequate provision has already been made in relation to this matter.</p> <p>With regards to the construction programme for the Scheme, Highways England notes TfL's request to be consulted on the construction programme and agrees to this in principle. Highways England proposes to engage further with TfL with a view to agreeing appropriate arrangements for this.</p>

Reference	Relevant Representation	Highways England's response
RR-028-9	<p>In addition to Requirement 3, the following Requirements of the DCO would also appear to need amendment to require TfL to be consulted to ensure that our assets are adequately protected and our role as highway authority is not adversely affected by the carrying out of the scheme:</p> <ul style="list-style-type: none"> <li>• The Construction Environmental Management Plan (CEMP); TfL will have views which we wish to be considered (Schedule 2 Requirement 4). In addition, we are likely to require some ongoing monitoring and controls in the CEMP in relation to the impacts of the scheme where relevant to our highway operations. We therefore need to be consulted on the environmental control plans specified in the CEMP. There may be further monitoring and controls that we wish to request and we reserve our position in this respect.</li> <li>• Landscaping, where there may be implications on TfL's maintenance responsibilities where the landscaping area is adjacent to the highway boundary (Schedule 2 Requirement 5).</li> <li>• Contaminated land and groundwater, where discharge from TfL roads may have an impact (Schedule 2 Requirement 6).</li> </ul> <p>Surface and foul water drainage, where TfL may be responsible for some drainage assets (Schedule 2 Requirement 8).</p>	<p>Highways England is currently in ongoing discussions with TfL regarding the proposed responsibilities of both organisations, in particular regarding ownership and maintenance responsibilities. This, in turn, will inform discussions on any consultation with TfL that may be appropriate within the requirements.</p>
RR-028-10	<p>Article 11 of the DCO provides that the highway works undertaken are to be to the reasonable satisfaction of the local highway authority. However, the effect of the DCO is to provide</p>	<p>The Planning Act 2008 process is designed to enable thorough scrutiny of an application during the examination and allows for the dDCO to include appropriate</p>

Reference	Relevant Representation	Highways England's response
	<p>consent for the works set out in Schedule 1 without any requirement for HE to secure a section 4, section 6 or section 278 agreement under the Highways Act 1980. This being so, TfL's ability to control and oversee the works is significantly curtailed notwithstanding that such works may become our responsibility as part of the TLRN. It is therefore crucial that we are afforded greater involvement in consideration of not only the above matters but the design, site supervision of our assets and progression of the scheme more generally.</p>	<p>requirements for NSIPs. Notwithstanding this, Highways England is currently in ongoing discussions with TfL regarding the proposed responsibilities of both organisations, in particular regarding ownership and maintenance responsibilities.</p>
<p>RR-028-11</p>	<p>The timescales specified in the draft DCO within which TfL is to respond for consent or approval are too short for us to be able to effectively respond with enough clarity and robustness having considered all the issues. There is precedent for longer timescales being necessary in other DCOs, for example in the Silvertown Tunnel DCO. Our concerns are particularly over the following timescales where, in general, our deemed consent would be assumed if no response had been received:</p> <ul style="list-style-type: none"> <li>• A minimum of ten business days for consultation on discharge of any requirements where details need to be submitted to the Secretary of State for approval (Schedule 2 paragraph 17) – TfL considers that 8 weeks is more appropriate to ensure there is time to review and respond adequately.</li> <li>• A minimum of 14 days' notice to access TfL's land to undertake surveys (Article 22 (2)) – we consider that 28 days would be more appropriate to ensure access can be provided safely.</li> </ul>	<p>Highways England considers that 10 business days as a minimum time frame for consultation is sufficient. Highways England is already in ongoing detailed discussions with TfL and will remain in discussions with them and, as such, any request for consultation in accordance with the DCO Requirements would be a final formality on issues about which TfL would already be aware.</p> <p>Otherwise, the timescales included within the dDCO are well precedented and Highways England considers them to be appropriate for the proposed Scheme. Examples of where these have been included in most recent Highways England – and one TfL - made DCOs are set out below:</p> <ul style="list-style-type: none"> <li>• A minimum of 14 days' notice to access TfL's land to undertake surveys (Article 22 (2)) – Precedented in M42 Junction 6 Order 2020, A19 Downhill Lane Junction DCO 2020 and A63 (Castle Street Improvement, Hull) DCO 2020</li> </ul>

Reference	Relevant Representation	Highways England's response
	<ul style="list-style-type: none"> <li>A minimum of 14 days' notice to take temporary possession of TfL's land (Article 35 (2)) – we consider that 28 days would be more appropriate (recognising that much of the land is crucial to operation of the highway).</li> <li>12 weeks' notice to be given in the event of a prohibition, restriction or other provision intended to have effect permanently – TfL considers that more notice may be required (up to six months) to plan any closures that result in a major change to traffic patterns (Article 18 (5)).</li> <li>28 days are proposed to provide TfL's decision on traffic regulation affecting our roads (when the impact of works on traffic may be particularly complex) (Article 18 (11)), after which our consent is deemed to have been given – we consider that 56 days would be more appropriate. That deemed consent applies after such a short period is prejudicial to traffic management and is punitive; and</li> <li>28 days for approvals of applications regarding drainage proposals (Article 19 (9)) – TfL considers that 56 days would be more appropriate. Article 19 provides HE with wide powers to use and alter drainage such that additional time is required for us to consider the impact of the works on any drainage infrastructure for which we are responsible. Again, deemed consent fetters our ability to effectively manage our drainage infrastructure and is punitive.</li> </ul> <p>TfL considers that longer timescales are required in each of these cases to ensure that we can assess the implications of the proposals sufficiently robustly. This will in turn ensure the</p>	<ul style="list-style-type: none"> <li>A minimum of 14 days' notice to take temporary possession of TfL's land (Article 35 (2)) – Precedented in M42 Junction 6 Order 2020, A19 Downhill Lane Junction DCO 2020 and A63 (Castle Street Improvement, Hull) DCO 2020</li> <li>12 weeks' notice to be given in the event of a prohibition, restriction or other provision intended to have effect permanently – Precedented in M42 Junction 6 Order 2020, A19 Downhill Lane Junction DCO 2020, A63 (Castle Street Improvement, Hull) DCO 2020 as well as TfL's own DCO the Silvertown Tunnel Order 2018</li> <li>28 days deemed consent (Article 18 (11) (Article 19(9)) - Precedented in M42 Junction 6 Order 2020, A19 Downhill Lane Junction DCO 2020 and A63 (Castle Street Improvement, Hull) DCO 2020</li> </ul>

Reference	Relevant Representation	Highways England's response
	<p>construction of the scheme is managed successfully without (in some cases) impacts on road users or residents with insufficient notice.</p>	
RR-028-12	<p><b>5. Scope of works and design information</b></p> <p>It is imperative that safety is at the forefront of considerations for both design and construction. TfL's Vision Zero approach should be reviewed by HE and their contractors to ensure that the scheme is consistent with this.</p> <p>We appreciate that the design of the M25 Junction 28 improvements scheme is still in progress. Based on the information submitted to date, TfL cannot be satisfied that the design adequately safeguards our assets and that any assets for which responsibility may be transferred pursuant to the DCO meets our requirements. We would welcome further engagement with HE as the design develops to ensure that we understand the assumptions that have been made to formulate the design principles, and that the scope of works and design is fit for purpose.</p>	<p>Highways England is in agreement that safety is at the forefront of considerations for design, construction and operation of the proposed Scheme. The design has been, and will continue to be, developed in accordance with Highways England's design and safety standards which embraces their 'Home Safe and Well' initiative which shares TfL's values and places safety at the heart of their business. TfL's Vision Zero document (which Highways England understands is an Action Plan emanating from the Mayor's Transport Strategy), aims to reduce the number of people killed or seriously injured on London's roads to zero by 2041. This Action Plan has not specifically been referred to in the Scheme's Transport Assessment Report but the aims of the Action Plan align with the National Policy Statement for National Networks (NPS NN) (December 2014), which will be the primary basis for decision making for the Scheme. There is a strong alignment between the aims of the Mayor's Transport Strategy and the Vision Zero plan with the objectives and the expected outcomes of the Scheme relating to a reduction in incidents and improving safety.</p> <p>Highways England is currently in ongoing discussions with TfL regarding the proposed design with a view to entering into an agreement to document these matters.</p>

Reference	Relevant Representation	Highways England's response
RR-028-13	<p>TfL requires oversight of design for sections of road which we are proposed to be responsible for maintaining, and/or for any other works adjacent to our assets, to ensure that our existing assets are not prejudiced. This is relevant to the following areas:</p> <ul style="list-style-type: none"> <li>• carriageway construction (sub-base materials, wearing course, etc.);</li> <li>• drainage infrastructure including boundaries of responsibilities, system design for different event types, pipe materials, bedding materials and pipe gradients;</li> <li>• the design of the proposed Grove Culvert extension (if TfL is to be responsible for this);</li> <li>• drainage ponds where there may be implications for TfL's liabilities;</li> <li>• street lighting including columns, lanterns, cables, cable routes, connection arrangements, lighting levels, etc.;</li> <li>• vehicle restraint systems (barriers) including foundations and fencing; and</li> <li>• tree planting and other environmental mitigation.</li> </ul>	<p>Highways England is currently in ongoing discussions with TfL regarding the proposed responsibilities of both organisations, in particular regarding ownership and maintenance responsibilities. This, in turn, will inform discussions on design involvement and any consultation with TfL that may be appropriate within the requirements.</p> <p>With regards to oversight of detailed design, Highways England agrees in principle that TfL should be consulted on matters of detailed design in so far as these relate to assets that are to be inherited by TfL or which will interface with TfL's assets or functions. Highways England does not agree that TfL should have the right to approve the design.</p>
RR-028-14	<p>A further area where TfL requires more information is the diversion of the gas pipeline. This diversion is required both under the new A12 eastbound off slip but also under the main carriageway of the A12. HE has provided TfL with information on the existing route of the pipeline, so we now understand the scope of the diversion proposed. However, we will require further liaison with HE and potentially Cadent Gas over the design of, and protection for, the diverted pipeline so that we can</p>	<p>Highways England is currently in ongoing discussions with TfL regarding the proposed high pressure gas main diversion and will discuss relevant details of the proposed diversion with TfL as they become available and through detailed design.</p>



Reference	Relevant Representation	Highways England's response
	<p>understand both the impact on the operation of the A12 while under construction and future maintenance arrangements for both the A12 and the pipeline. Should any further assurances be required from HE, we can document these in an agreement prior to any works being undertaken.</p>	
RR-028-15	<p>TfL has raised with HE concerns about ground stability in the local area on this section of the M25. We have seen some physical evidence of instability on existing infrastructure in the area, particularly between M25 Junction 28 and 29 where settlement and ground movement are manifesting as defects in the edge of the carriageway and embankments resulting in the potential need for deep carriageway reconstruction. It is therefore important for HE to ensure that the design of new infrastructure mitigates for any ground stability issues, with our particular concern being for assets we may inherit. We need to see further engineering details to demonstrate that this has been sufficiently accounted for in the design of infrastructure to ensure long term stability.</p>	<p>An assessment with regards to geology and soils has been carried out for the Scheme and a 250m buffer zone from the DCO boundary, including land contamination, geomorphology and ground stability (APP-032). The existing ground has been sampled and tested and a ground investigation report prepared providing advice on the soil conditions. This will inform the detailed design of the earthworks, roads and structures designs to ensure that the ground conditions are fully taken into account to achieve the required design life, all in accordance with Highways England's design standards.</p> <p>Highways England will continue to liaise with TfL on relevant engineering details, in so far as these relate to assets that are to be inherited by TfL or which will interface with TfL's assets or functions.</p>
RR-028-16	<p>Finally, TfL appreciates that the construction programme has not been finalised, but we need to understand whether there are any issues with the timing of works conflicting with those for other schemes. We understand there is unlikely to be any significant conflict with works for the proposed LTC, but we would like to understand any implications if the M25 Junction 28 improvements scheme is delayed given the relatively close geographical proximity. A review should also be undertaken to determine</p>	<p>In preparing the Transport Assessment Report for the Scheme (APP-098), a review of all known local authority and Highway England schemes in the wider area was undertaken to ensure that they were accounted for in the traffic modelling. This review was undertaken in collaboration with the relevant highway authorities. Table 5-3 of the Transport Assessment Report lists the</p>

Reference	Relevant Representation	Highways England's response
	<p>whether there are any conflicts with the construction programme of other HE, TfL or local authority schemes within the area in which traffic flows are affected by the Junction 28 scheme. We request assurances in this respect.</p>	<p>proposed schemes that were considered certain or near certain and therefore included in the traffic modelling.</p> <p>The forecast traffic impacts due to construction of the Scheme and proposed mitigation measures are presented in Section 6 of the Transport Assessment Supplementary Information Report submitted at Procedural Deadline B (21 December 2020), which supersedes the information presented in Section 8 of the Transport Assessment Report (APP-098).</p> <p>The M25 junction 28 project team is in regular discussions with the Lower Thames Crossing project team and will continue to do so on issues of mutual concern such as programme, traffic management and mitigation of construction phase impacts. The construction programmes for the two schemes are currently expected to overlap with construction of both schemes scheduled to commence in 2022, with opening dates of Autumn 2024 for the junction 28 scheme and 2027/28 for the LTC Scheme. If both projects are granted development consent, then the two project delivery teams will collaborate to ensure planned temporary traffic management measures are coordinated throughout the overlapping construction period of the projects to minimise traffic impacts and disruption as far as practicable. The position will be reviewed if the timing for either project changes.</p> <p>Traffic management strategies have been developed to inform submission documents for both project's DCO applications. These describe the various traffic</p>

Reference	Relevant Representation	Highways England's response
		<p>management arrangements likely to be required to facilitate the construction activities for both projects. A key objective of both these strategies is to avoid the need for long term closure of major roads, minimise the use of the local road network for construction traffic and where possible provide construction access directly off major roads.</p> <p>Requirements 4 and 10 of the Draft DCO (APP-015) require the Principal Contractor to produce a CEMP and a Traffic Management Plan respectively, for approval by the Secretary of State prior to commencement of construction of the Scheme. These two documents will describe the measures that the Principal Contractor will adopt to minimise the impact of construction traffic taking account of other Schemes.</p>
RR-028-17	<p><b>6. Land ownership and rights</b></p> <p>The existing land ownership within the boundary of the scheme, as described in the Book of Reference accompanying the DCO application, is inconsistent with the TLRN and SRN. The DCO makes provision for HE to compulsorily acquire the land needed for the scheme and this presents an opportunity for the land ownership and highway boundaries to be aligned, i.e. so that TfL owns the subsoil under the TLRN and HE owns the subsoil under the SRN.</p>	<p>Highways England is currently in ongoing discussions with TfL regarding the proposed responsibilities of both organisations, including as regards land ownership.</p>
RR-028-18	<p>The draft DCO makes provision for the compulsory acquisition by HE of certain rights over TfL land. We request more detail as to</p>	<p>Appendix A to the Statement of Reasons (APP-019) sets out the reasons for the acquisition of plots for the Scheme.</p>

Reference	Relevant Representation	Highways England's response
	<p>the need and justification for such rights so that we can understand the impact on TfL land/highway.</p> <p>The particular areas where further information is required are as follows:</p> <ul style="list-style-type: none"> <li>• HE will have the rights to undertake permanent works on TfL land without acquiring the land permanently (Article 35). We need to understand whether any of our land is intended to be affected by these rights. Further, we reserve our position as to whether temporary possession and permanent acquisition of rights is an adequate and suitable means of carrying out the works specified.</li> <li>• HE will also have the rights to temporarily take possession of TfL land to maintain the new infrastructure for up to five years after opening of the scheme (Article 36). Again, we need to be aware of whether any of our land is likely to be required temporarily for this purpose. Further, to the extent that we are responsible for any highway, HE will need to secure for it sufficient rights to maintain that highway.</li> <li>• Schedule 6 specifies that HE will be granted permanent powers to construct, access and maintain works on the A12 eastbound carriageway. TfL needs to understand what rights HE requires permanently given that these sections of road are part of the TLRN and are maintained by us. We suggest that the land referred to in Schedule 6 forming part of the TLRN should be required for temporary possession only, given it is central to the local highway network and the safe operation of the same, save in relation to the permanent right needed for the diverted pipeline.</li> </ul>	<p>Highways England is currently in ongoing discussions with TfL regarding the proposed temporary use and compulsory acquisition of rights over TfL land.</p>

Reference	Relevant Representation	Highways England's response
	<p>Some rights are proposed to be transferred to Cadent Gas to undertake works on the diverted pipeline (as discussed in the previous section) and TfL needs to understand what these rights are and how they will affect our assets.</p>	
RR-028-19	<p>Finally, TfL is aware that there are some minor inconsistencies in records of land ownership and highway authority responsibilities. For example, the London Borough of Havering is listed in the Book of Reference as highway authority for some sections of the A12 where we are the highway authority. We will continue to discuss any inconsistencies with HE to ensure an accurate record of existing land ownership and responsibilities is included in the DCO application.</p>	<p>Highways England is undertaking a review of land interests and comparing it to the Book of Reference. The Book of Reference will be updated at specific milestones during the examination stage which will address any inconsistencies in records of land ownership and highway authority responsibilities to ensure an accurate record of existing land ownership and responsibilities is included in the DCO application.</p>
RR-028-20	<p><b>7. Assessment of traffic impacts</b></p> <p>Sections 7 and 8 of this document cover the forecast impacts of the scheme, with this section focusing on traffic and transport.</p> <p>TfL has held discussions with HE over the traffic modelling and the forecast impacts of the scheme. We welcome the information provided to date but there are still several areas where more information is required. We must reserve our position on the acceptability of the traffic impacts of the scheme, pending the receipt of the information below and our full review of the information submitted to date. In particular, we are concerned as to the scope of the traffic modelling undertaken and/or presented in the following areas:</p>	<p>Highways England is currently in ongoing discussions with TfL regarding the Scheme, including with regards to traffic modelling. Additional information requested by TfL has been provided to them by Highways England. Additional information that addresses issues raised by TfL is also provided in the Transport Assessment Supplementary Information Report (PDB-003) submitted at Procedural Deadline B (21 December 2020). See responses to TfL's specific comments in RR-28-21 to RR-28-27 below.</p>
RR-028-21	<p>While modelling has been based on a growth scenario containing committed development schemes and adopted Local Plan</p>	<p>Traffic modelling of the Scheme has been undertaken using both high and low growth assumptions in</p>

Reference	Relevant Representation	Highways England's response
	<p>information, TfL would expect evidence to have been presented to show that the traffic impacts of the scheme are acceptable under different growth scenarios, particularly with a higher level of residential growth that is expected to emerge from updated local planning policy. We understand that modelling using different growth scenarios has been undertaken and we will continue to discuss this with HE to ensure we can be satisfied that the impacts of the scheme have been adequately presented.</p>	<p>accordance with Department for Transport (DfT) Transport Analysis Guidance (TAG). This is presented in Section 5 of the Transport Assessment Supplementary Information Report (PDB-003) submitted at Procedural Deadline B (21 December 2020) and demonstrates that the Scheme would provide significant journey time savings compared to without the Scheme under both the low and high growth scenarios.</p>
RR-028-22	<p>TfL needs to ensure that Gallows Corner (the A12 / A127 junction), which is the next major junction to the west and is less than 4 km distant from the proposed scheme, is not adversely affected by the scheme. HE has provided some model outputs to show that traffic demand and turning movements at this busy junction are not forecast to be significantly affected by changes to the design of M25 Junction 28. We will continue to review available information to ensure that the impact of the scheme on Gallows Corner has been adequately considered.</p>	<p>Information on the forecast traffic impact of the Scheme at Gallows Corner is presented in Section 4 of the Transport Assessment Supplementary Information Report (PDB-003) submitted at Procedural Deadline B (21 December 2020). This demonstrates that the Scheme is not forecast to result in any significant changes in traffic demand at Gallows Corner junction and will not therefore significantly affect its operational performance.</p>
RR-028-23	<p>Evidence from the HE traffic model shows some unexpected routings of traffic at M25 Junction 28, with a significant proportion of traffic forecast to continue to use the Junction 28 roundabout to travel between the northbound M25 and eastbound A12 rather than using the new loop road. TfL understands that this is due to the modelled journey time being shorter via the roundabout for some traffic at some times of day, with the model not taking account of the signage strategy that would direct traffic via the new loop road. We will continue to review the model outputs to ensure we are confident in the validity of the forecasts.</p>	<p>Information on the forecast usage of the loop road is presented in Section 3 of the Transport Assessment Supplementary Information Report (PDB-003) submitted at Procedural Deadline B (21 December 2020). This indicates that up to 45% of the traffic from the M25 south to the A12 east uses the route via the existing roundabout in the Do-something scenarios, rather than the new loop road, with the proportion varying by time of day. This is not unexpected because although the new loop road provides the quickest route, it is longer in distance by approximately 1.5 km than the route via the roundabout.</p>

Reference	Relevant Representation	Highways England's response
RR-028-24	<p>The modelling for the LTC scheme shows worsened congestion on the M25 main carriageway following opening of the new river crossing. TfL needs to review in more detail the performance of the new layout for Junction 28 with the LTC in place so we can be confident that the junction will operate with acceptable levels of queuing and performance in the medium to long term.</p>	<p>Traffic modelling indicates that the additional traffic forecast to be caused by the LTC scheme when it opens will result in some additional traffic delays on the M25 viaduct over junction 28. However, with the junction 28 Scheme and the additional traffic caused by LTC, the signalised roundabout will continue to operate satisfactorily and provide journey time savings compared to without the Scheme (Do-minimum scenarios). The Scheme delivers a good benefit to cost ratio (BCR), accounting for future forecast traffic delays on the M25 viaduct over junction 28.</p> <p>Highways England as the operator of the strategic road network has identified the potential need to address future traffic matters at the M25 junction 27 to 29 separately to the M25 junction 28 project, and the Lower Thames Crossing. An initial review of the issues in the location and potential options has begun and will progress through Highways England's Route Strategy process. As it progresses through the Route Strategies, and in line with the procedure under the Infrastructure Act 2015, it will be considered by the Department for Transport as part of the future Road Investment Strategy. Road schemes are assessed against national needs within SRN by the Department for Transport, and if they duly meet investment priorities (weighing up the country as a whole) then they will be committed to for delivery by HE.</p>

Reference	Relevant Representation	Highways England's response
RR-028-25	<p>TfL notes the forecast increased delays on the A1023 approach to the Junction 28 roundabout from Brentwood, which results from the roundabout operating more freely once the northbound M25 to eastbound A12 traffic has been removed. TfL buses operate on this route and we would not wish to see any detrimental increase in bus journey times, with the adverse impact on sustainable mode share that could result. We understand that HE is now proposing changes to the signal timings at the roundabout from those presented in the Transport Assessment which will mitigate this impact. We will review any updated model outputs provided to understand the resulting changes to the forecasts.</p>	<p>As explained in Section 2 of the Transport Assessment Supplementary Information Report (PDB-003) submitted at Procedural Deadline B (21 December 2020), proposals for Brook Street mitigation have been developed following submission of the DCO application for the Scheme. It is confirmed that the Scheme (Do something scenario) will include the extended inter-green at the junction of the A12 east off-slip with the roundabout to create longer gaps for vehicles to safely exit Brook Street. However, the Scheme will exclude the optimisation of traffic signals at the junctions of both Nags Head Lane and Mascalls Lane with the A1023 Brook Street.</p> <p>Section 2 of the Transport Assessment Supplementary Information Report (PDB-003) submitted at Procedural Deadline B (21 December 2020) presents the updated traffic modelling with the extended inter-green at junction 28, but without the optimisation of signal timings at Nags Head Lane and Mascalls Lane. This supersedes the information presented in Sections 5.4 to 5.8 of the Transport Assessment Report (APP-098) and demonstrates that journey times in both directions on the A1023 Brook Street improve with the Scheme (Do-something) compared to without the Scheme (Do-minimum), especially westbound towards junction 28. Consequently, the Scheme will reduce traffic congestion on the A1023 Brook Street, rather than worsen it, and so bus journey times should improve as well as become more reliable.</p>



Reference	Relevant Representation	Highways England's response
		<p>Highways England is also seeking to secure separate funding for the optimisation of traffic signals at the junctions of both Nags Head Lane and Mascalls Lane with Brook Street to further reduce delays along Brook Street through their designated funding programme. Designated funds are separate to Highways England's core work of operating maintaining and improving England's strategic road network. They provide ring-fenced funding to be invested in and to support initiatives that deliver lasting benefits for roads users, the environment and communities across England. If funding is secured, it would be used to support Essex County Council to implement the optimisation of the traffic signals at both junctions if deemed necessary and appropriate. However, this would be a separate scheme to the junction 28 DCO Scheme.</p>
RR-028-26	<p>Based on the outputs from the traffic modelling, TfL would expect to agree any specific highway and junction locations where mitigation is felt necessary as a result of the impacts of the scheme. Such mitigation as is necessary would need to be developed and funded by HE in collaboration with the local highway and traffic authorities. Any such mitigation would need to be secured in an agreement with HE and the relevant parties.</p> <p>Furthermore, to ensure the continued operation of the wider highway network at an acceptable level of performance, TfL considers that an ongoing traffic monitoring and mitigation strategy will be needed which commits HE to address any adverse impacts on traffic which are shown to be directly attributable to the M25 Junction 28 improvements scheme. Again,</p>	<p>Traffic modelling of the junction 28 Scheme presented in Section 4 of the Transport Assessment Supplementary Information Report (PDB-003) submitted at procedural deadline B (21 December 2020) has indicated that it will not result in any significant adverse traffic impacts on the wider road network outside of the DCO boundary. Therefore, Highways England does not believe that there are any specific highway and junction locations where mitigation would be necessary to address any impacts of the Scheme. Nor does Highways England consider that an ongoing traffic monitoring and mitigation strategy is required to address any adverse impacts on traffic which</p>

Reference	Relevant Representation	Highways England's response
	<p>we propose that this is dealt with by way of an agreement with HE or, alternatively, an additional Requirement or further amendment to Requirement 10.</p>	<p>are shown to be directly attributable to the M25 junction 28 Scheme.</p> <p>As no wider significant adverse traffic impacts are predicted, Highways England considers that an agreement with TfL in this regard is not required, nor are any revisions required to the wording of Requirement 10 of the dDCO (traffic management) (APP-015) as provision is already included within the Requirement, as a relevant highway authority, to be consulted on the traffic management plan. As such, Highways England considers adequate provision has already been made in relation to this matter.</p>
<p>RR-028-27</p>	<p>The draft DCO also commits HE to maintaining the existing pedestrian and cycle route through the junction. Currently, the route is relatively lightly used. This is likely to be due to it being unattractive to users. TfL therefore encourages HE to make improvements to the quality of this route as part of the scheme where possible, to enable people to more easily walk and cycle along this corridor. We would welcome HE's proposals as to how this could be incorporated as part of the scheme.</p>	<p>The Scheme preserves the existing NMU routes. Where it is necessary to remove and replace them across the A12 off-slip, there will be an element of improvement through the widening of the footway. The Scheme also reduces traffic demand through the junction roundabout and therefore reduces the potential for conflict between non-motorised users and vehicles.</p> <p>Nonetheless, Highways England is currently in the process of applying for designated funds for the implementation (construction) of a proposed NMU route in the vicinity of M25 junction 28. The NMU scheme involves the conversion of 3.1km of existing walking route into a high-quality shared use cycling and walking route between A1023 / Kavanaghs Road junction, and the M25 junction 28.</p>

Reference	Relevant Representation	Highways England's response
RR-028-28	<p><b>8. Environmental impacts</b></p> <p>The scheme is partly within the GLA boundary but for many of the topics in the Environmental Statement no reference has been made to environmental policy within London, particularly the London Environment Strategy and Mayor's Transport Strategy. This is relevant for the topics of air quality, noise and vibration, biodiversity, drainage and water, materials and waste, and climate. HE needs to provide evidence to show how the scheme including the proposed environmental mitigation is compliant with such policies within London. This information is necessary to ensure that interested parties have an opportunity to review and comment upon all environmental information submitted in support of the Application and that the Secretary of State is able to discharge his obligations under regulation 4 of the Infrastructure Planning (Environmental Impact Assessment) Regulations, should he be minded to grant the DCO.</p>	<p>A summary of key legislation, strategies and policies taken into consideration as part of development of the Scheme are presented in section 1.6 of the ES Chapters 1 to 4 Introductory Chapters (APP-026). Table 1.1 refers to the key regional and local policies that were considered through the development of the Scheme. This includes the Adopted and Draft London Plan and the Mayor's Transport Strategy.</p> <p>The ES has individual chapters for air quality, noise and vibration, biodiversity, drainage and water, materials and waste, and climate (Chapters 5 to 14 - APP-027 to APP-036) where further consideration is given to the key local and national policies applicable to the Scheme.</p> <p>Highways England understands that the London Environment Strategy was published in May 2018 and sets out the Mayor's overall vision to protect and improve London's environment.</p> <p>As a Nationally Significant Infrastructure Project to the strategic road network, the primary policy framework under which the Scheme will be assessed is the National Policy Statement for National Networks (NPSNN).</p> <p>The Case for the Scheme (APP-095) presents a table of accordance with the NPSNN in Appendix B (including with regard to environmental aspects of the Scheme). In Chapter 5 of the same document, the compliance of the Scheme with national, regional and local planning and transport policy is given, which includes an assessment of</p>

Reference	Relevant Representation	Highways England's response
		<p>local policy including the London Plan, Draft New London Plan and The Mayor's Transport Strategy.</p> <p>There is no requirement under the Planning Act 2008 regime to attribute planning weight to the London Environment Strategy. Notwithstanding this, the vision and policy aims of the London Environment Strategy relevant to the Scheme are reflected in the various ES chapters submitted as part of the application, which address biodiversity and green infrastructure (APP-029), climate change (APP-036), air quality (APP-027), waste (APP-034), ambient noise (APP-028) and low carbon circular economy (APP-034, APP-036).</p> <p>Furthermore, Highways England is aware that reference is made to the London Environment Strategy in the Intend to Publish (draft) London Plan 2019.</p> <p>A Scoping Opinion (APP-049) for the Scheme is available which informs the preparation of the ES (APP-026). The environmental impact assessment methodologies outlined in the ES have followed the DMRB guidance and the methodologies have taken into consideration the feedback received from the local planning authorities and other stakeholders during the development of the design for the Scheme. The Consultation Report (APP-022) outlines the level of engagement undertaken by the Scheme to date.</p>
RR-028-29	Finally, reference is made in Section 7.9 of the Environmental Statement to the presence of Himalayan balsam in the area. If not managed properly during construction, there could be a risk of	As outlined in the Register of Environmental Actions and Commitments (REAC) (APP-097) (Table 1.1, Page 13 and Table 1.2, ref BD1.1), a method statement for the

Reference	Relevant Representation	Highways England's response
	<p>this spreading onto TfL land. Assurance is required that the construction of the scheme is managed properly to reduce this risk and any necessary safeguards are built into Requirement 4 (CEMP).</p>	<p>management and removal of non-native goldenrod and Himalayan balsam will be produced and implemented (as part of the CEMP) to avoid spread of this plant within the DCO boundary, to avoid the spread into further areas of Ingrebourne Valley Site of Metropolitan Importance and to protect reinstated and created habitats from colonisation. Surveys will be carried out prior to construction to identify the areas of these non-native species to determine the most appropriate remediation approach. Requirement 4 of the dDCO (App-015) states that the CEMP must be '<i>substantially in accordance with the outline CEMP</i>' (the outline CEMP is APP-096) and '<i>must reflect the mitigation measures set out in the REAC</i>'.</p>
RR-028-30	<p><b>9. Transfer of benefit</b></p> <p>TfL is concerned about the scope of the power under Article 9 of the draft DCO to transfer the benefit of provisions under the DCO to Cadent Gas without the consent of the Secretary of State. To the extent that the exercise of rights by Cadent Gas has the potential to impact on our land or assets, we would require assurance from HE that the same protections and safeguards are adhered to and for HE to be responsible for putting in place the necessary arrangements to ensure this is the case. Further, in addition to those entities referred to in Article 9 (4), the powers under the DCO could be used more widely by other parties with the consent of the Secretary of State. This gives rise to a risk that someone other than HE or its contractor could be working on our land/highway. We object to the ability afforded to HE to transfer</p>	<p>The wording of Article 9 is well precedented, including in the recently made M42 Junction 6 Order 2020.</p> <p>Article 9(3) states that:</p> <p><i>"The exercise by a person of any benefits or rights conferred in accordance with any transfer or grant under paragraph (1) is subject to the same restrictions, liabilities and obligations as would apply under this Order if those benefits or rights were exercised by the undertaker"</i>.</p> <p>As such, the transfer to Cadent Gas, or any other party, would be <i>"subject to the same restrictions, liabilities and obligations as would apply under this Order if those benefits or rights were exercised by the undertaker"</i>.</p> <p>This wording is also included in the Silvertown Tunnel DCO, promoted by TfL (see article 59(5) of that Order).</p>

Reference	Relevant Representation	Highways England's response
	<p>the benefit of powers under the DCO without limitation in this way, given the risk it poses to our interest and our highway network.</p>	<p>Further, those persons listed in Article 9(4) can only receive the benefit of the Order for the purposes of the works specified. Highways England would therefore argue that the concerns of TfL are already addressed in the dDCO.</p> <p>It is not clear what TfL are suggesting with regards to the transfer of benefit under the Order with the consent of the Secretary of State. HE can <u>only</u> transfer the benefit of the Order to persons beyond those listed in Article 9(4) with the consent of the Secretary of State which should give comfort to TfL that Highways England does not have the ability to transfer the benefit of powers 'without limitation'.</p>

**RR-029 WASIF AHMED**

Response Reference	Relevant Representation Issue	Highways England Response
RR-029-1	<p>The project impacts my property which is on A12. [Redacted]</p> <p>The project will increase: Noise pollution, Air pollution, Increase the chance of lung related diseases, Reduce the value of my property as a result of above.</p>	<p>An assessment of the Scheme on noise and vibration is presented in Chapter 6 (Noise and Vibration) of the Environmental Statement (APP-028) with design, mitigation and enhancement measures detailed at section 6.9, including the contractor being part of the Considerate Contractors Scheme and keeping local residents informed of the works. The assessment concludes that with the application of recommended management and mitigation measures, outlined in the REAC (APP-097), there are unlikely to be any significant effects from noise due to the construction of the Scheme and changes in noise from the operation of the Scheme will be negligible.</p> <p>An assessment of the effects of the Scheme on air quality is presented in Chapter 5 (Air Quality) of the Environmental Statement (APP-027). The assessment concludes that with the application of appropriate mitigation measures, outlined in the Register of Environmental Actions and Commitments (REAC) (APP-097), there is unlikely to be a significant effect on air quality due to either the construction or operation of the Scheme, as detailed at section 5.10 of the Environmental Statement.</p> <p>The People and Communities assessment (APP-035) concludes in Table 13.32 that the Scheme will have no significant adverse effects on health.</p>

Response Reference	Relevant Representation Issue	Highways England Response
		<p>The REAC (APP-097) lists the measures required before the start of construction (Table 1.2), during construction (Table 1.3) and after construction (Table 1.4) and initially forms part of the Outline Construction Environmental Management Plan (CEMP) (APP-096). The CEMP will be prepared and maintained by the Principal Contractor which will reflect the mitigation contained with the REAC and will be secured through requirements 4 of the draft Development Consent Order (APP-015).</p> <p>Those with an interest in properties affected by the Scheme maybe entitled to compensation. Under Part I of the Land Compensation Act 1973 ('the Act'), compensation can be claimed by people who own and also occupy property that has been reduced in value by more than £50 by physical factors caused by the use of a new or altered road.</p> <p>The physical factors are noise, vibration, smell, fumes, smoke and artificial lighting and the discharge on to the property of any solid or liquid substance.</p> <p>The cause of the physical factors must be the new or altered road in use. For example, if a road is altered, the noise and other adverse effects must arise from the traffic using the altered stretch of road. Part I compensation cannot be claimed for the effects of traffic further down the road where no alteration has taken place.</p> <p>Under the provisions of the Act, a road is altered only when there is a change to the location, width or level of</p>



Response Reference	Relevant Representation Issue	Highways England Response
		<p>the carriageway or an additional carriageway is provided beside, above or below an existing one. Part I compensation is not payable when the carriageway has simply been resurfaced.</p> <p>Loss of view or privacy, personal inconvenience and physical factors arising during the construction of the road are also not included under Part I compensation.</p> <p>For specific guidance and to apply to make a Part I Claim, please go to: <a href="https://www.gov.uk/compensation-road-property-value">https://www.gov.uk/compensation-road-property-value</a>.</p>
RR-029-2	I have highlighted the points before but have not received any response to the above. The above points will form part of my principal submissions in relation to the to the project.	All responses received from the statutory consultation are recorded and addressed, according to the process as outlined in Chapters 7 of the Consultation Report (APP-022) and Annex E of the Consultation Report (APP-025). Where relevant, responses to these consultations were taken into account in the development of the Scheme as submitted.

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