

# M25 junction 28 improvement scheme

TR010029

## 10.1 Report on Proposed Scheme Changes 1-4

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## M25 junction 28 scheme

### Development Consent Order 202[x ]

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## 10.1 REPORT ON PROPOSED SCHEME CHANGES 1 TO 4

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# 1. Introduction

## 1.1 Background

- 1.1.1 Highways England made an application under section 37 of the Planning Act 2008 for an order granting development consent (DCO) for the proposed M25 junction 28 improvement scheme (“the Scheme”). That application (“the Application”) was submitted to the Examining Authority on 27 May 2020 and was accepted for examination on 24 June 2020. The Application is being considered by an examining authority (ExA) appointed by the Secretary of State.
- 1.1.2 Since submission of the Application, Highways England has continued to engage with stakeholders and to undertake further design work to develop plans for the implementation and construction of the Scheme. As a result of this work and following consideration of the representations which have been made by interested parties, Highways England identified four changes to the Scheme (the Proposed Changes or Changes 1-4) as described further in sections 2-6 below. The ExA was first notified of these intended changes by Highways England in a letter dated 4 December 2020 (PDA-001).

## 1.2 Purpose

- 1.2.1 The main purposes of this document are:
- To set out the background to the Proposed Changes, including an assessment of the environmental effects of each change, consideration of land powers and implications and commentary on stakeholder engagement.
  - To explain the amendments which are required to the documents submitted with the Application as a result of the Proposed Changes.
- 1.2.2 Sections 3, 4, 5 and 6 of this report set out the background to the Proposed Changes, including an assessment of the environmental effects of each change, consideration of land powers and implications, plus stakeholder engagement. For each change, details of amendments that would be required to the draft development consent order (dDCO) are provided.
- 1.2.3 Section 7 explains the implications for the Funding Statement and section 8 explains the implications for the Statement of Reasons. Section 9 explains the implications for the Case for the Scheme.
- 1.2.4 Section 10 provides a schedule of the application documents which are affected by the Proposed Changes together with details of any other documents which have been prepared in support of them.
- 1.2.5 A targeted non-statutory consultation exercise was carried out in relation to the changes from 4 January to 4 February 2021. Letters and emails outlining the Proposed Changes were sent out to the affected land interests and other stakeholders. Full details of the targeted consultation methodology, the responses received and how views have been responded to are provided in Appendix A. Discussions regarding the Proposed Changes have taken place with statutory and non-statutory bodies, including the Environment Agency (EA), local planning authorities, Cadent Gas and relevant land interests.

1.2.6 This report should be read in conjunction with the Drawings on proposed Changes 1-4 report (TR010029/EXAM/10.2).

## 2. Proposed changes

### 2.1 Scheme changes

2.1.1 The Proposed Changes are summarised below and have been made following ongoing design refinement, engagement and feedback from key stakeholders, the Scheme contractor (who has been appointed since submission of the Application) and affected land interests.

- Change 1 – removal of surplus construction materials deposit to the west of Weald Brook (Work No. 17).
- Change 2 - Amendment to the surplus construction materials deposit (Work No. 18) situated to the south-east of Maylands golf course to form an environmental bund.
- Change 3 - Refinement of golf course accommodation works (Work No. 32).
- Change 4 – Amendment to the lateral limits of deviation for the Cadent gas pipeline diversion – southern connection (Work No. 29) and a reduction of permanent land rights sought.

2.1.2 Details of the Proposed Changes are included in sections 3 to 6 below with a schedule provided in section 10 of those Application documents which will need to be updated if the Changes are accepted by the ExA.



### 3. Change 1 – Removal of surplus construction materials deposit to the west of Weald Brook (Work No. 17)

#### 3.1 Description of proposed change

3.1.1 Highways England included two surplus construction material areas (Work No. 17 and Work No. 18) in the submitted application for the Scheme.

3.1.2 Following feedback from the Environment Agency, Highways England proposes to remove Work No. 17 from the Application. The site-won materials generated by the Scheme will instead be re-used within the permanent works by creating an environmental bund at Work No. 18 (see Change 2 in section 4 of this document). Figure 3.1 below shows an outline of that change, with full details provided on the revised Scheme Layout Plans (TR010029/EXAM/10.2).

3.1.3 The removal of Work No. 17 would not involve any changes to the Order limits or to the permanent land take proposed in this area, which is still proposed for the construction and maintenance of the ecological compensation areas (Work No. 25). Change 1 would not engage the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 (CA Regulations). Nor would it involve any material changes to the effects already described in the Environmental Statement (ES) (APP-026 to APP-037). The change is therefore non-material in Highways England's opinion.

**Figure 3.1 Scheme Layout Plans extracts from the Application (APP-010) (left hand side) and from proposed Change 1 (TR010029/EXAM/10.2) (right hand side)**



## 3.2 Reason for change

3.2.1 Highways England has developed Change 1 following engagement with the Environment Agency, including feedback on the proposed materials strategy, which means that Work No. 17 is no longer required as part of the Scheme. The site-won materials which were initially intended to comprise Work No.17 are now proposed to form part of Work No. 18 (see Change 2 described in section 4 of this document) to create an environmental bund. The material from the historic landfill (Brook Street) and recently deposited material in the Grove Farm area will be re-used on site in a clearly designated area within the Scheme (i.e. for the A12 slip road). Further information is provided in the Environment Agency Relevant Representation (RR-009-2, REP1-002) and in section 3.3 in the Statement of Common Ground (SoCG) with the Environment Agency (REP1-003).

## 3.3 Engagement

3.3.1 Highways England has engaged with the Environment Agency who have provided feedback on the proposed materials strategy that has led to this change as outlined in paragraph 3.2.1 above. Following the revised material strategy, the Scheme does not require Work No. 17 but instead identifies changes to Work No. 18 (see Change 2 below). The revised materials strategy covers the proposal to reuse the controlled wastes from the recently deposited material from Grove Farm and the Brook Street historical landfill on-site for the construction of the A12 loop road in a clearly defined area within the Scheme. The controlled wastes will be reused through a Waste Recovery for Deposit Permit.

3.3.2 As advised by the Environment Agency, Highways England made a pre-application submission to the Environment Agency national permitting team in December 2020 (as outlined in section 3.3 in the SoCG with the Environment Agency (REP1-003)) to establish the permitting requirements for the Scheme. A response to the pre-application submission is due in March 2021.

3.3.3 In response to the non statutory targeted consultation, Glebelands Estates Ltd (GEL) welcomes Highways England proposal to remove the deposition of surplus material from the Application which is an endorsement of the views expressed in their Relevant Representation (REP2-031). However, GEL are unclear why Highways England are seeking to permanently acquire the entirety of Plot 3/20 when Work No. 17 is to be removed.

3.3.4 In response to the targeted consultation, Essex County Council had no issues with Change 1 and London Borough of Havering welcomes the intention to reuse surplus materials on site.

3.3.5 Full details of the non statutory targeted consultation exercise relating to the Proposed Changes including responses to the consultation, along with Highways England's reply are provided in Appendix A of this document.

## 3.4 Effect of Change 1

3.4.1 Change 1 does not involve any revisions to the Order limits or to the permanent land take proposed in this area.

3.4.2 The changes to the environmental effects from Change 1 compared to those

reported in the Environmental Statement (ES) (APP-026 to APP-037) are explained below.

### Environmental effects

3.4.3 The following paragraphs consider the environmental effects presented by Change 1, in comparison to those already assessed in the ES (APP-026 to APP-037).

3.4.4 There is no/negligible change in the environmental effects for Change 1 in comparison to those described in the ES for the following topics: air quality (APP-027); noise and vibration (APP-028); road drainage and the water environment (APP-030); landscape and visual (APP-031); geology and soils (APP-032); cultural heritage (APP-033); people and communities (APP-035); climate (APP-036) and the assessment of cumulative effects (APP-037).

3.4.5 The following topics required further assessment and/or needed a change in the assessment which is discussed below.

#### Biodiversity

3.4.6 Although Work No. 17 was located within the ecological compensation area (Work No. 25), the proposal to remove Work No. 17 will not affect the ecological mitigation proposals. Those habitat creation and enhancement measures proposed under Work No. 25 can still be undertaken regardless of Change 1. Therefore, there will be no change to the assessment of effects presented in the Biodiversity chapter, (Chapter 7) in the ES (APP-029). Figure 2.2 outlining the Preliminary environmental mitigation (APP-039) has been revised and is provided as part of the change request in the Drawings on proposed Changes 1-4 report (TR010029/EXAM/10.2).

#### Materials and waste

3.4.7 The proposal to remove Work No.17 from the Application and accommodate the site-won materials within Work No. 18 (see Change 2 below) will change the significance of effects of wastes arisings from a moderate (significant) effect to a slight (not significant) effect as less site won material will need to be removed from site. The materials and waste assessment of effects (APP-034) has been updated and the revised Materials and waste chapter (Chapter 12) in the ES, is submitted as part of the change request (TR10029/APP/6.1(2)).

## **3.5 Mitigation and compensation**

3.5.1 No additional mitigation and compensation measures are required for this change.

## **3.6 Land**

3.6.1 The affected landowner for Change 1 is GEL. Cadent Gas Limited (“Cadent”) and Luddington Golf Ltd (“LGL”) are registered as occupiers. No additional land or revisions to the land powers sought are required for this change. The removal of Work No. 17 would not involve any changes to the Order limits or to the permanent land take proposed in this area which is still required for the construction and maintenance of the ecological compensation area (Work No.

25).

### 3.7 Table of potential dDCO changes

3.7.1 Table 3.1 below sets out the amendments which would be required to the text of the dDCO (REP2-002), were Change 1 to be accepted.

**Table 3.1: Proposed amendments to the dDCO for Change 1**

Article/ Schedule reference	Current dDCO drafting (REP2-002)	Proposed amendments were Change 1 to be accepted
Article 7(1) (Limits of deviation)	“(c) in respect of those parts of Work No. 6 situated between Duck Wood bridge and Grove bridge and Work No.17, deviate vertically from the levels of the authorised development shown on the engineering drawings and sections up to a maximum of 2 metres upwards or 2 metres downwards;”	“(c) in respect of those parts of Work No. 6 situated between Duck Wood bridge and Grove bridge and <del>Work No.17</del> , deviate vertically from the levels of the authorised development shown on the engineering drawings and sections up to a maximum of 2 metres upwards or 2 metres downwards;”
Schedule 1 (Authorised development)	“Work No. 17 — Deposit of surplus construction materials, over an area of land approximately 22,000 square metres in area, at a location situated to the west of Weald Brook as shown on sheet 3 of the works plans.”	“Work No. 17 — <del>Deposit of surplus construction materials, over an area of land approximately 22,000 square metres in area, at a location situated to the west of Weald Brook as shown on sheet 3 of the works plans</del> <u>Not used.</u> ”
Schedule 1 (Authorised development)	“Work No. 27 — A new pond, for environmental mitigation purposes, approximately 500 square metres in area, and situated at a location to the south of Work No. 17 as shown on sheet 3 of the works plans.”	“Work No. 27 — A new pond, for environmental mitigation purposes, approximately 500 square metres in area, and situated at a location to the <del>south of Work No. 17</del> <u>north of Work No. 28</u> as shown on sheet 3 of the works plans.”

Article/ Schedule reference	Current dDCO drafting (REP2-002)			Proposed amendments were Change 1 to be accepted		
Schedule 8 (Land of which temporary possession only may be taken)	Land Plans – Sheet 3 of 4			Land Plans – Sheet 3 of 4		
	3/16	Construction working area for improvements to the M25 northbound carriageway, the realignment of the existing northbound on-slip, and a new private means of access and to facilitate the deposit of surplus construction materials.	Work Nos. 8, 14 and 17	3/16	Construction working area for improvements to the M25 northbound carriageway, the realignment of the existing northbound on-slip, and a new private means of access and to facilitate the deposit of surplus construction materials.	Work Nos. 8, 14 and 17
	3/18	To facilitate the deposit of surplus construction materials.	Work No. 17	3/18	To facilitate the deposit of surplus construction materials <u>establish an ecological mitigation area.</u>	Work No. 17 <u>25</u>
	3/21	To facilitate the deposit of surplus construction materials and establish an ecological mitigation area.	Work Nos. 17, and 25	3/21	To facilitate the deposit of surplus construction materials and establish an ecological mitigation area.	Work Nos. 17 and 25



## **4. Change 2 – Amendment to the surplus construction materials deposit (Work No. 18) situated to the south-east of Maylands golf course to form an environmental bund**

### **4.1 Description of proposed change**

- 4.1.1 Highways England included two surplus construction material areas (Work No. 17 and Work No. 18) in the Application. Following feedback from the Environment Agency, it is proposed to remove Work No. 17 from the Scheme (see Change 1 above) and remodel Work No. 18 from an area of deposit for surplus construction materials into an environmental bund which follows the outline of the environmental works (part of Work No. 25) alongside the new loop road and to the north of Work No. 19B (a drainage pond and associated access).
- 4.1.2 The proposed environmental bund would be approximately 2.5 m high (with a vertical limit of deviation of 1 m upwards or downwards) and will be mainly grassed with a strip of woodland planting along the south and eastern sections of the bund. The bund will be designed in a reverse letter L-shape, running east-west generally parallel to the A12 and then north-south in parallel to the proposed loop road (Work No. 6) with an overall site area of 25,565 m<sup>2</sup>.
- 4.1.3 Incorporated into the design of the bund is a flat grassed area approximately 3 m wide along its western edge - known as a berm – to enable vehicular access for future maintenance. The environmental bund would provide predominantly visual benefits and some very limited noise screening benefits to the residents at Maylands Cottages, as well as to the users of Maylands Golf Course. Figure 4.1 below shows an outline of this change, with full details provided on the Scheme Layout Plans, Works Plans and Land Plans (TR010029/EXAM/10.2).
- 4.1.4 The proposed environmental bund would require a change in the anticipated layout of the proposed main construction compound which is located to the west of the proposed loop road and would operate for the duration of the works. The new anticipated layout of the compound is shown on the revised Figure 2.2 Preliminary environmental design plans (TR010029/EXAM/10.2).
- 4.1.5 Change 2 would not involve any changes to the Order limits. However, it would require changes to the land acquisition powers sought as Highways England proposes that the environmental bund is acquired permanently rather than on a temporary basis to enable the long-term maintenance of the bund. Change 2 will result in changes to the effects described in the ES (APP-026 to APP-037) although they are non-material in nature – see section 4.4 below. Change 2 will engage the CA Regulations and accordingly the change is likely to be a material one.

**Figure 4.1 Scheme Layout Plans extracts from the Application (APP-010) (left hand side) and from proposed Change 2 (TR010029/EXAM10.2) (right hand side)**



## 4.2 Reason for change

- 4.2.1 As explained above, Highways England has developed Change 2 following engagement with the EA including in relation to the materials strategy. Further information is provided in the EA RR (RR-009-2, REP1-002) and in section 3.3 in the SoCG with the EA (REP1-003).
- 4.2.2 The proposal to remodel Work No. 18 from an area of deposit for surplus construction materials into an environment bund alongside the new loop road has been developed in consultation with the EA and other key stakeholders.
- 4.2.3 The proposed change to Work No. 18 will maximise the on-site reuse of site-won materials in the form of an environmental bund and will also provide predominantly visual benefits and some very limited noise screening benefits to residents at Maylands Cottages as well as to Maylands Golf Course.

## 4.3 Engagement

- 4.3.1 Highways England has engaged with the Environment Agency who have provided feedback on the proposed materials strategy. The revised materials strategy proposes that site won material would be reused for the creation of the environmental bund (Work No. 18) and this will be undertaken under a Materials Management Plan in accordance with CL:AIRE protocol (Contaminated Land: Applications in Real Environments. The Definition of Waste: Development Industry Code of Practice, Version 2, March 2011).
- 4.3.2 The updates made to the ES Chapter 12 Materials and waste (TR010029/EXAM/10.8) have been reviewed by the Environment Agency who are satisfied with the updates made to the assessment.
- 4.3.3 In response to the non statutory targeted consultation, Essex County Council commented that Change 2 would provide additional mitigation to reduce the impact of noise/visual amenity on the golf club buildings to the west and a bund with planting on it would be preferred.
- 4.3.4 In response to the non statutory targeted consultation, London Borough of

Havering requested clarification on whether the proposed environmental bund would impact on the great crested newt (GCN) mitigation solution or the draft GCN licence application. London Borough of Havering welcomes the proposal for a permanent environmental bund but notes the need for engagement with the appropriate landowner for acquisition of land on a permanent basis. London Borough of Havering encourages Highways England to include the management of the bund in the Outline Landscape and Ecology Management and Monitoring Plan.

- 4.3.5 GEL has questioned the extent of land required in respect of the environmental bund under Change 2 in response to the non statutory targeted consultation and the proposal to take part of Plot 1/11a for permanent acquisition of land. In the submitted Application Plot 1/11 was sought for temporary possession only and is split into two plots, 1/11 (temporary possession) and 1/11a (permanent acquisition of land) with Change 2.
- 4.3.6 Full details of the non statutory targeted consultation relating to the Proposed Changes, including responses to the consultation, along with Highways England's reply, are provided in Appendix A of this document.

## 4.4 Effect of Change 2

- 4.4.1 Change 2 including the consequential change to the anticipated layout of the main construction compound would not involve any changes to the Order limits. It does require the land which forms the environmental bund to be acquired permanently to enable its long-term maintenance. In the Application, temporary land powers were proposed for the original Work No. 18 (Plot 1/11). There are changes to the environmental effects in comparison to those reported in the ES (APP-026 to APP-037) as detailed below. Change 2 also requires revisions to the dDCO as shown in Table 4.1 below and the Outline CEMP and REAC as described in section 4.5.1.

### Environmental effects

- 4.4.2 The following paragraphs address the changes to the environmental effects for Change 2 in comparison to those already assessed and presented in the ES (APP-026 to APP-037).
- 4.4.3 There is no/negligible change in the environmental effects of the following topics: air quality (APP-027); road drainage and the water environment (APP-030); geology and soils (APP-032); cultural heritage (APP-033); climate (APP-036) and the assessment of cumulative effects (APP-037).
- 4.4.4 The following topics required further assessment and/or needed a change in the assessment which is discussed below.

### Noise and vibration

- 4.4.5 In the non statutory targeted consultation brochure documentation (see Appendix A) it was noted that the bund had the potential to give rise to perceptible noise benefits for Maylands Cottages, Woodstock Avenue and some parts of the golf course. Subsequently, detailed noise modelling has been undertaken, which shows that the noise benefits of the bund are smaller than initially expected at the time of the consultation.



- 4.4.6 Detailed noise modelling of the proposed environmental bund shows that there will be very limited noise benefits during the operation of the Scheme for residents at Maylands Cottages and for players on some parts of the Maylands Golf Club. The updates to the construction and operational noise and vibration assessments, appendices and figures in the original ES (APP-028, APP-054 and APP-042) are presented in the revised ES Noise and Vibration chapter, Chapter 6 (TR010029/EXAM/10.6) and revised Appendix 6.2 (TR010029/EXAM/10.10), and Chapter 6 Figures 6.9 to 6.11 (TR010029/EXAM/10.9) which accompany this change report.

#### Biodiversity

- 4.4.7 The inclusion of the environmental bund instead of a surplus materials area does not affect the overall proposals for woodland planting and grassland re-instatement at this location. There will be minor revisions to the planting proposals to accommodate a maintenance track to and around the bund.
- 4.4.8 However, as the change to planting proposals is very small scale, it will not alter the assessment of effects on biodiversity resources as set out in the Biodiversity chapter (Chapter 7) in the ES (APP-029) in the submitted with the Application. Figure 2.2 outlining the Preliminary environmental mitigation (APP-039) have been revised and are provided as part of the change request in the Drawings on proposed Changes 1-4 report (TR010029/EXAM/10.2).

#### Landscape and visual

- 4.4.9 Remodelling of Work No. 18 into an environmental bund and the associated mitigation woodland planting along the southern and eastern sections of the bund will provide a greater degree of visual screening for the residential receptors at Maylands Cottages. The proposed height of the environmental bund is demonstrated on Figures 9.55 to 9.62 Viewpoint D Maylands Cottages (photomontages showing both summer and winter) (TR010029/EXAM/10.11) which demonstrates the additional visual screening properties gained from the bund when compared to the original proposal for Work No. 18 alignment. The height of the bund will contribute to a change to the findings within the landscape and visual assessment for Maylands Cottages set out in the ES (APP-031) submitted with the Application from an anticipated very large adverse visual impact at year 1 and moderate adverse impact at year 15 to an anticipated moderate adverse impact at year 1 and slight adverse impact at year 15. This is also presented in the revised Landscape and visual chapter, Chapter 9 in the ES (TR010029/EXAM/10.7). There would be no anticipated change to the predicted landscape impacts during construction as outlined in the ES (APP-031).

#### Materials and waste

- 4.4.10 Remodelling of Work No. 18 into an environmental bund will increase the amount of site-won materials that can be re-used within the Scheme and reduce the amount of materials that will need to be taken off site. Therefore, the conclusions in the materials and waste assessment (APP-034) set out in the ES submitted with the Application will change the significance of effect of wastes arising from a moderate (significant) effect to a slight (not significant) effect. This is also presented in the revised Materials and waste chapter, Chapter 12 in the ES (TR010029/EXAM/10.8).

## People and communities

4.4.11 The remodelling of Work No. 18 into an environmental bund would require the land on which it is to be constructed to be permanently acquired. The Application identifies Plot 1/11 for temporary possession as shown on the Land Plans (APP-005). Change 2 requires a revision from temporary to permanent powers sought on part of the site for the environmental bund. The people and communities assessment as set out in Chapter 13 of the ES (APP-035) submitted with the Application notes in paragraphs 13.10.40 – 13.10.44 that the sensitivity of the land in question is low. As such, the revisions to the land powers sought for Change 2 proposing additional land to be permanently acquired would result in a slight adverse effect. The effect therefore remains as set out in the ES (APP-035) submitted with the Application.

## **4.5 Mitigation and compensation**

4.5.1 Mitigation measures in the Register of Environmental Actions and Commitments (REAC) will need to be amended to reflect the changes as shown in Appendix E of this report. The tables included in Appendix E detail the amendments which would be required to the text of the Outline CEMP (TR010029/APP/7.2(2)) and the REAC (TR010029/APP/7.3(2)), were Change 2 to be accepted. Amendments to the text in the Outline CEMP and REAC reflect the requirement for an environmental permit (Waste Recovery Permit) for the reuse of the controlled wastes from the historic landfill (Brook Street) and recently deposited material in the Grove Farm area in a clearly designated area within the Scheme due to the revised materials strategy as explained above.

## **4.6 Land**

4.6.1 The affected landowner is GEL. Thames Water and Cadent are registered as occupiers. The proposed change would require the land which forms the environmental bund to be acquired on a permanent basis to enable the long-term maintenance of the bund. In the Application Plot 1/11 (shown on the Land Plans (APP-005)) is sought to be acquired on a temporary basis - with Change 2, Plot 1/11 will be sub-divided as follows:

- Plot 1/11 temporary possession to establish a construction compound and undertake associated construction activities.
- Plot 1/11a permanent acquisition of land for the long term maintenance of an environmental bund.

4.6.2 In the submitted Application, temporary possession was sought for 45,845m<sup>2</sup>.

4.6.3 With Change 2, temporary possession is sought for 18,841m<sup>2</sup> (plot 1/11) with permanent acquisition of land is required for an additional 27,004m<sup>2</sup> (plot 1/11A).

4.6.4 Full details of the amended land parcels for Plots 1/11 and 1/11a pertaining to this change are shown on the Land Plans (TR010029/EXAM/10.2), the Book of Reference (TR010029/EXAM/10.4) and the Schedule of Changes (TR010029/EXAM/10.5).

## 4.7 Table of potential dDCO changes

4.7.1 Table 4.1 below details the amendments which would be required to the text of the dDCO (REP2-002), were Change 2 to be accepted.

**Table 4.1: Proposed amendments to the dDCO for Change 2**

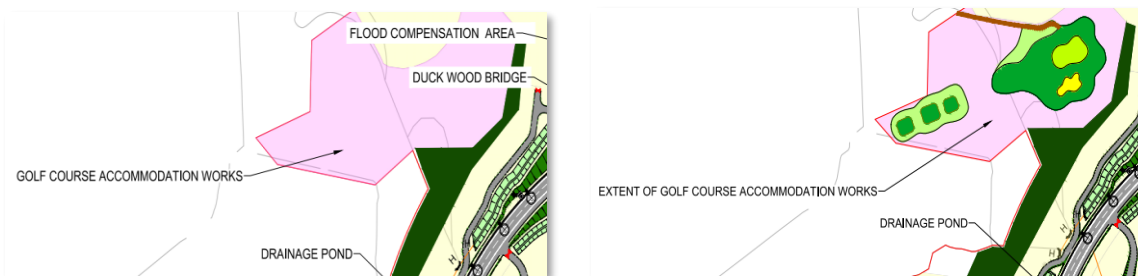
Article/Schedule reference	Current dDCO drafting (REP2-002)	Proposed amendments were Change 2 to be accepted					
Article 7(1)(b) (Limits of deviation)	(b) subject to paragraphs (c) and (d), deviate vertically from the levels of the authorised development shown on the engineering drawings and sections up to a maximum of 1 metre upwards or 1 metre downwards;	(b) subject to paragraphs (c) and (d), deviate vertically from the levels of the authorised development shown on the engineering drawings and sections up to a maximum of 1 metre upwards or 1 metre downwards;					
Article 7(1)(d) (Limits of deviation)	“(d) in respect of Work No. 18 deviate vertically from the levels of the authorised development shown on the engineering drawings and sections up to a maximum of 1.5 metres upwards or 1.5 metres downwards,”	“(d) in respect of Work No. 18 deviate vertically from the levels of the authorised development shown on the engineering drawings and sections up to a maximum of 1.5 metre upwards or 1.5 metre downwards,”					
Schedule 1 (Authorised development)	“Work No. 18 — Deposit of surplus construction materials, over an area of land approximately 23,100 square metres in area, at a location situated to the north of Work No. 19B as shown on sheet 1 of the works plans.”	“Work No. 18 — <u>Deposit of surplus construction materials, Construction of an environmental bund</u> over an area of land approximately <u>23,400 25,565</u> square metres in area, <u>at a location situated alongside the new loop road (Work No. 6) and</u> to the north of Work No. 19B as shown on sheet 1 of the works plans.”					
Schedule 8 (Land of which temporary possession only may be taken)	Land Plans – Sheet 1 of 4	Land Plans – Sheet 1 of 4					
	<table border="1"> <tr> <td>1/11</td> <td>To establish a construction compound and undertake associated construction activities, including the deposit of surplus construction material.</td> <td>Work No. 18 and, in respect of the Construction compound, all works</td> </tr> </table>	1/11	To establish a construction compound and undertake associated construction activities, including the deposit of surplus construction material.	Work No. 18 and, in respect of the Construction compound, all works	<table border="1"> <tr> <td>1/11</td> <td>To establish an <u>environmental bund</u> and construction compound and undertake associated construction activities, <u>including the deposit of surplus construction materials.</u></td> <td>Work No. 18 and, in respect of the Construction compound, all works</td> </tr> </table>	1/11	To establish an <u>environmental bund</u> and construction compound and undertake associated construction activities, <u>including the deposit of surplus construction materials.</u>
1/11	To establish a construction compound and undertake associated construction activities, including the deposit of surplus construction material.	Work No. 18 and, in respect of the Construction compound, all works					
1/11	To establish an <u>environmental bund</u> and construction compound and undertake associated construction activities, <u>including the deposit of surplus construction materials.</u>	Work No. 18 and, in respect of the Construction compound, all works					

## 5. Change 3 – Refinement of golf course accommodation works (Work No. 32)

### 5.1 Description of proposed change

- 5.1.1 Highways England included golf course accommodation works (Work No. 32) in the Application for the Scheme. The golf course accommodation works have been considered further, largely as a result of ongoing discussions with Maylands Golf Club, and it is proposed to amend those works to enable the provision of a boardwalk. This boardwalk would provide a safe route for players to walk back from the green of the realigned second hole to the third tee while minimising any interruption to play. The full extent of the proposed change to the golf course accommodation works has been refined to reflect the layout of the replacement hole as indicated on Figure 5.1 below with full details provided on the Scheme Layout Plans (TR010029/EXAM/10.2).
- 5.1.2 Change 3 will not involve any changes to the Order limits. There would be no change to the land powers sought for Change 3. Change 3 would not engage the CA Regulations. Change 3 would not involve any material changes to the effects described in the ES. The change is therefore non-material in Highways England's opinion.

**Figure 5.1 Scheme Layout Plans extracts from the Application (APP-010) (left hand side) and from proposed Change 3 (TR010029/EXAM/10.2) (right hand side)**



### 5.2 Reason for change

- 5.2.1 This change is proposed in response to discussions with the operator of Maylands golf course – Luddington Golf Limited (LGL). Concern was raised by LGL that the proposed hole reconfiguration would lead to delays in play as tee shots from the new hole 2 tee would have to be delayed until the new hole 2 green had been cleared. Concern was also raised by LGL that players finishing hole 2 would need to walk back along a section of the hole before clearing it and walking to hole 3.
- 5.2.2 Accordingly, a boardwalk is proposed which would enable players to walk on to hole 3 along a safe route and away from the hitting zone of hole 2 thereby reducing potential delays and ensuring a safe route between holes.

### 5.3 Engagement

- 5.3.1 In response to the targeted consultation LB Havering has no concerns in relation to Change 3.

- 5.3.2 In response to the targeted consultation Essex County Council have questioned whether the newly proposed golf hole would be provided with boundary fencing.
- 5.3.3 GEL has noted in response to the targeted consultation that Change 3 has not altered the location of golf hole 2 and proposes to construct a boardwalk from the second green to the third tee. GEL have raised a concern regarding the interaction between the boardwalk and the pond for GCNs, suggesting the proposal is unacceptable in nature conservation and ecological terms.
- 5.3.4 LGL raised the issue of Change 3 in their Written Representation (REP2-032) and those comments have been treated as if they were in response to the non statutory targeted consultation. LGL state that introduction of the boardwalk does not solve the safety issue and will slow play up whilst golfers have to wait for the path to clear. LGL endorse an alternative design solution proposed by Maylands Golf Club by Weller Designs as a preferred option which will reduce land take.
- 5.3.5 Full details of the targeted consultation exercise relating to the Proposed Changes including responses to the consultation, along with Highways England's reply are provided in Appendix A of this document.

## 5.4 Effect of Change 3

- 5.4.1 Change 3 will not involve any changes to the Order limits. Change 3 would not present any material changes to the effects already described in the ES (APP-026 to APP-037). It would not engage the CA Regulations. The change is therefore non-material in Highways England's opinion.

### Environmental effects

- 5.4.2 The following paragraphs concern the environmental effects resulting from Change 3, in comparison to those already described in the ES (APP-026 to APP-037).
- 5.4.3 There is no change in the environmental effects of the following topics: air quality (APP-027); noise and vibration (APP-028); road drainage and the water environment (APP-030); geology and soils (APP-032); landscape and visual (APP-031); cultural heritage (APP-033); materials and waste (APP-034); people and communities (APP-035); climate (APP-036) and assessment of cumulative effects (APP-037).
- 5.4.4 The requirement for golf course accommodation works and their likely effects on biodiversity resources was considered in the biodiversity assessment, Chapter 7 in the ES (APP-029). Change 3 is a refinement of proposals for the golf course accommodation works and as such it does not result in any alteration of the conclusions of the biodiversity assessment (APP-029) as set out in the ES. The detailed design of Change 3 will take into account mitigation measures required for GCN which are present close to the works area as set out in the biodiversity assessment and captured in the REAC (APP-097).

## 5.5 Mitigation and compensation

- 5.5.1 No additional mitigation and compensation measures are required for this change.



## 5.6 Land

- 5.6.1 The affected landowners and occupiers are GEL and LGL.
- 5.6.2 There would be no change to the land powers sought for Change 3.
- 5.6.3 The area of accommodation works to provide the replacement facilities for the golf course are shown on the Scheme Layout Plans (TR0100/EXAM/10.2) would increase the area from 13,541 square metres in the Application to 14,598 square metres if this change were accepted and involve the use of existing Plot 1/14 and a greater part of Plot 1/10 than proposed in the Application.

## 5.7 Schedule of potential DCO Changes

- 5.7.1 Table 5.1 details the amendments which would be required to the text of the dDCO (REP2-002), were Change 3 to be accepted.

**Table 5.1: Proposed amendments to the dDCO for Change 3**

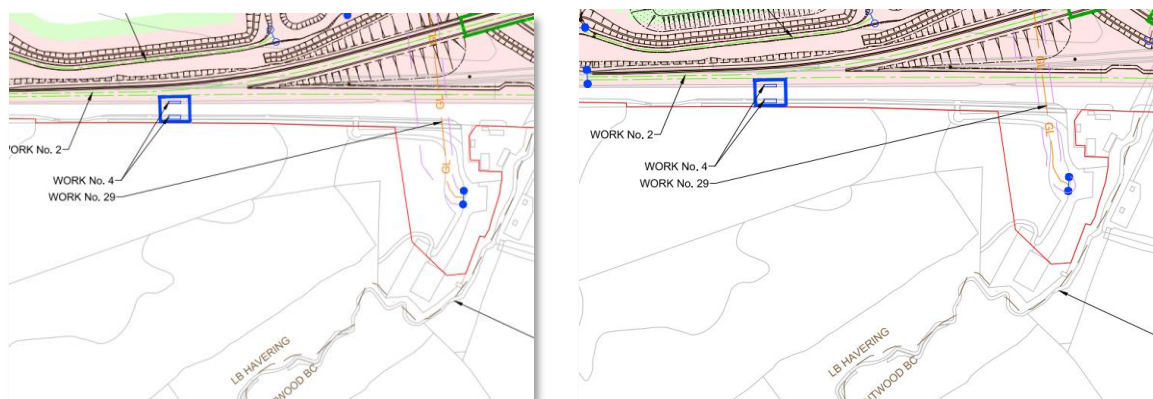
Article/ Schedule reference	Current dDCO drafting (REP2-002)	Proposed amendments were Change 3 to be accepted
Schedule 1 (Authorised development)	“Work No. 32 — Accommodation works to provide replacement facilities for Maylands Golf Course, over an area of land approximately 13,521 square metres in area and situated at a location to the west of Work No. 29 as shown on sheets 1 and 3 of the works plans.”	“Work No. 32 — Accommodation works to provide replacement facilities for Maylands Golf Course, over an area of land approximately <del>13,521</del> <u>14,598</u> square metres in area and situated at a location to the west of Work No. 29 as shown on sheets 1 and 3 of the works plans.”

## 6. Change 4 – Amendment to the lateral limits of deviation for the Cadent gas pipeline diversion – southern connection (Work No. 29)

### 6.1 Description of proposed change

- 6.1.1 Highways England included the provision of a Cadent pipeline diversion (Work No. 29) in the Application. Since acceptance of the Application, Highways England, alongside Cadent, has undertaken further detailed design work and taken on board comments raised by stakeholders.
- 6.1.2 In the Application, Highways England is seeking the acquisition of permanent rights over the entirety of Plot 1/8 (as shown on the Land Plans (APP-005)), with rights required to construct, operate, access, protect and maintain the pipeline. Highways England is now proposing to reduce the extent of permanent rights sought so Plot 1/8 will be subdivided. Plot 1/8 will be required for permanent rights, and Plot 1/8a required for temporary possession in order to undertake the diversion works. Figure 6.1 below provides further detail and full details are provided on the revised Works Plans, Land Plans and Scheme Layout Plans (TR010029/EXAM/10.2) submitted with the change request.
- 6.1.3 Change 4 is to reduce the extent of the limits of deviation for the gas pipeline diversion (Work No. 29) (except for a very minor extension to accommodate the southern tie in of the pipeline) and to reduce the extent of permanent rights required in this Plot. Change 4 would not engage the CA Regulations. Also, it would not present any material changes to the effects already described in the ES (APP-026 to APP-037). The change is therefore non-material in Highways England's opinion.

**Figure 6.1: Works Plans extracts from the Application (APP-006) (left hand side) and for proposed Change 4 (TR010029/EXAM/10.2) (right hand side)**



### 6.2 Reason for change

- 6.2.1 In response to concerns raised by the Trustees of the Gardens of Peace (the "Trustees") regarding the extent of the proposed permanent rights sought, that is proposed to be reduced to cover only the extent of the easement required by Cadent for future access and maintenance of their pipeline. The width of the proposed easement through the burial ground varies but is typically 5.5 m wide. This proposed reduction in the permanent rights sought has been possible

because Cadent has developed a detailed design for the pipeline diversion since the submission of the Application. Although the extent of the area required for the pipeline and associated easement has been reduced, the remainder of the plot will still be required on a temporary basis for working space to facilitate the diversion works (see section 6.6 below).

## 6.3 Engagement

- 6.3.1 Highways England and Cadent have corresponded with and held several meetings with the Trustees and this dialogue is on-going. These meetings have explored concerns over disruption to the operation of the burial ground and mitigations identified and agreed between both parties to allay these concerns. In response to the targeted consultation exercise, the Trustees generally welcomed the Change 4, however they still had some concerns arising from the temporary loss of Plot 1/8 namely the temporary loss of: service entrance, soil storage, parking, part of the internal road and also disruption to utility and site infrastructure.
- 6.3.2 In response to the targeted consultation, both Essex County Council and GEL have no objection Change 4.
- 6.3.3 London Borough of Havering notes that the change will result in a reduction of the extent of permanent rights sought in Plot 1/8. London Borough of Havering has raised a number of concerns with regards to the impact the diversion of the Cadent gas pipeline will have on the Gardens of Peace Cemetery and seeks further clarification.
- 6.3.4 Full details of the targeted consultation exercise relating to the Proposed Changes including responses to the consultation, along with Highways England's reply are provided in Appendix A of this document.

## 6.4 Effect of Change 4

- 6.4.1 Change 4 does involve a refinement in the limits of deviation for Work No. 29 and associated permanent easement for the Cadent diversionary works. This change in land acquisition would not result in a change in the environmental effects described in the ES.

## 6.5 Environmental effects

- 6.5.1 There is no change in the environmental effects for Change 4 in comparison to those described in the ES for the following topics: air quality (APP-027); biodiversity (APP-029); road drainage and the water environment (APP-030); landscape and visual (APP-031); geology and soils (APP-032); cultural heritage (APP-033); people and communities (APP-035); climate (APP-036) and the assessment of cumulative effects (APP-037).
- 6.5.2 The change in the limits of deviation mean that the equipment used for the Cadent diversionary works would be closer to Putwell Bridge Caravan Park than what was assumed in the Noise Chapter of the ES (APP-028). This change in distance has the potential for construction noise levels at the caravan park to be higher than what was assessed in the ES. To mitigate this change, Highways England proposes to include a solid hoarding between the diversionary works and the caravan park during the construction phase. The



REAC has been updated (see Tables E.4 and E.6 in Appendix E) to include this solid hoarding.

6.5.3 Therefore, with mitigation, the residual construction noise impacts described in the revised ES Chapter 6 of the ES (TR010029/EXAM/10.6) do not change.

## 6.6 Mitigation and compensation

6.6.1 Mitigation measures in the REAC will need to be amended to reflect the changes as shown in Appendix E of this report. Tables E.4 and E.6 (commitments NV0.1 and NV2.1) in Appendix E detail the amendments which would be required to the text the REAC (TR010029/APP/7.3(2)), were Change 4 to be accepted.

## 6.7 Land

6.7.1 The affected landowners are the Trustees of the Gardens of Peace. BT, Cadent and Openreach are all occupiers affected.

6.7.2 The land powers sought in the Application will need to be revised for Change 4. In the Application, Highways England was seeking the acquisition of permanent rights over the entirety of Plot 1/8, with rights required to construct, operate, access, protect and maintain the gas main. Change 4 involves reducing the extent of permanent rights sought in Plot 1/8, with the intention of sub-dividing Plot 1/8. The proposed changes in plots and areas are set out below:

- Plot 1/8 – permanent acquisition of rights for 1,570 square metres compared with 7,325 square metres.
- Plot 1/8a – new temporary possession of 5,755 square metres - temporary possession of Plot 1/8a is required in order to undertake the required diversion works.

6.7.3 This change is shown on the revised Land Plans (Sheet 1 of 4, TR010029/EXAM/10.2).

6.7.4 Full details of the amended land parcels pertaining to this change are shown on the Land Plans (TR010029/EXAM/10.2), the Book of Reference (TR010029/EXAM/10.4) and the Schedule of Changes (TR010029/EXAM/10.5).

## 6.8 Schedule of potential DCO Changes

6.8.1 Table 6.1 details the amendments which would be required to the text of the dDCO (REP-002), were Change 4 to be accepted.

**Table 6.1: Proposed amendments to the dDCO for Change 4**

Article/ Schedule reference	Current dDCO drafting (REP2-002)			Proposed amendments were Change 4 to be accepted		
Schedule 8 (Land of which temporarily possession only may be taken)	(1) Plot Reference Number shown on Land Plans	(2) Purpose for which temporary possession may be taken	(3) Relevant part of the authorised development	(1) Plot Reference Number shown on Land Plans	(2) Purpose for which temporary possession may be taken	(3) Relevant part of the authorised development
	Land Plans – Sheet 1 of 4			Land Plans – Sheet 1 of 4		
	1/9	Construction works relating to the diversion of an existing underground high pressure gas pipeline.	Work No. 29	<u>Plot 1/8a</u>	<u>Construction works relating to the diversion of an existing underground high pressure gas pipeline.</u>	<u>Work No. 29</u>
				1/9	Construction works relating to the diversion of an existing underground high pressure gas pipeline.	Work No. 29

## 7. Implications for the Funding Statement

### 7.1 Introduction

7.1.1 The Proposed Changes do not have any material implications for the Funding Statement (APP-020). The clarifications below should be read in conjunction with the version of the Funding Statement (APP-020) submitted with the Application.

### 7.2 The revised Scheme

7.2.1 There are no additional land requirements for Changes 1 and 3.

7.2.2 For Change 2 there is an additional 27,004 square metres of land required for permanent acquisition of rights (Plot 11/a) and a reduction of 26,964 square metres for temporary possession (Plot 1/11). There are no implications of this change on the land cost estimate in the Funding Statement.

7.2.3 For Change 4 the extent of permanent acquisition of rights for plot 1/8 is reduced from 7,325 square metres to 1,570 square metres a reduction of 5,755 square metres. New Plot 1/8a is sought for temporary possession. There are no implications of this change on the land cost estimate in the Funding Statement.

### 7.3 Sources of funding

7.3.1 Funding is available for the additional compulsory acquisition necessitated by Change 2.

7.3.2 In addition to the information related to sources of funding described in the Funding Statement (APP-020) submitted with the Application, the Highways England Delivery Plan (2020-2025) sets out in detail how Highways England will deliver its strategic outcomes and measure success. Page 36 of this Delivery Plan lists M25 junction 28 as a 'Scheme open for traffic during Road Programme 2 (RP2)' along with a reference in Annex B on page 75 to the anticipated start of works and open for traffic timescales (TR010029/EXAM/9.27).

### 7.4 Blight

7.4.1 As stated in Section 4 of Funding Statement (APP-020), the term 'blight' refers to the reduction of economic activity or property values in a particular area resulting from possible future development, or restriction of development. Blight notices may be served on Highways England by those with a qualifying interest in affected land.

7.4.2 To date no blight notices have been served in respect of the Scheme.

7.4.3 Should any future claims for blight arise as a consequence of the proposed compulsory acquisition of land, or rights in land, affected by the proposed changes, the costs of meeting any valid claim will be met by Highways England.

## 8. Implications for the Statement of Reasons

### 8.1 Introduction

- 8.1.1 The Proposed Changes would require amendment to the compulsory acquisition and temporary possession powers for Changes 2 and 4. There are no changes sought to the compulsory acquisition and temporary possession powers in respect of Changes 1 and 3.
- 8.1.2 The extent and nature of the change in the land interests affected by the compulsory acquisition and temporary possession powers sought by Highways England is described in Appendices B and C.
- 8.1.3 Change 2 requires changes in land powers sought for plot 1/11. In the Application, plot 1/11 is sought for temporary possession but with Change 2, the plot is to be subdivided. Plot 1/11a will be required for permanent acquisition of land for the extent of the proposed environmental bund with plot 1/11 required for temporary possession to facilitate the construction works including the main construction compound (as shown on the revised Land Plans, TR010029/EXAM/10.2).
- 8.1.4 Change 4 requires changes in land powers sought for plot 1/8. In the Application the whole of plot 1/8 was sought for permanent acquisition of rights. With the proposed change, plot 1/8 will be subdivided. The residual elements of plot 1/8 which is for the extent of the Cadent gas easement will still be sought for permanent acquisition, with the remainder of the plot to form a new plot 1/8a to be required for temporary possession only.
- 8.1.5 Highways England has carried out diligent inquiry to identify all persons with an interest in the Additional Land. Additional Land in this instance is defined as the plots associated with the Proposed Changes to the Application which are subject to permanent acquisition or the acquisition of permanent rights.
- 8.1.6 Highways England has engaged all persons affected by the revised compulsory acquisition and temporary possession powers and persons who may have a claim for compensation arising from the proposed changes to the Scheme. The status of negotiations with affected landowners for the acquisition of their land interest is set out in Appendix C.

### 8.2 Crown land, National Trust land and statutory undertaker land

- 8.2.1 Matters related to Crown land, National Trust land and statutory undertaker land remain as set out in the version of the Statement of Reasons (APP-019) submitted with the Application.

### 8.3 Special category land required

- 8.3.1 With the proposed change 4, there will be less special category land ("SCL") required with only 1,570m<sup>2</sup> of SCL required for permanent acquisition of rights compared with 7,325m<sup>2</sup>, a reduction of 5,755m<sup>2</sup>. There are no changes however to the categorisation of special category land with this proposed change, as the land is still sought for temporary possession and permanent acquisition of rights. The Special Category Land Plan submitted with the

Application (APP-014) therefore remains the same.

## **8.4 Other consents**

- 8.4.1 The Proposed Changes will require revisions to the Consents and Agreements Position Statement (APP-017) should the Proposed Changes be accepted for Examination.
- 8.4.2 The table in Appendix D outlines the changes that would be required to the table of other consents and agreements as set out in Appendix A of the Consents and Agreements Position Statement (APP-017) that may need to be sought separately to the DCO. The requirement for the consents identified in Appendix D will be largely dependent on finalisation of the detailed design, the construction methodologies applied and the engagement with key stakeholders, such as the EA and the local authorities. These matters are not sufficiently developed at this stage to clarify every consent required and it will be the responsibility of the principal contractor to identify the appropriate licences, consents and permits required for the implementation of the Scheme.

## **9. Implications for the Case for the Scheme**

### **9.1 Introduction**

9.1.1 The impact of the Proposed Changes on the Case for the Scheme and Schedule of Accordance with National Policy Statement has been reviewed and assessed. It is not necessary to update the Case for the Scheme (CftS) (APP-095) although a commentary on the impacts of the Proposed Changes to the relevant sections of the CftS are noted below.

### **9.2 Conformity with planning policy and transport plans**

9.2.1 Section 5 of the CftS (APP-095) and Appendices A and B of that document provide an assessment of the Scheme's compliance with local and national planning policy and conformity with the National Policy Statement for National Networks.

9.2.2 Proposed Changes 1-4 respond to concerns raised by stakeholders and seeks to mitigate these concerns. The assessment of conformity with Changes 1-4 with planning policy is still applicable and the outcomes of the assessment contained within the CftS is not changed as a result.

### **9.3 Conformity with Green Belt policy**

9.3.1 Section 5.5 of the CftS (APP-095) sets out the Scheme's conformity with Green Belt policy. It notes that the Scheme is anticipated to provide significant benefits to the local transport network and that Very Special Circumstances exist to justify the development within the Green Belt.

9.3.2 Changes 1-4 seek to address concerns from the EA, provide further mitigation in response to issues raised regarding Maylands Golf Course and seeks to reduce the footprint of the land powers required on the Gardens of Peace. These changes are not expected to alter the position that the Scheme would provide significant benefits to the local transport network and do not change the position that Very Special Circumstances exist to justify the Scheme.

### **9.4 Planning balance**

9.4.1 Section 5.20 of the CftS (APP-095) provides an assessment of the planning balance for the Scheme and notes that it is considered that the benefits of the Scheme outweigh the adverse effects. Given that Changes 1-4 seek to address concerns raised and provide additional measures to mitigate its impacts, the position of the planning balance in favour of the Scheme remains the same.

## 10. Amendments or addenda to current Application documents

10.1.1 The proposed changes have resulted in amendments and/or addenda to a number of the Application documents as set out below.

**Table 10.1: Proposed changes application documents**

DCO change request document			Current application/ examination document		
Title	Volume number	Rev	PINS ref.	HE volume	Doc title
Report on Proposed Changes 1-4	10.1	0	-	-	-
<ul style="list-style-type: none"> <li>• <b>Appendix A</b> Targeted non-statutory consultation to support Changes 1-4</li> <li>• <b>Appendix B</b> Details of the purpose for which compulsory acquisition and temporary possession powers are sought</li> <li>• <b>Appendix C</b> Schedule of interests in the land and progress of negotiations with persons subject to compulsory acquisition and temporary possession powers</li> <li>• <b>Appendix D</b> Consents and Agreements Position Statement</li> <li>• <b>Appendix E</b> Proposed changes to the Outline CEMP and REAC</li> </ul>					
Drawings on proposed Changes 1-4	10.2	0	-	-	-
<ul style="list-style-type: none"> <li>• Land Plans (sheet 1 of 4)</li> <li>• Works Plans (sheets 1 and 3 of 4)</li> <li>• Scheme Layout Plans (sheets 1 and 3 of 4)</li> <li>• Engineering Sections (sheets 1 and 3 of 4)</li> <li>• Engineering Sections Typical Cross Sections (sheet 1 and 6 of 6)</li> <li>• Figure 2.2 Preliminary Environmental Design Plans</li> </ul>					
not used	10.3	-	-	-	-
Book of Reference tracked changes 1-4	10.4	0	-	-	-
Schedule of Change to Book of Reference changes 1-4	10.5	0	-	-	-
ES Chapter 6 Noise and vibration	10.6	0	APP-028	6.1	ES Chapter 6 Noise and vibration

DCO change request document			Current application/ examination document		
Title	Volume number	Rev	PINS ref.	HE volume	Doc title
ES Chapter 9 Landscape and visual	10.7	0	APP-031	6.1	ES Chapter 9 Landscape and visual
ES Chapter 12 Materials and waste	10.8	0	APP-032	6.1	ES Chapter 12 Materials and waste
ES Chapter 6 figures	10.9	0	APP-041	6.2	ES Chapter 6 Figures
ES Appendix 6.2 Construction noise	10.10	0	APP-054	6.3	ES Appendix 6.2 Construction noise
ES Chapter 9 Figures – Viewpoint D photomontages	10.11	0	-	-	-



## 11. Summary of Changes 1-4

- 11.1.1 This report provides details of changes required to the Application if Changes 1-4 were to be accepted by the Examining Authority.
- 11.1.2 Change 1 proposes the omission of Work No. 17 from the Scheme following engagement with the Environment Agency. The removal of Work No. 17 does not involve any changes to the Order limits or to the permanent land take proposed in this area which is still required for the construction and maintenance of the ecological compensation area (Work No. 25). The landowner, GEL, welcomes the removal of the deposition of surplus material but questions why permanent acquisition is still required. In response to that point, as outlined in this report, the plot in question is required for environmental mitigation and permanent acquisition is sought to secure the appropriate long-term management of habitats required.
- 11.1.3 Change 2 is associated with the proposal to remodel Work No. 18 from an area of deposit for surplus construction materials into an environmental bund which would provide identified visual screening benefits and some very limited noise benefits. This change has been developed in consultation with the Environment Agency. The affected landowner is GEL who have questioned why the land powers sought have changed to permanent acquisition. In response to this point, as outlined in this report, Plot 1/11 is proposed to be split into 2 plots (1/11 and 11/11a). Plot 1/11a is being sought for the environmental bund which will need to be acquired permanently by Highways England in order that the environmental bund can be permanently maintained as part of the Scheme and to enable maintenance of the proposed woodland planting. Plot 1/11 is still sought for temporary possession for the main construction compound.
- 11.1.4 Change 2 would therefore require changes to land acquisition powers for the proposed environmental bund to be acquired permanently to enable the long-term maintenance of the bund and associated mitigation planting.
- 11.1.5 Change 3 proposes a refinement of the golf course accommodation works in order to overcome issues raised by the operator of the course - LGL. It is proposed to amend these works to provide a boardwalk which would provide a safe route for players while minimising any interruption to play. This change would reduce potential delays for users of the course and ensure a safe route between holes. Change 3 takes into account mitigation measures for GCN which are present close to the works area as set out in the biodiversity assessment and captured in the REAC (APP-097).
- 11.1.6 Change 4 seeks to reduce the extent of permanent rights sought within the Gardens of Peace Burial Ground required for the Cadent gas pipeline diversion. In response to concerns raised by the Trustees this change proposes to reduce the permanent land take required in this area. The Trustees have advised in response to the non-statutory targeted consultation exercise in relation to the Proposed Changes that they welcome Change 4. In order to mitigate temporary noise effects during the construction phase of the Cadent works, a temporary solid hoarding will be used for Putwell Bridge Caravan Park.

# Appendices

# **Appendix.A Targeted non-statutory consultation to support changes 1-4**

**M25 junction 28 improvement scheme  
TR010029**

**Appendix A Consultation Report Addendum  
(10.1 Proposed Scheme Changes 1-4)**

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# 1. Introduction

## 1.1 Purpose of this document

1.1.1 This Consultation Statement has been prepared in respect of the M25 junction 28 improvement scheme (“the Scheme”).

1.1.2 The primary purpose of this report is to provide evidence to the Examining Authority (“the ExA”) that Highways England has carried out proportionate further non-statutory targeted consultation associated with Changes 1-4.

1.1.3 This statement sets out:

- A summary of the consultation context and why the process has been undertaken
- A general description of the consultation process undertaken
- The responses to the consultation, along with Highways England’s reply.

## 1.2 Background

1.2.1 On 26 May 2020, Highways England submitted an application under section 37 of the Planning Act 2008 for a development consent order in order to construct the Scheme. The application was accepted by the ExA for examination on 24 June 2020.

1.2.2 The Order, if made, would authorise Highways England to carry out the following works:

- to increase capacity and reduce congestion and delays by providing an improved link from M25 to A12.
- reduce the incident rate and resulting disruption by increasing the capacity of the roundabout.
- improve safety on the roundabout by reducing traffic levels and redesigning the existing layout.
- cater for future traffic demands to enable development and economic growth.
- minimise the impact on local air quality and noise by smoothing traffic flow.
- protect access for non-motorised users (pedestrians and cyclists) and improve conditions wherever possible.

## 1.3 Consultation context

1.3.1 Highways England wishes to make changes to the submitted DCO application as a result of ongoing stakeholder engagement and further development of the Scheme. These changes are referred to as Changes 1-4.

1.3.2 The intention to make changes to the Scheme was first notified by Highways England in a letter to the ExA dated 4 December 2020. Appendix A.

1.3.3 The four proposed changes to the Scheme (“the Proposed Changes”) that

Highways England consulted on are:

- Change 1 – Removal of surplus construction materials deposit to the west of Weald Brook (Work No. 17)
- Change 2 – Amendment to the surplus construction materials deposit (Work No. 18) situated to the north of Work No. 19B to form an environmental bund
- Change 3 – Refinement of golf course accommodation works (Work No. 32)
- Change 4 – Amendment to the lateral limits of deviation for the Cadent gas pipeline diversion – southern connection (Work No. 29).

## 2. Non-Statutory Targeted Consultation

### 2.1 Overview of non-statutory targeted consultation and notification

2.1.1 Highways England conducted a period of non-statutory targeted consultation in relation to the four Proposed Changes it sought to make to the Scheme. This consultation took place from 4 January 2021 to 4 February 2021.

2.1.2 Highways England targeted the following consultees:

- affected prescribed bodies (as defined by the Planning Act 2008)
- landowners and people with an interest in affected land
- Interested Parties registered with the Planning Inspectorate (for whom the Highways England held contact details).

2.1.3 A full list of prescribed consultees can be found at Appendix B.

2.1.4 On 23 December 2020, Highways England sent affected prescribed bodies, landowners and people with an interest in affected land and Interested Parties the following:

- a personalised letter or email inviting the consultee to respond to the consultation and set out how to respond (Appendix C)
- those consultees receiving a letter also received a hardcopy consultation brochure, and those contacted by email received a link to an on-line version of the brochure (Appendix C) setting out the Proposed Changes and the associated effects.

2.1.5 Consultees were invited to respond to the targeted consultation by:

Email: [M25j28@highwaysengland.co.uk](mailto:M25j28@highwaysengland.co.uk)

Post: FREEPOST M25 junction improvement scheme.

2.1.6 On 8 January 2021, Highways England contacted all those who had been previously consulted as part of this targeted non-statutory consultation in order to provide follow up with information to clarify the photomontages which had been included in the brochure. Some of the photomontages did not correspond with the relevant figure number in the consultation materials sent out on 23 December 2020, which was corrected and clarified to consultees on 8 January 2021.

2.1.7 On 2 February 2021, letters were sent by the Highways England to Glebelands Estates Limited (GEL), Cadent Gas and Thames Water seeking consent, under the Infrastructure Planning (Compulsory Acquisition) Regulations 2010, to include additional land powers at Plot 11/a for the Scheme (as a result of Change 2) within the Order limits. Subsequent to those letters being sent, it has been confirmed that Thames Water do not have an interest in plot 1/11a, and therefore their consent is not required. A letter will be sent to Thames Water clarifying this position.



### **3. Analysis of responses to the consultation**

- 3.1.1 This section provides an overview of responses received, in relation to the Proposed Changes.
- 3.1.2 Any responses received after the closing date of 4 February 2021, have been considered as late responses and included in the analysis.
- 3.1.3 Highways England received seven responses to the consultation. Key issues raised in the responses are presented in Table 3.1 together with Highways England's response.

**Table 3.1: Key themes raised in consultation responses**

Consultee	Proposed change	Consultation response – key themes	Highways England’s response
Transport for London	N/A	Reviewed the changes and do not wish to raise any issues associated with them	Noted.
National Grid Transmission PLC and National Grid Gas	N/A	Confirmed that they had no comments to make.	Noted.
Environment Agency	N/A	No concerns with the proposed changes to the submitted application, as none of the changes coincide with or would negatively impact environmental constraints within their remit.	Noted.
London Borough (LB) of Havering	Change 1	<p>LB Havering notes and welcomes the intention to reuse surplus materials. This will minimise the impact of construction on the local area and offer visual and noise mitigation for local residents</p> <p>Request clarification on whether the proposed environmental bund would impact on the great crested newt (GCN) mitigation solution.</p>	Highways England can confirm that the location of the bund is in an area where habitat loss during construction has already been taken into account when developing the mitigation solution for GCN. The proposed planting of woodland and grassland at this location are included as part of the design. Whilst there may be very small-scale changes to the size and shape of the planting areas, these do not result in any changes to the environmental effects related to biodiversity or GCN.
LB Havering	Change 2	<p>LB Havering welcomes the proposal for a permanent environmental bund which will afford protection from noise for residents at Maylands Cottages.</p> <p>Notes that the scheme would mean</p>	Highways England can confirm that the environmental bund would provide predominantly visual screening benefits. Further detailed noise modelling (as outlined in the revised ES Chapter 6 (TR010029/EXAM/10.6)) shows that only very limited noise screening

Consultee	Proposed change	Consultation response – key themes	Highways England's response
		<p>Highways England would have to acquire land on a permanent basis rather than temporary for long term maintenance.</p> <p>They would expect the Applicant to engage with the appropriate landowner over this matter and would encourage the Applicant to include the management of this bund in the Landscape and Ecology Management and Monitoring Plan (LEMP).</p> <p>In addition, when it comes to planting selection and implementation, refer the applicant back to comments on the draft Outline LEMP that were submitted to Highways England on the 25th June 2020 and the recommendations stated within this, for consideration.</p> <p>It is noted that from a visual standpoint, the bund and associated woodland planting will result in a slight reduction in visual impact compared to the existing scheme. This is welcomed.</p>	<p>benefits are expected for residents at Maylands Cottages and some users of Maylands Golf Course.</p> <p>As the bund will become part of Highways England's land, the management of habitats on the bund will be covered by the Outline LEMP which will be updated at a future deadline. Highways England welcomed the comments from LB Havering received on the 25 June 2020 and these will be taken into consideration in the updated Outline LEMP. LB Havering have indicated their broad acceptance of the environmental measures (including the Outline LEMP) in the Statement of Common Ground between Highways England and LB Havering (REP1-004, reference number 4.2.1, page 22).</p> <p>Highways England can confirm that the environmental bund will reduce visual impacts on Maylands Cottages.</p>
LB Havering	Change 3	Have no concerns in relation to ecological, landscape or visual impacts.	Noted
LB Havering	Change 4	Notes that the change will result in a reduction of the extent of permanent rights sought in plot 1/8 and have raised a number of concerns with regards to the	Highways England is aware of the concerns that have been raised by the Trustees of the Gardens of Peace regarding the impact to the operational requirements of the cemetery during

Consultee	Proposed change	Consultation response – key themes	Highways England's response
		<p>impact the diversion of the Cadent gas pipeline will have on the Gardens of Peace Cemetery.</p> <p>Whilst it is welcome that the proposals appear to result in a reduction in the Limits of Diversion, it remains unclear what the extent of the impact the Cadent Gas Pipeline Diversion will have on the site and the burial plots, and seeks further clarification from Highways England.</p> <p>LB Havering has no concerns in relation to ecological, landscape or visual impacts</p>	<p>the construction works for the gas pipeline diversion. Highways England has engaged with the Trustees of the Gardens of Peace regarding the proposed changes and the Written Representation submitted on behalf of the Trustees of the Gardens of Peace confirms that Change 4 is welcomed. Highways England understands that discussions have taken place between the Trustees of the Gardens of Peace and Cadent Gas Limited (“Cadent”) to temporarily accommodate replacement parking and an access road to the service building along with a soil store pile. These replacement facilities will be required for six months whilst the diversion of the gas pipeline is undertaken, and further discussions are due to take place aiming to reach a mutually agreeable solution.</p>
Essex County Council	Change 1	Confirmed they have no issues with this change.	Noted
Essex County Council	Change 2	<p>Essex County Council noted that this change is to provide additional mitigation to reduce the impact of noise/visual amenity on the main golf club buildings to the west. Although this bund would be a new structure this has to be considered in light of the main works to the east which in themselves will not be insignificant in terms of landscape/visual impact. The changes are also suggested to provide a safer walking route to users of the golf</p>	<p>Highways England can confirm that the proposed environmental bund would be approximately 2.5 m high and will be mainly grassed with a strip of woodland planting along the south and eastern sections of the bund. Highways England can confirm that the environmental bund will provide some visual screening benefits to users Maylands Golf Course.</p> <p>In respect of the noise benefits mentioned, further detailed noise modelling submitted as</p>

Consultee	Proposed change	Consultation response – key themes	Highways England's response
		course. I suggest the impact of this bund will be minimal on the overall scheme, however a bund with planting on it would be preferred.	part of this change request (TR010029/EXAM/10.6) shows that only very limited noise screening benefits are expected for residents at Maylands Cottages and some users of Maylands Golf Course.
Essex County Council	Change 3	Essex County Council have questioned whether the newly proposed golf hole would be provided with boundary fencing.	Highways England can confirm that a boundary fence would be provided between the golf hole realignment works and the works to the main Scheme. Tree planting would also be provided to provide an additional visual buffer between the hole and the loop road.
Essex County Council	Change 4	No objection.	Noted.
Trustees of the Gardens of Peace (the "Trustees")	Change 4	<p>The Trustees welcomes the proposed changes (change 4) which will reduce the permanent effect of the Scheme on the cemetery. However, the following still need addressing:</p> <p>Loss of Service Entrance</p> <p>The consequence of the closure of the service entrance is that it will cause significant disruption to daily site operations. The Applicant has provided no assurance that the temporary closure of the service entrance will be managed and coordinated in order to ensure no or minimal interruptions to business operations will be incurred by Gardens of Peace, and more importantly, mourners</p>	<p>Highways England notes the feedback from the Trustees that Change 4 is welcomed. The Trustees state in section 6 of their Written Representation, in response to the non-statutory targeted consultation (REP2-029-35) that they welcome the proposed changes as they will reduce the effect of the Scheme on plot 1/8 and the cemetery as a whole in terms of minimising land sterilisation from its intended use as burial plots. The proposed changes would reduce the number of burials plots affected and limit the area subject to acquisition of permanent rights.</p> <p>The comments from the Trustees regarding loss of service entrance, soil storage, parking and all other matters raised are noted and are not considered to be within the scope of the Changes 1-4 targeted consultation. Those</p>

Consultee	Proposed change	Consultation response – key themes	Highways England's response
		<p>and congregations.</p> <p><b>Soil Storage</b></p> <p>The designated soil storage area, required for storing soil from burial plots (and which will subsequently be removed from Maylands on a regular basis), is a significant consequence of the Scheme. The loss of the service entrance and internal road means there is the need to relocate the soil storage area to an alternative and accessible area within Maylands for regular collection but no such area available. The only solution to Gardens of Peace is to move the soil storage area however this will mean a temporary loss of burial plots, effect on biodiversity, compaction to soil prepared for burial plots and aesthetic appearance of the burial ground.</p> <p><b>Parking</b></p> <p>The approved design for the cemetery incorporates public and coach parking throughout the site, with an area designated as overflow parking. As a consequence of the Scheme, the car park will need to be relocated to elsewhere on the site, which will mean a reduction in burial plots, and will create significant disruption to the traffic management and aesthetics of the site.</p>	<p>matters are being considered in liaison with the Trustees see (RR-024).</p>

Consultee	Proposed change	Consultation response – key themes	Highways England's response
		<p>Whilst Cadent has previously advised it would assess the design and construction of a temporary car park to minimise the effect on soil compaction, nothing has been received by Gardens of Peace from Cadent other than suggestion of the use of aluminum tracking for the parking.</p> <p><b>Loss of Internal Road</b> A further consequence of the Scheme to the development of Maylands is the severance of the road providing access to the workshop / store. Whilst there have been discussions between Gardens of Peace and Cadent in relation to the requirement of a temporary road, any temporary proposals will provide yet further disruption for the cemetery development in terms of aesthetics, damage to and loss of land prepared for burials, requirement for traffic management and effect on biodiversity.</p> <p><b>Disruption to Utility and Site Infrastructure</b> The development of Maylands will have been completed by the time the construction of the proposed Scheme commences. With this, and in light of Plot 1/8 proposals, utilities will need to be relocated. These include the existing underground electrical, water and</p>	



Consultee	Proposed change	Consultation response – key themes	Highways England's response
		<p>telecoms services to the workshop / store. These were installed in 2020 and are now within the middle of the proposed gas main easement. Other services will include the drainage pipes under the internal road and associated manholes and chambers and underground lighting cables.</p> <p>Gardens of Peace is concerned with the effect of the temporary relocation of these services, which will need to be within land identified for burial plots, and accordingly the potential sterilisation of additional land. This will become a permanent issue should the services not be able to be relocated to the original location due to the presence of the gas main and are required to be laid within land identified for burial plots.</p> <p>The original development proposal for Maylands was historically amended with the internal road being moved west to reflect the presence of the existing gas main. However, it is now assumed that following the gas main installation works, the internal road will have to be moved further to the west to reflect the presence of the new gas main. It is not clear how the site will be redesigned to</p>	

Consultee	Proposed change	Consultation response – key themes	Highways England’s response
		accommodate these changes.	
Glebelands Estates Limited	Change 1	<p>In relation to a proposed surplus construction material deposit to the west of Weald Brook. This was not a requirement of the Scheme as such but rather a consequence, as it was a means of disposing of spoil generated from other parts of the project rather than taking it off site.</p> <p>Apparent from the consultation document that HE now accepts that this is not required as it is proposing to remove it from the DCO Application. The originally proposed work occupied plot 3/20 which comprises approximately 14.65 acres. HE’s proposal to remove the deposit from the DCO Application is welcomed and is an endorsement of the views expressed in our original Representation. However, despite this HE is still seeking to acquire the entirety of this plot.</p>	<p>Highways England is proposing potential changes to the Scheme which have been submitted at Deadline 3a (TR010029/EXAM/10.1). Two of the changes involve the removal of Work No. 17 and the site-won materials generated by the Scheme will instead be re-used within the permanent works by creating an environmental bund at Work No. 18. The land where Work No. 17 was located is still required for the construction and maintenance of the ecological compensation areas (Work No. 25).</p> <p>Highways England has developed Change 1 following engagement with the Environment Agency, including feedback on the proposed materials strategy, which means that Work No. 17, on Plot 3/20, is no longer required as part of the Scheme. The site-won materials which were initially intended to comprise Work No.17 are now proposed to form part of Work No. 18 as part of Change 2 to create an environmental bund. The material from the historic landfill (Brook Street) and recently deposited material in the Grove Farm area will be re-used on site in a clearly designated area within the Scheme (i.e. for the A12 slip road). Further information for the reason for Change 1, is provided in the Environment Agency Relevant Representation (RR-009-2, REP1-002) and in section 3.3 in the</p>

Consultee	Proposed change	Consultation response – key themes	Highways England’s response
			<p>Statement of Common Ground (SoCG) with the EA (REP1-003).</p> <p>Highways England is pleased that the removal of surplus construction material (Work No.17) from Plot 3/20 is welcomed by GEL. As outlined in the Statement of Reasons (APP-019), Plot 3/20 is required for environmental mitigation as well as the previous intended use for deposition of surplus materials (Work No. 17). Permanent acquisition of Plot 3/20 is sought to secure the appropriate long-term management of habitats required to reduce the adverse effects of the Scheme as outlined in Environmental Statement and in Highways England’s response to RR-020-07 (REP1-002) and Applicant’s response to Examining Authority’s First Written Questions (REP2-011). Therefore, permanent acquisition of land is still required for the whole of Plot 3/20 to ensure long term management of the habitats.</p>
Glebelands Estates Limited	Change 2	<p>The land was included for temporary land take in the original application as plot 1/11 which was required to deposit surplus construction material rather than disposing of it offsite (Work No. 18).</p> <p>HE is now proposing to remodel this earth deposit into an environmental bund which will take up a much smaller area than the originally proposed deposit mound and therefore the area of land required is</p>	<p>The powers sought for Plot 1/11 in the Application are for temporary possession. As part of the Change 2 Plot 1/11 is proposed to be split into 2 plots (1/11 and 11/11a). Plot 1/11a is being sought for the environmental bund which will be required permanently by Highways England and the remainder of Plot 1/11 is required for the construction compound under temporary possession. The environmental bund will need to be maintained as part of the</p>

Consultee	Proposed change	Consultation response – key themes	Highways England’s response
		<p>clearly less than was originally proposed.</p> <p>As with Work No. 17 this is a clear acceptance of the view expressed in the initial representation that the originally proposed land take was excessive, and the proposal to reduce the size of this earth mound is welcomed. However, despite the fact that the footprint of the proposed mound/bund is significantly reduced, HE does not propose to reduce the amount of land take. Conversely, they are actually proposing that the powers over this plot should be changed from temporary to permanent. This is an unnecessary, excessive and disproportionate use of powers.</p>	<p>Scheme and the maintenance of the woodland will be included in the Outline Landscape and Ecological Management Plan submitted at a future deadline, should the ExA accept Change 2.</p> <p>Highways England has set out in the Statement of Reasons (APP-019) its case for why the compulsory acquisition powers sought in the draft DCO are necessary, proportionate and justified. Highways England disagrees with GEL’s assessment that it is proposing to use powers unnecessarily, excessively or disproportionately. GEL will note the clear purpose for which land is required for each permanent land plot set out in the Statement of Reasons, Appendix A, Table A.1.1 (APP-019) and Appendix B of the Report on Proposed Scheme Changes (TR010029/APP/10.1).</p> <p>As set out above, despite the removal of Work No. 17 (proposed Change 1) the whole of plot 3/20 is still required for the construction and maintenance of the ecological compensation areas. The amendment to Work No. 18 (proposed Change 2) has meant that Highways England has split plot 1/11 into 1/11 and 1/11a. The total amount of land has not been reduced as plot 1/11 is still required for a construction compound and associated works. However, Plot 1/11 is only required for temporary possession and will be returned to the landowner restored to its reasonable satisfaction in accordance with</p>

Consultee	Proposed change	Consultation response – key themes	Highways England's response
Glebelands Estates Limited	Change 3	<p>HE's latest design alteration proposal as it is comprised in Change 3 in the recent consultation document. The proposed location of the amended second green has not altered from HE's original proposal. The only amendment is the proposal to construct a boardwalk from the second green to the third tee. Weller remain of the view that the HE proposal is unacceptable as it does not adequately address the deficiencies of the previous HE design proposal. Furthermore, it proposes the construction of boardwalk goes through a protected nature conservation area and pond for GCN and is therefore unacceptable in nature conservation and ecological terms, in addition to the existing deficiencies of the previous proposal. Weller have come up with an alternative design which they consider to be far superior to the HE proposal and have provided details of this to HE. I have been provided with an overview of the Weller proposal and can see how it addresses many of the deficiencies of the HE proposal. It is clearly preferable to the HE proposal.</p> <p>The overall economic cost of delivering</p>	<p>Part 4 of dDCO.</p> <p>The proposed option for the accommodation works to the golf course including change 3 to incorporate a boardwalk is acceptable in nature conservation and ecological terms. The land in question is not subject to any formal designation related to GCN. A licence to affect GCNs and their habitats has been requested by Highways England from Natural England and the impacts which the proposed change has can be mitigated and licensed. Highways England has considered the alternative design option put forward by LGL as well as assessing the option proposed as part of this change. Both Highways England's solution and LGL's preferred option affect terrestrial habitats which could be used by GCN due to their proximity to ponds where they have been recorded.</p> <p>In regard to costs Highways England has been unable to make any assessment of the cost of the LGL preferred option until now for want of information regarding the costs involved notwithstanding various requests for this information</p> <p>An indication of the costings of the LGL preferred option has now been provided within the Written Representation received from LGL. Highways England has reviewed these costings which appear conservative in a number of areas. Highways England would question</p>

Consultee	Proposed change	Consultation response – key themes	Highways England's response
		<p>the Weller proposal is likely to be substantially less than the HE proposal as a whole after taking into account statutory compensation liability. HE should have a duty to protect public finances in the delivery of the Scheme. It seems illogical for HE to reject an alternative proposal favoured by the affected landowners which will also represent better value for money and better protect the public purse. GEL supports LGL's objection to HE's proposed solution to the second hole and is supportive of the alternative design proposal put forward by Weller. The Scheme will impact adversely upon the visual and noise amenity of the first hole and lead to the loss of the practice area. These are both very important elements of the Golf Course, and the HE has not provided any details of how it intends to address these concerns.</p> <p>In summary, the proposed acquisition and HE solution 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. The worst case scenario would be that membership and revenues decline leading to a</p>	<p>whether ground conditions, availability of materials, drainage or tree clearance for example have been considered in the calculation of the costs provided.</p> <p>In response to the comment on noise and visual impacts to the first hole, no significant adverse effects to this hole as a result of the Scheme have been identified.</p> <p>In regard to the informal practice area, around half of the area identified would need to be used as construction compound for the construction phase of the development. 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 dDCO (APP-015), Highways England would restore land used temporarily to the reasonable satisfaction of the owners of the land.</p> <p>Highways England is willing to discuss the situation further with Glebelands Estates Limited and with LGL to establish common ground where possible.</p>

Consultee	Proposed change	Consultation response – key themes	Highways England's response
		<p>deterioration of the quality of the Golf Club or potentially threaten its future existence and result in closure. This would have unacceptable adverse economic, social and environmental impacts. These could be largely addressed by accepting Weller's alternative design proposal without any substantive impact on costs to HE.</p>	
Glebelands Estates Limited	Change 4	Change 4 does not directly affect land so no comments made.	Noted.
Luddington Golf Ltd (LGL)	Change 3	<p>LGL raised the issue of Change 3 in their Written Representation (REP2-032) and those comments have been treated as if they were in response to the non-statutory targeted consultation.</p> <p>The Applicant's solution encroaches within the protection zone of an endangered species - Great Crested Newts, which is situated within the golf course. LGL endorse an alternative design solution devised by Weller Designs avoids such encroachment (REP2-032).</p> <p>The introduction of the boardwalk and path does not solve the safety issue and will slow play up whilst golfers have to wait for the path to clear. The path /</p>	<p>Highways England has considered the option endorsed by LGL. Both Highways England's solution and LGL preferred option affect terrestrial habitats which could be used by GCN due to their proximity to ponds where GCNs have been recorded.</p> <p>A licence to affect GCN and their habitats can only be issued by Natural England where there is no satisfactory alternative. Both Highways England's solution and LGL's preferred option affect terrestrial habitats which could be used by GCN and both would require a license from Natural England to proceed. Both Highways England's solution and the LGL preferred option are considered by the Highways England to be mitigable and licensable. The land where the boardwalk is proposed is not subject to any formal designation in relation to GCN.</p> <p>In regard to the cost of the Scheme, Highways</p>



Consultee	Proposed change	Consultation response – key themes	Highways England's response
		<p>boardwalk of necessitates an on-going maintenance issue / cost. Introduction of the environmental bund will not provide a visual screen to lorries and it is questionable, as regards noise impact, it will have a great effect (no evidence of revised acoustic study has been provided by HE) especially as it is well known by acoustics engineers that there is a correlation between traffic noise and seeing the actual traffic movements which makes the perceived noise greater.</p> <p>The HE hole is still in the vicinity to the new highway which Wellers Solution is not. LGL's preferred design would take the hole in a direction away from the new motorway so golfers will not see the road. Weller Designs solution put forward by Maylands GC is the preferred option which will reduce land take. Changing the angles of play and shortening the holes from the previous iteration is not ideal but workable in the circumstances and has less disturbance to existing vegetation. The greater land take was proposed to allow for spoil to be placed on the right of the 2<sup>nd</sup> hole to screen the new motorway junction. The proposed 3rd hole can be a carry over the existing grassland given that it is being made shorter. Though tree removal is still</p>	<p>England has been unable to make any assessment of the cost of the LGL preferred option until this point for want of information regarding the costs involved notwithstanding various requests for this information.</p> <p>On review of the costings provided in the Written Representation from LGL(REP2-032), they appear conservative in a number of areas. Highways England would question whether ground conditions, availability of materials, drainage or tree clearance for example have been considered in the calculation of the costs provided.</p> <p>On review of the constructability of the LGL option, it appears that that the implementation of the LGL preferred option would require temporary course arrangements and temporary greens. An inconvenience cost has been indicated but no clear explanation of this cost has been given.</p> <p>From a golfing perspective, the option put forward by Highways England for the replacement hole would provide a solution of suitable quality and the playing characteristics of the golf course would be maintained.</p> <p>Highways England is happy to discuss the situation further both with LGL and GEL to try and establish common ground where possible.</p>

Consultee	Proposed change	Consultation response – key themes	Highways England's response
		<p>necessary they can be replaced with coppiced trees / scrubland / grassland to carry over. There is space available through this proposal for additional native planting habitat, etc i.e. old 3rd fairway at northern end.</p> <p>Maylands will lose revenue during the course closure necessitated by the Applicant's Solution; which closure is not necessary under the Weller Solution.</p> <p>The Applicant's solution produces challenges operationally and safety issues. Maylands GC believe the Applicant's solution has been produced under an instruction of finding the 'do minimum' principle that clearly does not entertain preventing negative impact on the course or the business.</p>	

# Appendices

## Appendix A Correspondence with the Examining Authority regarding consultation

Highways England's letter to the Examining Authority requesting a change to the DCO application, dated 4 December 2020.




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

By email only

Mr. Richard Allen  
Lead Member of the Examining Authority

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

  
4 December 2020

Dear Sir,

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

### Notification of intention to make a request for changes to the Scheme

In advance of the preliminary meeting on Friday 11 December 2020, I am writing to inform you that Highways England intends to submit a request for a number of changes to its application for development consent for the Scheme.

Since submission of the application in May 2020, Highways England has continued to engage with stakeholders and to undertake further design work to develop plans for the implementation and construction of the Scheme. As a result of this work Highways England has identified four changes that it wishes to make to the application (the **Proposed Changes**). The Proposed Changes are summarised below.

### Proposed Changes

#### Change 1 – Removal of surplus construction materials deposit to the west of Weald Brook (Work No. 17)

This change is proposed in response to submissions made by the Environment Agency (the **EA**) in its Relevant Representation (RR-009) raising concerns in relation to the placement of surplus material on site. Highways England has engaged further with the EA regarding this matter and as a result proposes to remove Work No. 17 from the application. Site won material generated by the Scheme will be reused within the permanent works and in the creation of an environmental bund at Work No. 18 (see Change 2 below).

The permanent acquisition of plot 3/20 (Sheet 3 of the Land plans (APP-005)) is still required for the construction and maintenance of the ecological compensation areas

(Work No. 25) and so the removal of Work No. 17 does not affect the land powers sought.

**Change 2 – Amendment to the surplus construction materials deposit (Work No. 18) situated to the north of Work No. 19B to form an environmental bund**

This change is also proposed in response to submissions made by the EA in its Relevant Representation (RR-009) raising concerns in relation to the reuse of site won material on site. Following further engagement with the EA, and acknowledging representations made by others (including the operators and lessees of Maylands Golf Course (Luddington Golf Course Limited) and the residents of Woodstock Avenue), it is proposed to remodel Work No.18. Work No.18 would be remodelled into an environmental bund which follows the outline of the environmental works (part of Work No. 25) alongside the new loop road and to the north of Work No. 19B. The beneficial reuse of site won material within the environmental bund will provide visual and noise screening to residents at Maylands Cottages and Woodstock Avenue, as well as to Maylands Golf Course.

The engineering drawings and sections for Work. No.18 will be updated to demonstrate the new height of the environmental bund which is proposed to be 2.5 metres high.

Were this change to be accepted, the permanent acquisition of part of plot 1/11 (Sheet 1 of the Land Plans (APP-005)) will be required. Currently the application seeks temporary possession of plot 1/11 to facilitate and enable the construction of the Scheme. However permanent acquisition of land will be required to enable the long term maintenance of the environmental bund which is to form Work No. 18. As this change would require additional compulsory acquisition powers for plot 1/11 the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 (the **2010 Regulations**) are engaged. Accordingly, Highways England will be seeking to obtain consent from persons with an interest in plot 1/11 to the inclusion of such powers within the application under Regulation 4 of the 2010 Regulations or will follow the prescribed procedure contained in Regulation 5 to 19 of the 2010 Regulations if the consent of the land interests is not obtained.

**Change 3 – Refinement of golf course accommodation works (Work No. 32)**

The golf course accommodation works have been considered further and it is proposed to increase the lateral LoD for the golf course accommodation works (Work No.32) to the north in order to provide a boardwalk. This boardwalk would provide a safe route for players to walk back from the green of the realigned second hole to the third tee and avoid the hitting zone of the second hole. This change will not involve any changes to the Scheme's red line boundary. The proposed illustrative design for the golf course accommodation works will be included in the consultation materials being prepared in relation to these changes.



#### **Change 4 – Amendment to the lateral limits of deviation for the Cadent gas pipeline diversion – southern connection (Work No. 29)**

Since acceptance of the application Highways England, alongside Cadent Gas Limited (“Cadent”), has undertaken further detailed design work and taken on board comments raised by the Trustees of Gardens of Peace Muslim Cemetery. To facilitate the physical connection of the diversion with the existing Cadent pipeline that runs beneath plot 1/8 an amendment of the limits of deviation is needed. In addition, Highways England is currently seeking the acquisition of a permanent easement over the entirety of plot 1/8, with rights being sought for access for inspection, repair, maintenance and renewal works and it is now proposed to reduce the extent of permanent rights sought in plot 1/8. Temporary possession of the remainder of plot 1/8 will be needed in order to undertake the required diversion works.

#### **Proposed timetable for requesting the changes**

In assessing the Proposed Changes, Highways England has had regard to the advice contained in the Planning Inspectorate’s Advice Note 16 (How to request a change which may be material). Having regard to the guidance, Highways England considers that the Proposed Changes do not alter the substance of the Scheme as applied for.

Highways England recognises that the decision as to whether any of the Proposed Changes individually or cumulatively constitute material changes is a matter for the ExA to determine. Of the Proposed Changes, Highways England considers that Change 2 may constitute a material change. Highways England considers that Changes 1, 3 and 4 are non-material changes.

In any event, Highways England considers that it would be appropriate to carry out a non-statutory targeted consultation exercise on the Proposed Changes with potentially affected parties, including the local authorities, other statutory consultees, those with an interest in land affected by the Proposed Changes and those registered as Interested Parties to the Scheme with the Planning Inspectorate. It is intended that this non-statutory targeted consultation will be carried out between January 2021 and February 2021. It is proposed that, as part of the targeted consultation, consultees will be provided with a summary document explaining the Proposed Changes. Highways England does not intend to publish newspaper notices or erect site notices advertising the consultation due to the targeted nature of the changes, though Highways England would welcome the ExA’s view on this.

Highways England intends to make a formal request to the ExA to accept the Proposed Changes in February 2021 and by Deadline 3 (18 February 2021).

Highways England would welcome the opportunity at the preliminary meeting to discuss any procedural matters which may arise from this notification.

I understand that a copy of this letter will be placed on the National Infrastructure Planning website and available for interested parties to view.

Yours faithfully,



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



## Appendix B List of statutory consultees and prescribed consultees

The table below reflects the information included in schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms and Procedures) Regulations 2009 (as amended). It sets out prescribed consultees, whether they have been consulted, and the reasons for consulting or not consulting with them.

	Description	Prescribed Consultee:	Circumstances when that person must be consulted about the proposed application	Consulted (Y/N):	Reason for inclusion or exclusion:	Prescribed Consultee Contact Details:
	The Welsh Ministers	The Welsh Ministers	All proposed applications likely to affect land in Wales	No	Scheme changes will not affect land in Wales.	N/A
	The Scottish Executives	The Scottish Executives	All proposed applications likely to affect land in Scotland	No	Scheme changes will not affect land in Scotland.	N/A
	The relevant Northern Ireland Department	The relevant Northern Ireland Department	All proposed applications likely to affect land in Northern Ireland	No	Scheme changes will not affect land in Northern Ireland.	N/A
	The Health and Safety Executive	Health and Safety Executive Head Office	All proposed applications likely to affect land in England	Yes	Applies to all projects and the relevant local branch has been identified.	2.2 Redgrave Court Merton Road, Bootle Merseyside L20 7HS

	Description	Prescribed Consultee:	Circumstances when that person must be consulted about the proposed application	Consulted (Y/N):	Reason for inclusion or exclusion:	Prescribed Consultee Contact Details:
	The National Health Service Commissioning Board and the relevant clinical commissioning group (CCG)	NHS Basildon and Brentwood, Clinical Commissioning Group	All proposed applications likely to affect land in England	No	The proposed scheme changes are not likely to affect land in England	N/A
	The relevant fire and rescue authority	Essex Fire and Rescue	All proposed applications likely to affect land in England	No	The scheme changes will not affect Essex Fire and Rescue authority	N/A
	The relevant police and crime commissioner	Police, Fire and Rescue Commissioner for Essex	All cases	No	The scheme changes will not affect the Police, Fire and Rescue Commissioner for Essex	N/A
	The relevant parish council	Blackmore, Hook End & Wyatts Green	All cases	No	The scheme changes will not affect the Blackmore, Hook End & Wyatts Green parish council.	N/A

	Description	Prescribed Consultee:	Circumstances when that person must be consulted about the proposed application	Consulted (Y/N):	Reason for inclusion or exclusion:	Prescribed Consultee Contact Details:
	The relevant parish council	Doddinghurst	All cases	No	The scheme changes will not affect Doddinghurst parish council.	N/A
	The relevant parish council	Herongate & Ingrave	All cases	No	The scheme changes will not affect Herongate & Ingrave parish council.	N/A
	The relevant parish council	Ingastone and Fryerning	All cases	Yes	Ingastone and Fryerning is registered as an interested party.	<a href="mailto:clerk@ingastone-fryerningpc.gov.uk">clerk@ingastone-fryerningpc@gov.uk</a>
	The relevant parish council	Kelvedon	All cases	No	The scheme changes will not affect Kelvedon parish council.	N/A
	The relevant parish council	Mountnessing	All cases	No	The scheme changes will not affect Mountnessing parish council.	N/A

	Description	Prescribed Consultee:	Circumstances when that person must be consulted about the proposed application	Consulted (Y/N):	Reason for inclusion or exclusion:	Prescribed Consultee Contact Details:
	The relevant parish council	Navestock	All cases	No	The scheme changes will not affect Navestock parish council.	N/A
	The relevant parish council	Stondon Massey	All cases	No	The scheme changes will not affect Stondon Massey parish council.	N/A
	The relevant parish council	West Horndon	All cases	No	The scheme changes will not affect West Horndon parish council.	N/A
	Neighbouring Authority	Thurrock Town Council	All proposed applications likely to affect land within the Council	Yes	Thurrock Town Council is registered as an interested party.	Civic Offices, New Road, Grays RM17 6SL
	Host Authority	Chelmsford City Council	All proposed applications likely to affect land within the Council	Yes	Thurrock Town Council is registered as an interested party.	Civic Centre, Duke Street, Chelmsford CM1 1JE

	Description	Prescribed Consultee:	Circumstances when that person must be consulted about the proposed application	Consult ed (Y/N):	Reason for inclusion or exclusion:	Prescribed Consultee Contact Details:
	The Environment Agency	The Environment Agency	All proposed applications likely to affect land in England	Yes	Scheme changes will affect land in England	South East Regional Office, Kings Meadow House, Kings Meadow Road, Reading, Berkshire, RG1 8DQ
	Natural England	Natural England	All proposed applications likely to affect land in England	Yes	Scheme changes will affect land in England	County Hall, Spetchley Road, Worcester, WR5 2NP
	Historic England		All proposed applications likely to affect land in England	Yes	Scheme changes will affect land in England	4th Floor, Cannon Bridge House, 25 Dowgate Hill, London, EC4R 2YA
	The Scottish Environment Protection Agency	The Scottish Environment Protection Agency	All proposed applications likely to affect land in Scotland	No	Scheme changes will not affect land in Scotland	N/A
	The Equality and Human Rights Commission	The Equality and Human Rights Commission		No	No longer applicable	N/A
	The Commission for Sustainable Development	The Commission for Sustainable Development		No	No longer applicable	N/A

	Description	Prescribed Consultee:	Circumstances when that person must be consulted about the proposed application	Consulted (Y/N):	Reason for inclusion or exclusion:	Prescribed Consultee Contact Details:
	The Scottish Human Rights Commission	The Scottish Human Rights Commission	All proposed applications likely to affect land in Scotland	No	Scheme changes will not affect land in Scotland.	N/A
	For projects in England: the relevant AONB Conservation Boards. For projects in Wales: AONB Conservation Boards.		All proposed applications likely to affect an AONB that is managed by a Conservation Board	No	Scheme changes will not affect any AONB.	N/A
	Royal Commission on Ancient and Historical Monuments of Wales	Royal Commission on Ancient and Historical Monuments of Wales	All proposed applications likely to affect land in Wales	No	Scheme changes will not affect land in Wales.	N/A
	The Natural Resource Body for Wales (NRW)	The Natural Resource Body for Wales (NRW)	All proposed applications likely to affect land in Wales	No	Scheme changes will not affect land in Wales.	N/A

	Description	Prescribed Consultee:	Circumstances when that person must be consulted about the proposed application	Consult ed (Y/N):	Reason for inclusion or exclusion:	Prescribed Consultee Contact Details:
	Homes England	Homes England	All proposed applications likely to affect land in England	No	Scheme changes will not affect Homes England's land	N/A
	The Joint Nature Conservation Committee (JNCC)	The Joint Nature Conservation Committee (JNCC)	All proposed applications likely to affect the marine environment	No	Scheme changes will not affect the marine environment.	N/A
	Scottish Natural Heritage	Scottish Natural Heritage	All proposed applications likely to affect land in Scotland	No	Scheme changes will not affect land in Scotland.	N/A
	The Maritime and Coastguard Agency	The Maritime and Coastguard Agency	All proposed applications likely to affect the marine environment	No	Scheme changes will not affect the marine environment.	N/A
	The Marine Management Organisation (MMO)	The Marine Management Organisation (MMO)	All proposed applications likely to affect the marine environment	No	Scheme changes will not affect the marine environment.	N/A
	The Scottish Fisheries Protection	The Scottish Fisheries Protection Agency (Marine Scotland)	All proposed applications likely to affect land in Scotland	No	Scheme changes will not affect land in Scotland.	N/A



	Description	Prescribed Consultee:	Circumstances when that person must be consulted about the proposed application	Consulted (Y/N):	Reason for inclusion or exclusion:	Prescribed Consultee Contact Details:
	Agency (Marine Scotland)					
	The Civil Aviation Authority	The Civil Aviation Authority	All proposed applications relating to airports or which are likely to affect an airport or its current or future operation	No	Scheme changes will not be likely to affect an airport or its current operation.	N/A
	The Secretary of State for Transport	Department for Transport	All proposed applications likely to affect road or transport operation and/or planning on roads for which the Secretary of State for Transport is the highway authority	No	The Department for Transport was consulted with directly.	N/A
	Integrated Transport Authorities (ITAs) and Passenger Transport	Transport for London	All proposed applications likely to affect transport within, to or from the relevant integrated transport area of the ITA or PTE	Yes	Scheme changes are within Greater London	TfL, 14 Pier Walk, London, SE10 0ES

	Description	Prescribed Consultee:	Circumstances when that person must be consulted about the proposed application	Consult ed (Y/N):	Reason for inclusion or exclusion:	Prescribed Consultee Contact Details:
	Executives (PTEs)					
	The relevant Highways Authority	Essex County Council	All proposed applications likely to have an impact on the road network or the volume of traffic in the vicinity of the proposal	Yes	The proposed scheme changes will affect road or transport operation and/or planning on roads for which the Secretary of State for Transport is the Highways Authority	Essex CC County Hall, Market Rd, Chelmsford, CM1 1QH
	The relevant strategic highways company	London Borough of Havering	All proposed applications likely to have an impact on the road network or the volume of traffic in the vicinity of the proposal	Yes	The proposed scheme changes will affect road or transport operation and/or planning on roads for which the Secretary of State for Transport is the Highways Authority	LB Havering Town Hall, Main Road, Romford, Essex, RM1 3BD
	The relevant strategic highways company	Brentwood Borough Council	All proposed applications likely to have an impact on the road network or the	Yes	The proposed scheme changes will affect road or transport operation	Brentwood Town Hall, Ingrave Road, Brentwood CM15 8AY

	Description	Prescribed Consultee:	Circumstances when that person must be consulted about the proposed application	Consult ed (Y/N):	Reason for inclusion or exclusion:	Prescribed Consultee Contact Details:
			volume of traffic in the vicinity of the proposal		and/or planning on roads for which the Secretary of State for Transport is the Highways Authority	
	The Passengers Council	The Passengers Council	All proposed applications likely to affect transport within, to or from the relevant integrated transport area of the ITA or PTE	No	No longer applicable	N/A
	The Disabled Persons Transport Advisory Committee	The Disabled Persons Transport Advisory Committee		No	No longer applicable	N/A
	The Coal Authority	The Coal Authority	All proposed applications that lie within areas of past, present or future coal mining	No	Scheme changes do not fall within areas of past, present or future coal mining.	N/A

	Description	Prescribed Consultee:	Circumstances when that person must be consulted about the proposed application	Consult ed (Y/N):	Reason for inclusion or exclusion:	Prescribed Consultee Contact Details:
	The Office of Rail Regulation and approved operators	The Office of Rail Regulation and approved operators	All proposed applications likely to have an impact on road and rail.	No	Scheme changes will not affect rail and road transport industry	N/A
	The Gas and Electricity Markets Authority (OFGEM)	The Gas and Electricity Markets Authority (OFGEM)	All proposed applications likely to have an impact on gas and electricity markets.	No	Scheme changes will not affect gas and electricity markets	N/A
	The Water Services Regulations Authority (OFWAT)	The Water Services Regulations Authority (OFWAT)	All proposed applications likely to have an impact on water.	No	Scheme changes will not affect the water industry	N/A
	The Water Industry Commission of Scotland*	The Water Industry Commission of Scotland*	All proposed applications likely to have an impact on water industry.	No	Scheme changes will not affect the water industry in Scotland	N/A
	The relevant waste regulation authority*	The relevant waste regulation authority*	All proposed applications likely to have an impact on waste infrastructure.	No	Scheme changes will not affect waste infrastructure	N/A

	Description	Prescribed Consultee:	Circumstances when that person must be consulted about the proposed application	Consult ed (Y/N):	Reason for inclusion or exclusion:	Prescribed Consultee Contact Details:
	The Canal and River Trust	The Canal and River Trust	All proposed applications likely to have an impact on inland waterways or land adjacent to inland waterways	No	Scheme changes does not involve an identified inland waterway	N/A
		Trinity House	All proposed applications likely to affect their functions as statutory undertakers	No	Scheme changes will not affect navigation in tidal waters	N/A
	Public Health England, an executive agency of the Department of Health	Public Health England, an executive agency of the Department of Health	All proposed applications likely to affect their functions as statutory undertakers	Yes	Scheme changes are near a landfill site	nsipconsultations@phe.gov.uk
	The relevant local resilience forum	The relevant local resilience forum	All proposed applications likely to affect their functions as statutory undertakers	No	Scheme changes are in England only	N/A

	Description	Prescribed Consultee:	Circumstances when that person must be consulted about the proposed application	Consulted (Y/N):	Reason for inclusion or exclusion:	Prescribed Consultee Contact Details:
	Universal Service Provider	Royal Mail	All proposed applications likely to affect their functions as statutory undertakers	Yes	Universal service provider for post.	Royal Mail Group 100 Victoria Embankment, London EC4Y 0HQ
	Relevant statutory undertakers	Anglian Water Services Limited	All proposed applications likely to affect their functions as statutory undertakers	No	Scheme changes will not affect Anglia Water services.	N/A
	Relevant statutory undertakers	Affinity Water	All proposed applications likely to affect their functions as statutory undertakers	No	Scheme changes will not affect Affinity Water services.	N/A
	Relevant statutory undertakers	Cadent Gas Limited	All proposed applications likely to affect their functions as statutory undertakers	Yes	Scheme changes	Customer Care Enquiries Team, Cadent, Brick Kiln Street, Hinckley, Leicestershire, LE10 0NA

	Description	Prescribed Consultee:	Circumstances when that person must be consulted about the proposed application	Consult ed (Y/N):	Reason for inclusion or exclusion:	Prescribed Consultee Contact Details:
	Relevant statutory undertakers	Energetics Gas Limited	All proposed applications likely to affect their functions as statutory undertakers	No	Scheme changes will not affect Energetics Gas Limited services.	N/A
	Relevant statutory undertakers	Energy Assets Pipelines Limited	All proposed applications likely to affect their functions as statutory undertakers	No	Scheme changes will not affect Energy Assets Pipelines Limited	N/A
	Relevant statutory undertakers	ESP Connections Ltd ESP Utilities Group Ltd ESP Networks Ltd ESP Pipelines Ltd	All proposed applications likely to affect their functions as statutory undertakers	No	Scheme changes will not affect ESP Connections Ltd ESP Utilities Group Ltd ESP Networks Ltd ESP Pipelines Ltd	N/A
	Relevant statutory undertakers	Fulcrum Pipelines Ltd	All proposed applications likely to affect their functions as statutory undertakers	No	Assets not likely to be affected by the proposed	N/A



	Description	Prescribed Consultee:	Circumstances when that person must be consulted about the proposed application	Consult ed (Y/N):	Reason for inclusion or exclusion:	Prescribed Consultee Contact Details:
					changes to the scheme	
	Relevant statutory undertakers	GTC Pipelines Ltd	All proposed applications likely to affect their functions as statutory undertakers	No	Assets not likely to be affected by the proposed changes to the scheme	N/A
	Relevant statutory undertakers	Independent Pipelines Limited	All proposed applications likely to affect their functions as statutory undertakers	No	Assets not likely to be affected by the proposed changes to the scheme	N/A
	Relevant statutory undertakers	Indigo Pipelines Limited	All proposed applications likely to affect their functions as statutory undertakers	No	Assets not likely to be affected by the proposed changes to the scheme	N/A
	Relevant statutory undertakers	Quadrant Pipelines Limited	All proposed applications likely to affect their functions	No	Assets not likely to be affected by the proposed changes to the scheme	N/A

	Description	Prescribed Consultee:	Circumstances when that person must be consulted about the proposed application	Consult ed (Y/N):	Reason for inclusion or exclusion:	Prescribed Consultee Contact Details:
			as statutory undertakers			
	Relevant statutory undertakers	National Grid Gas Plc	All proposed applications likely to affect their functions as statutory undertakers	No	Assets not likely to be affected by the proposed changes to the scheme	N/A
	Relevant statutory undertakers	Scotland Gas Networks Plc	All proposed applications likely to affect their functions as statutory undertakers	No	Assets not likely to be affected by the proposed changes to the scheme	N/A
	Relevant statutory undertakers	Southern Gas Networks	All proposed applications likely to affect their functions as statutory undertakers	No	Assets not likely to be affected by the proposed changes to the scheme	N/A
	Relevant statutory undertakers	Wales and West Utilities Ltd	All proposed applications likely to affect their functions as statutory undertakers	No	Assets not likely to be affected by the proposed changes to the scheme	N/A

	Description	Prescribed Consultee:	Circumstances when that person must be consulted about the proposed application	Consulted (Y/N):	Reason for inclusion or exclusion:	Prescribed Consultee Contact Details:
	Relevant statutory undertakers	Energetics Electricity Limited	All proposed applications likely to affect their functions as statutory undertakers	No	Assets not likely to be affected by the proposed changes to the scheme	N/A
	Relevant statutory undertakers	Fulcrum Pipelines	All proposed applications likely to affect their functions as statutory undertakers	No	Assets not likely to be affected by the proposed changes to the scheme	N/A
	Relevant statutory undertakers	G2 Energy IDNO Limited	All proposed applications likely to affect their functions as statutory undertakers	No	Assets not likely to be affected by the proposed changes to the scheme	N/A
	Relevant statutory undertakers	Harlaxton Energy Networks Limited	All proposed applications likely to affect their functions as statutory undertakers	No	Assets not likely to be affected by the proposed changes to the scheme	N/A

	<b>Description</b>	<b>Prescribed Consultee:</b>	<b>Circumstances when that person must be consulted about the proposed application</b>	<b>Consulted (Y/N):</b>	<b>Reason for inclusion or exclusion:</b>	<b>Prescribed Consultee Contact Details:</b>
	Relevant statutory undertakers	Independent Power Networks Limited	All proposed applications likely to affect their functions as statutory undertakers	No	Assets not likely to be affected by the proposed changes to the scheme	N/A
	Relevant statutory undertakers	Peel Electricity Networks Limited	All proposed applications likely to affect their functions as statutory undertakers	No	Assets not likely to be affected by the proposed changes to the scheme	N/A
	Relevant statutory undertakers	The Electricity Network Company Limited	All proposed applications likely to affect their functions as statutory undertakers	No	Assets not likely to be affected by the proposed changes to the scheme	N/A
	Relevant statutory undertakers	UK Power Distribution Limited	All proposed applications likely to affect their functions as statutory undertakers	No	Assets not likely to be affected by the proposed changes to the scheme	N/A

	Description	Prescribed Consultee:	Circumstances when that person must be consulted about the proposed application	Consulted (Y/N):	Reason for inclusion or exclusion:	Prescribed Consultee Contact Details:
	Relevant statutory undertakers	Utility Assets Limited	All proposed applications likely to affect their functions as statutory undertakers	No	Assets not likely to be affected by the proposed changes to the scheme	N/A
	Relevant statutory undertakers	Utility Distribution Networks Limited	All proposed applications likely to affect their functions as statutory undertakers	No	Assets not likely to be affected by the proposed changes to the scheme	N/A
	Relevant statutory undertakers	UK Power Networks Limited	All proposed applications likely to affect their functions as statutory undertakers	Yes	Assets which may be affected by the proposed changes to the scheme are confirmed in the area	237 Southwark Bridge Road London SE1 6NP
	Relevant statutory undertakers	National Grid Electricity Transmission PLC	All proposed applications likely to affect their functions as statutory undertakers	Yes	Assets which may be affected by the proposed changes to the scheme are confirmed in the area	Grand Buildings 1-3 Strand London WC2N 5EH

	Description	Prescribed Consultee:	Circumstances when that person must be consulted about the proposed application	Consult ed (Y/N):	Reason for inclusion or exclusion:	Prescribed Consultee Contact Details:
	Relevant statutory undertakers	Crown Estate Commissioners	All proposed applications likely to affect their functions as statutory undertakers	Yes	The scheme changes may have an impact on the Crown Estate, although no directly affected land has been identified.	1 St James's Market, London, SW1Y 4AH
	Relevant statutory undertakers	The Forestry Commission	All proposed applications likely to affect their functions as statutory undertakers	Yes	The scheme changes may affect the protection or expansion of forests and woodlands in England or Scotland	The Forest Office, Upper Ickneild Way, Aylesbury, HP22 5NF
	Relevant statutory undertakers	The Natural Resources Body for Wales	All proposed applications likely to affect their functions as statutory undertakers	No	Scheme changes are not located in Wales	N/A
	Relevant statutory undertakers	The relevant local health board	All proposed applications likely to affect their functions as statutory undertakers	No	Scheme changes are not located in Wales	N/A

	Description	Prescribed Consultee:	Circumstances when that person must be consulted about the proposed application	Consult ed (Y/N):	Reason for inclusion or exclusion:	Prescribed Consultee Contact Details:
	Relevant statutory undertakers	The National Health Service Trusts	All proposed applications likely to affect their functions as statutory undertakers	No	The scheme changes are not likely to affect their function.	N/A
	Relevant statutory undertakers	The Secretary of State for Defence	All proposed applications likely to affect their functions as statutory undertakers	Yes	On a precautionary basis	Ministry of Defence, Whitehall, London, SW1A 2HB
	Relevant statutory undertakers	The Office of Nuclear Regulation (the ONR)	All proposed applications likely to affect their functions as statutory undertakers	No	The scheme changes are not likely to affect their function.	N/A
	Relevant statutory undertakers	Universal Service Provider	All proposed applications likely to affect their functions as statutory undertakers	No	The scheme changes are not likely to affect their function.	N/A



	Description	Prescribed Consultee:	Circumstances when that person must be consulted about the proposed application	Consult ed (Y/N):	Reason for inclusion or exclusion:	Prescribed Consultee Contact Details:
	Relevant statutory undertakers	List of further consultees under 'planning application' legislation but not specifically DCO	All proposed applications likely to affect their functions as statutory undertakers	No	Sport England Garden History Society The scheme changes are not likely to affect their function.	N/A
	Relevant Statutory Undertakers	Network Rail	All proposed applications likely to affect their functions as statutory undertakers	Yes	The scheme changes are likely to impact on assets in the area	Network Rail Infrastructure Ltd, 1 Eversholt Street London, NW1 2DN
	Category 1 Land Interests	Owner, lessee, tenant or occupier of the land affected		Yes	The proposed scheme changes are likely to affect land in England and Wales.	N/A
	Category 2 Land Interests	Persons with an interest in the land or power to sell/convey or release the land		Yes	The proposed scheme changes are likely to affect land in England and Wales.	N/A
	Category 3 Land Interests		Persons entitled to make a relevant claim	Yes	The proposed scheme changes are	N/A

	Description	Prescribed Consultee:	Circumstances when that person must be consulted about the proposed application	Consult ed (Y/N):	Reason for inclusion or exclusion:	Prescribed Consultee Contact Details:
			<p>under S.10 of the Compulsory Purchase Act 1965 for the taking or injurious affection of land subject to CA, or entitled to make a claim under Part 1 of the Land Compensation Act 1973, for depreciation in value by physical factors caused by use of public works.</p>		<p>likely to affect land in England and Wales.</p>	

## Appendix C Covering letter and targeted non-statutory consultation brochure, published January 2021



Our ref: TR010029

[Name and address or email address of the consultee.]

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

22 December 2020

Dear **xx**

**M25 junction 28 improvement scheme  
TARGETED CONSULTATION UNTIL 4 FEBRUARY 2021 RELATING TO CHANGES TO  
SUBMITTED DEVELOPMENT CONSENT ORDER  
Planning Inspectorate reference: TR010029**

I am writing to you regarding Highways England's proposed M25 junction 28 improvement scheme (the Scheme). An application for a Development Consent Order (DCO) to build, operate and maintain the Scheme was accepted by the Planning Inspectorate on 24 June 2020. An examining authority has been appointed to examine the application and to make recommendations upon it to the Secretary of State for Transport.

Highways England is now proposing some changes to the Scheme which have arisen since the application was accepted and invites you to respond to our consultation seeking views on the four changes which are proposed.

This targeted consultation exercise will run until 4 February 2021.

### **Change 1 – Removal of surplus construction materials deposit to the west of Weald Brook (Work No. 17)**

Following discussions with the Environment Agency, it is proposed to remove this work and use construction materials generated by the Scheme to create a permanent environmental bund. Highways England has engaged further with the Environment Agency regarding this matter and as a result proposes to remove Work No. 17 from the application. It is proposed that construction materials generated by the Scheme will be reused within the permanent works and in the creation of an environmental bund at Work No. 18 (see Change 2 below).

### **Change 2 – Amendment to the surplus construction materials deposit (Work No. 18) situated to the south-east of Maylands Golf Course to form an environmental bund**

Following discussions with the Environment Agency it is proposed to remodel Work No.18 into an environmental bund which follows the outline of the environmental works (part of Work No. 25) alongside the new loop road and to the north of Work No. 19B. The beneficial reuse of surplus construction materials within the environmental bund will help to provide visual and noise screening to residents at Maylands Cottages and Woodstock Avenue, as well as to Maylands Golf Course.

**Change 3 – Refinement of Maylands golf course accommodation works (Work No. 32)**

The golf course accommodation works have been considered further and it is proposed to provide a boardwalk in order to provide a safe route for players to walk back from the green of the realigned second hole to the third tee and avoid the hitting zone of the second hole. This is part of Work No.32. The proposed design for the golf course accommodation works is included in the consultation leaflet.

**Change 4 – Amendment to the limits of deviation for the Cadent gas pipeline diversion – southern connection (Work No. 29) and changes at plot 1/8**

Highways England and Cadent Gas Limited (“Cadent”) has undertaken further detailed design work in order to help minimise impacts on the proposed Gardens of Peace Muslim Cemetery.

To facilitate connection of the diversion with the existing Cadent pipeline that runs beneath plot 1/8, an amendment of the limits of deviation is needed at the Gardens of Peace. In addition, Highways England is proposing to reduce the extent of permanent rights sought in plot 1/8. Temporary possession of the remainder of plot 1/8 will be needed in order to undertake the required diversion works, with rights being sought for subsequent access for inspection, repair, maintenance and renewal works.

If you would like hard copies of this [leaflet](#) please email us at [M25j28@highwaysengland.co.uk](mailto:M25j28@highwaysengland.co.uk) or telephone 0300 123 5000.

You can access the full application on the National Infrastructure Planning website:  
<https://infrastructure.planninginspectorate.gov.uk/projects/south-east/m25-junction-28-improvements>.

Please submit your comments on these proposed changes by emailing [M25j28@highwaysengland.co.uk](mailto:M25j28@highwaysengland.co.uk) or by writing to us at FREEPOST M25 J28. Any representations received from this consultation will be published on the National Infrastructure Planning website. E-mail addresses, phone numbers, addresses and signatures will be redacted.

Once this consultation is concluded, Highways England will review all comments received before making any formal request to the Examining Authority to accommodate these changes.

If you have any questions or require further information, please contact me via [M25j28@highwaysengland.co.uk](mailto:M25j28@highwaysengland.co.uk) or telephone 0300 123 5000.

Yours sincerely,



Anita Waterton  
Highways England  
Project Manager for the M25 junction 28 improvement scheme



**Targeted non-statutory consultation brochure, published January 2021**



# Introduction

Highways England is responsible for the operation, maintenance and improvement of England's motorways and major A roads, known as the strategic road network (SRN).



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The Government announced its commitment to improving the M25 junction 28 in its first Road Investment Strategy (RIS) published in 2014 for the investment period 2015 to 2020 and then again in its second Road Investment Strategy published in March 2020 (RIS2). The Application is for the M25 junction 28 improvement scheme ("the Scheme") and seeks a development consent order ("DCO") to construct, operate and maintain the Scheme. The Scheme is described in RIS2 as an 'upgrade of the junction between the M25 and A12 in Essex, providing a free-flowing link from the northbound M25 to the eastbound A12'.

This targeted consultation relates to an application (the "Application") made by Highways England to the Planning Inspectorate, acting on behalf of the Secretary of State for Transport, under section 37 of the Planning Act 2008. The Application was accepted for examination on 24 June 2020.

As a result of further development, Highways England has identified some improvements to the Scheme that it wishes to pursue. The intention to make changes to the Scheme was first notified by Highways England in a letter to the Planning Inspectorate dated 4 December 2020.

M25 junction 28 improvement scheme targeted non-statutory consultation

## M25 junction 28 improvement scheme

Currently junction 28 is a heavily used junction which features a roundabout controlled by traffic lights. It is used by up to 7,500 vehicles an hour during peak times. The junction is already operating at capacity, with motorists regularly experiencing congestion and delays. By 2037, traffic levels in the area are expected to increase

by up to 22% by 2037, with more than 9,000 vehicles travelling through the roundabout every hour at peak times. Average delay due to congestion during peak travel times is predicted to increase from over a minute per vehicle at present, to four minutes per vehicle in 2037 without the Scheme.



### The objectives of the Scheme are:

- to increase capacity and reduce congestion and delays by providing an improved link from M25 to A12.
- to reduce the incident rate and resulting disruption by increasing the capacity of the roundabout.
- to improve safety on the roundabout by reducing traffic levels and redesigning the existing layout.
- to cater for future traffic demands to enable development and economic growth.
- to minimise the impact on local air quality and noise by smoothing traffic flow.
- to protect access for non-motorised users (pedestrians and cyclists) and improve conditions wherever possible.



### Alongside these objectives, the Scheme also aims to:

- where possible, improve air quality with regards to vehicle emission generally, and specifically at the existing declared Air Quality Management Areas (AQMA).
- minimise the environmental impact as measured in accordance with Design Manual for Roads and Bridges (DMRB).

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M25 junction 28 improvement scheme targeted non-statutory consultation

### About this targeted non-statutory consultation

Since the Application for the Scheme was accepted by the Planning Inspectorate for examination in June 2020, we have developed our plans further, including considering feedback and have identified potential changes to the Scheme that we are proposing to make.

We are proposing four changes to the Scheme. The changes are being proposed for environmental reasons and also in response to issues raised by those affected by the Scheme.

We would now like to hear your views on the changes we are proposing. This document sets out the background to the proposed changes, together with a summary of the impact of each change on the Scheme. We are consulting relevant stakeholders, landowners and those with property interests in land affected by the changes and interested parties registered with the Planning Inspectorate. This consultation relates only to the proposed changes to the Scheme.

The consultation closes at 23:45 on 4 February 2021

Following consultation, all feedback will be taken into consideration and outlined in a consultation statement. Highways England will then decide whether to make a formal request to the Examining Authority to include the changes as part of the Scheme under consideration.

### Scheme changes

**The four changes listed below have been identified following engagement with and feedback from key stakeholders – including statutory environmental bodies and landowners – and as a result of ongoing design refinement.**

**Change 1** (see page 5)  
 Removal of surplus construction materials deposit to the west of Weald Brook (Work No. 17).

**Change 2** (see page 6)  
 Amendment to the deposit of surplus construction materials (Work No. 18) situated to the south-east of Maylands golf course to form an environmental bund.

**Change 3** (see page 9)  
 Refinement of Maylands golf course accommodation works (Work No. 32).

**Change 4** (see page 12)  
 Amendment to the limits of deviation for the Cadent gas pipeline diversion – southern connection (Work No. 29).

M25 junction 28 improvement scheme targeted non-statutory consultation

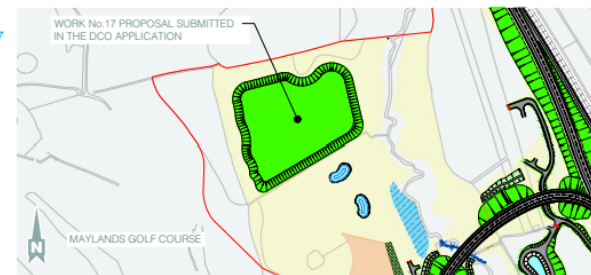
### Change 1: Removal of surplus construction materials deposit to the west of Weald Brook (Work No. 17)

Highways England included two surplus construction material areas (Work No. 17 and Work No. 18) in the Application for the Scheme. Following feedback from the Environment Agency, Highways England proposes to remove Work No. 17 from the Application. The surplus materials generated by the Scheme will instead be reused within the permanent works and in the creation of an environmental bund at Work No. 18 (see Change 2 below).

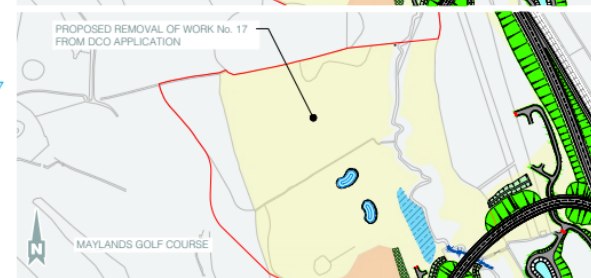
The removal of Work No. 17 does not involve any changes to the Scheme Order Limits or the permanent land take proposed in this area which is still required for the construction and maintenance of the ecological compensation area (Work No. 25).

There will be no environmental effects associated with this change.

**Figure 1:** Work No. 17 as included in the DCO Application



**Figure 2:** Proposed change to Work No. 17





M25 junction 28 improvement scheme targeted non-statutory consultation

**Change 2:** Amendment to the surplus construction materials deposit (Work No. 18) situated to the south-east of Maylands golf course to form an environmental bund

Highways England included two surplus construction material areas (Work No. 17 and Work No. 18) in the Application for the Scheme. Following feedback from the Environment Agency, it is proposed to remove Work No. 17 from the Scheme (see Change 1 above). Highways England proposes to remodel Work No. 18 into an environmental bund which follows the outline of the environmental works (part of Work No. 25) alongside the new loop road and to the north of Work No. 19B (a drainage pond and associated access).

The proposed environmental bund would be approximately 2.5 metres high and will be mainly grassed with a strip of woodland planting along the southern section.

This proposed change would not involve any changes to the Scheme Order limits. However, it would require the land which forms the environmental bund to be acquired on a permanent rather than a temporary basis to enable the long-term maintenance of the bund.

The proposed environmental bund will provide visual and noise screening benefits to residents at Maylands Cottages and Woodstock Avenue, as well as to Maylands golf course.

The environmental effects of the proposed change are summarised below.



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M25 junction 28 improvement scheme targeted non-statutory consultation

Topic	Effect
<b>Noise and vibration</b>	Noise modelling of the proposed environmental bund shows that there will be a change from negligible noise benefits to perceptible noise benefits during the operation of the Scheme for residents at Maylands Cottages, for some residents in Woodstock Avenue and for players on some parts of the Maylands golf club.
<b>Biodiversity</b>	The inclusion of the environmental bund instead of a surplus material area will not change the habitats that are proposed to be created as part of the Scheme. Therefore, the conclusions in the biodiversity assessment set out in the Environmental Statement submitted with the Application remain the same.
<b>Landscape and visual</b>	Remodelling of Work No. 18 into an environmental bund and associated mitigation woodland planting around the loop road will provide a greater degree of visual screening for residential receptors at Maylands Cottages. It will contribute to a change to findings within the landscape and visual assessment set out in the Environmental Statement submitted with the Application from an anticipated very large adverse visual impact at year 1 and moderate adverse impact at year 15 to an anticipated moderate adverse impact at year 1 and slight adverse impact at year 15. There would be no anticipated change to the predicted landscape impacts. Photomontages from Maylands Cottages are provided in the Appendix.
<b>People and communities</b>	The remodelling of Work No. 18 into an environmental bund would require the land on which it is to be constructed to be permanently acquired. This would mean a revision to the land plans submitted with the Application to show part of plot 1/11 to be permanently acquired for the environmental bund. The Application identifies plot 1/11 for temporary possession. The conclusions in the people and communities assessment set out in the Environmental Statement submitted with the Application remain the same.
<b>Materials and waste</b>	Remodelling of Work No. 18 into an environmental bund will increase the amount of site-won materials that can be re-used on site and reduce the amount of materials that will need to be taken offsite for disposal. Therefore, the conclusions in the materials and waste assessment set out in the Environmental Statement submitted with the Application will change the significance of effects of wastes arising from a moderate (significant) effect to a slight (not significant) effect.

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M25 junction 28 improvement scheme targeted non-statutory consultation

Figure 3: Work No. 18 as proposed in the Application



Legend			
	DCO boundary		Environmental mitigation area / grasstand (see Figure 2.3 in the EIS application document TR010029/E.2) for further details)
	Proposed carriageway / access track and existing carriageway resurfacing		Golf Course accommodation works
	Earthworks		Proposed Native Woodland Planting
	Realignment of watercourses		Ground lowering for flood compensation or ecological mitigation
	Drainage ditch		

M25 junction 28 improvement scheme targeted non-statutory consultation

Figure 4: Proposed change for Work No. 18



**Change 3: Refinement of golf course accommodation works (Work No. 32)**

Highways England included golf course accommodation works (Work No. 32) in the Application for the Scheme. The golf course accommodation works have been considered further and as a result it is proposed to amend those works to enable the provision of a boardwalk. This boardwalk would provide a safe route for players to walk back from the green of the realigned second hole to the third tee while minimising any interruption to play. The full extent

of the golf course accommodation works has been refined to reflect the proposed layout of the replacement hole as shown in the drawing below.

This proposed change and introduction of a boardwalk will not involve any changes to the Scheme Order Limits.

There will be no change in environmental effects associated with this change.



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Figure 5: Work No. 32 as included in the Application

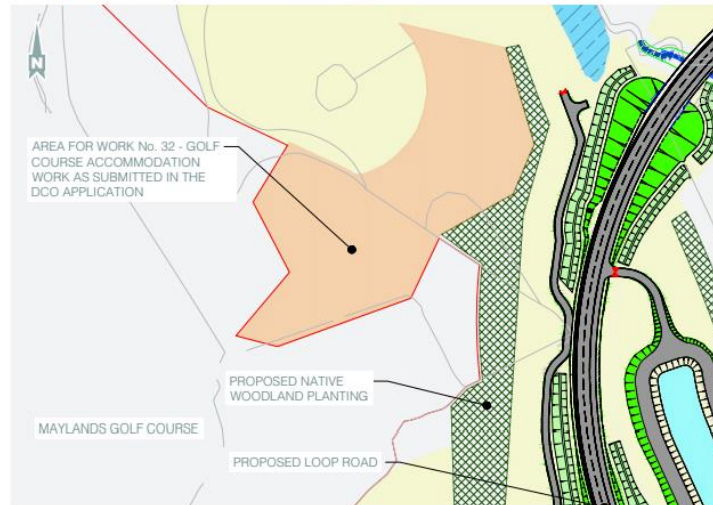


Figure 6: Maylands golf course accommodation works indicative layout with proposed change



M25 junction 28 improvement scheme targeted non-statutory consultation

Figure 7: Proposed change for Work No. 32



Legend

- DCO boundary
- Proposed carriageway / access track and existing carriageway resurfacing
- Earthworks
- Realignment of watercourses
- Drainage ditch
- Environmental mitigation area / grassland (see Figure 2.2 in the ES (application document TR010029/6.2) for further details)
- Golf Course accommodation works
- Proposed Native Woodland Planting
- Ground lowering for flood compensation or ecological mitigation
- New Pond

M25 junction 28 improvement scheme targeted non-statutory consultation

**Change 4: Amendment to the lateral limits of deviation for the Cadent gas pipeline diversion – southern connection (Work No. 29)**

Highways England included the provision of a Cadent Gas Limited (“Cadent”) pipeline diversion (Work No. 29) in the Application for the Scheme. Since acceptance of the Application Highways England, alongside Cadent, has undertaken further detailed design work and taken on board comments raised by stakeholders.

To connect the diversion with the existing Cadent pipeline that runs beneath plot 1/8 an amendment to the limits of deviation for this work are proposed in plot 1/8 and across the A12.

In the Application Highways England is seeking the acquisition of permanent rights over the entirety of plot 1/8, with rights required to construct, operate, access, protect and maintain the pipeline. Highways England is now proposing to reduce the extent of permanent rights sought in plot 1/8. Temporary possession of the remainder of plot 1/8 will be needed in order to undertake the required diversion works.

There will be no change in environmental effects associated with this change.

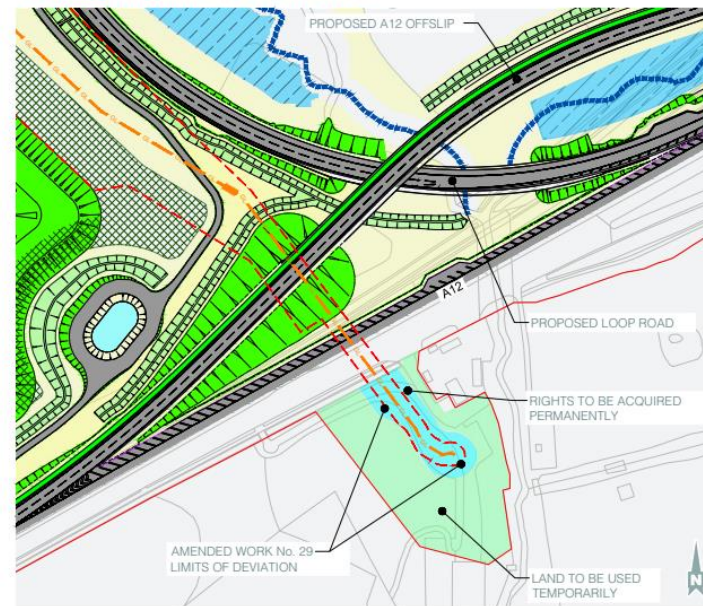
**Figure 8: Work No. 29 as included in the Application**



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M25 junction 28 improvement scheme targeted non-statutory consultation

**Figure 9: Proposed change for Work No. 29**



Legend					
	DCO boundary		Environmental mitigation area / grassland (see Figure 2.2 in the ES application document TR010029A.2) for further details)		Rights to be acquired permanently
	Proposed carriageway / access track and existing carriageway resurfacing		Proposed Native Woodland Planting		Land to be used temporarily
	Earthworks		Ground lowering for flood compensation or ecological mitigation		
	Realignment of watercourses		High Pressure Gas Pipeline diversion and Limits of Deviation		
	Drainage ditch				

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### Appendix: Viewpoint D Maylands Cottages photomontages

This appendix shows the visual changes arising from the proposed change to Work No. 18 (as described in Change 2 above). The change to Work No. 18 will provide better visual screening to the residents at Maylands Cottages and Woodstock Avenue and this is illustrated in the figures below.

The following list of 8 figures are provided below:



Summer photomontages in the DCO Application	DCO Application: Viewpoint D (Maylands cottages), existing photo (summer)
	DCO Application: Viewpoint D (Maylands cottages), opening year photomontage (summer)
	DCO Application: Viewpoint D (Maylands cottages), year 15 photomontage (summer)
Proposed summer photomontages showing the proposed environmental bund (Work No. 18)	Viewpoint D (Maylands cottages), opening year photomontage (summer)
	Viewpoint D (Maylands cottages), year 15 photomontage (summer)
Proposed winter photomontages showing the proposed environmental bund (Work No. 18)	Viewpoint D (Maylands cottages), existing photo (winter)
	Viewpoint D (Maylands cottages), opening year photomontage (winter)
	Viewpoint D (Maylands cottages), year 15 photomontage (winter)

M25 junction 28 improvement scheme targeted non-statutory consultation



Submitted DCO Application: Viewpoint D (Maylands cottages), existing photo (summer)



Submitted DCO Application: Viewpoint D (Maylands cottages), opening year photomontage (summer)

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Submitted DCO Application: Viewpoint D (Maylands cottages), year 15 photomontage (summer)



Proposed environmental bund: Viewpoint D (Maylands cottages), opening year photomontage (summer)



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Proposed environmental bund: Viewpoint D (Maylands cottages), year 15 photomontage (summer)



Proposed environmental bund: Viewpoint D (Maylands cottages), existing photo (winter)

M25 junction 28 improvement scheme targeted non-statutory consultation



Proposed environmental bund: Viewpoint D (Maylands cottages), opening year photomontage (winter)



Proposed environmental bund: Viewpoint D (Maylands cottages), year 15 photomontage (winter)



## Have your say

If you have any questions about the targeted consultation, the information in this brochure, to request a hard copy, or if you need help accessing this information, please call

 **0300 123 5000** and we will help you.

Feedback on any aspect of the changes can be sent to:

 Email us:  
**M25j28@highwaysengland.co.uk**

 or by writing to us at  
**FREEPOST M25 J28 improvement scheme**  
(please note that due to current restrictions, postal mail may not be regularly retrieved as our offices are not fully open).

All feedback will be taken into consideration and outlined in a consultation statement that will be prepared by Highways England.

If Highways England decides to make a formal request to the Examining Authority to include the changes in the Scheme, the consultation statement will form part of that request.

 **The consultation closes at 23:45 on 4 February 2021**



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## Appendix.B Details of the purpose for which compulsory acquisition and temporary possession powers are sought

Table B.1: Permanent acquisition of land

Proposed Change	Plot number	DCO Work No	Nature of change	Purpose for which land is required – DCO submission	Purpose for which land is required – proposed changes to the DCO.
Change 2	<u>1/11a</u>	18	New plot		New environmental bund (new permanent acquisition of land of 27,004m <sup>2</sup> )
Change 1	3/20	17	Change of reason for acquisition	Deposit of surplus construction material	<del>Deposit of surplus construction material</del>
		24A		New flood compensation area	New flood compensation area
		25		Environmental works, including construction of ecological compensation areas	Environmental works, including construction of ecological compensation areas
		27		New pond for environmental mitigation purposes	New pond for environmental mitigation purposes
		28		New pond for environmental mitigation purposes	New pond for environmental mitigation purposes

Proposed Change	Plot number	DCO Work No	Nature of change	Purpose for which land is required – DCO submission	Purpose for which land is required – proposed changes to the DCO.
		29		Diversion of an existing underground Cadent high pressure (33 bar) gas pipeline	Diversion of an existing underground Cadent high pressure (33 bar) gas pipeline
		32		Accommodation works to provide replacement facilities for Maylands Golf Course	Accommodation works to provide replacement facilities for Maylands Golf Course

**Table B.2: Acquisition of permanent rights**

Ref	Plot number	DCO Work No	Nature of Change	Purpose for which land is required – DCO Submission	Purpose for which land is required – proposed changes to the DCO.
Change 4	1/8	29	Decrease in plot size (5,755m <sup>2</sup> )	Diversion of an existing underground Cadent high pressure (33 bar) gas pipeline	Diversion of an existing underground Cadent high pressure (33 bar) gas pipeline

**Table B.3: Temporary Possession of Land**

Ref	Plot number	DCO Work No	Nature of Change	Purpose for which land is required – DCO Submission	Purpose for which land is required – proposed changes to the DCO.
Change 4	1/8a	29	New plot	None	Diversion of an existing underground Cadent high pressure (33 bar) gas pipeline
Change 2	1/11	All works	Decrease in size of plot (27,003m <sup>2</sup> )	Construction compound and associated works	Construction compound and associated works
		18		Deposit of surplus construction material	<del>Deposit of surplus construction materials</del> Establish an environmental bund



## Appendix.C Schedule of interests in the land and progress of negotiations with persons subject to compulsory acquisition and temporary possession powers

Landowner name	Type of interest	Permanent/ temporary	Plot refs (original DCO)	Plot refs (proposed DCO change in red)	Status of negotiation with land interest
BT Telecommunications PLC	Category 1 (Occupier) <i>(in respect of underground telecommunications cables)</i>	Temporary possession	None	1/8a	No negotiation required as no additional land sought. BT Telecommunications were consulted as part of the non- statutory targeted consultation between January and February 2021.
		Permanent acquisition (land)	1/4, 1/5, 1/26, 1/27a, 1/28, 1/29, 1/30, 1/31, 1/32, 1/33,1/34, 1/36, 1/37, 1/38, 4/4, 4/9	1/4, 1/5, 1/26, 1/27a, 1/28, 1/29, 1/30, 1/31, 1/32, 1/33, 1/34, 1/36, 1/37, 1/38, 4/4, 4/9	
		Permanent acquisition (rights)	1/1, 1/6, 1/7, 1/8, 1/25, 1/27	1/1, 1/6, 1/7, <del>1/8</del> , 1/25, 1/27	No longer has interest in Plot 1/8.



Landowner name	Type of interest	Permanent/ temporary	Plot refs (original DCO)	Plot refs (proposed DCO change in red)	Status of negotiation with land interest
Cadent Gas Limited	Category 1 (Occupier) <i>(in respect of underground gas mains)</i>	Permanent acquisition (land)	1/3, 1/5, 1/10, 1/35, 1/36, 1/38	1/3, 1/5, 1/10, 1/35, 1/36, 1/38	
		Temporary possession		1/8a	No negotiation required as no additional land sought. Cadent Gas were consulted as part of the non-statutory targeted consultation between January and February 2021.
		Permanent acquisition (rights)	1/1, 1/6, 1/7, 1/8	1/1, 1/6, 1/7, 1/8	
Cadent Gas Limited	Category 2	Permanent acquisition (land)	1/10, 1/12, 1/13, 3/8, 3/20	1/10, 1/12, 1/13, 3/8, 3/20, 1/11a	Cadent Gas were consulted as part of the non-statutory targeted consultation between January and February 2021.  A letter was sent to Cadent Gas on 3 February 2021 requesting consent to include additional land within the DCO Order limits.

Landowner name	Type of interest	Permanent/ temporary	Plot refs (original DCO)	Plot refs (proposed DCO change in red)	Status of negotiation with land interest
		Permanent acquisition (rights)	1/6, 1/8	1/6, 1/8	
		Temporary possession	1/11, 1/14, 3/6, 3/20	1/11, 1/14, 3/6, 3/20, <b>1/8a</b>	No negotiation required as no additional land sought. Cadent Gas were consulted as part of the non-statutory targeted consultation between January and February 2021.
Glebelands Estates Ltd	Category 1 (Owner or reputed owner)	Temporary possession	1/11, 1/14,3/2, 3/6, 3/21	1/11, 1/14,3/2, 3/6, 3/21	
		Permanent acquisition (land)	1/10, 1/12, 1/13, 3/8, 3/20, 3/22	1/10, 1/12, 1/13, 3/8, 3/20, 3/22, <b>11/a</b>	GEL was consulted as part of the non-statutory targeted consultation between January and February 2021.  A letter was sent to Glebelands on 3 February 2021 requesting consent to include additional land within the DCO Order limits.
	Category 1 (Occupier)	Temporary possession	1/11, 1/14, 3/2, 3/16, 3/21	1/11, 1/14, 3/2, 3/16, 3/21	

Landowner name	Type of interest	Permanent/ temporary	Plot refs (original DCO)	Plot refs (proposed DCO change in red)	Status of negotiation with land interest
		Permanent acquisition (land)	1/10, 1/12.1/13, 3/18, 3/20, 3/22	1/10, 1/12.1/13, 3/18, 3/20, 3/22, <b>1/11a</b>	GEL was consulted as part of the non-statutory targeted consultation between January and February 2021.  A letter was sent to Glebelands on 3 February 2021 requesting consent to include additional land within the DCO Order limits.
	Category 2	Temporary	1/11, 3/6, 3/16	1/11, 3/6, 3/16	
		Permanent acquisition (land)	1/10, 3/8	1/10, 3/8	
Gardens of Peace Muslim Cemetery	Category 1 (Owner or reputed owner)	Permanent acquisition (rights)	1/8	1/8	
		Temporary possession	1/9	1/9, <b>1/8a</b>	Gardens of Peace was consulted as part of the non-statutory targeted consultation between January and February 2021.  In response to the targeted non- statutory consultation Gardens of Peace welcomed the proposed change to reduce the extent of

Landowner name	Type of interest	Permanent/ temporary	Plot refs (original DCO)	Plot refs (proposed DCO change in red)	Status of negotiation with land interest
					permanent acquisition of rights sought in respect of Plot 1/8.
	Category 1 (Occupier)	Permanent acquisition (rights)	1/8	1/8	
		Temporary possession	1/9	1/9, 1/8a	Gardens of Peace was consulted as part of the non-statutory targeted consultation between January and February 2021.  In response to the targeted non- statutory consultation Gardens of Peace welcomed the proposed change to reduce the extent of permanent acquisition of rights sought in respect of Plot 1/8.
Openreach Limited	Category 1 (Occupier) <i>(in respect of underground telecommunications cables)</i>	Temporary possession	None	1/8a	No negotiation required as no additional land sought.  Openreach was consulted as part of the non-statutory targeted consultation between January and February 2021.

Landowner name	Type of interest	Permanent/ temporary	Plot refs (original DCO)	Plot refs (proposed DCO change in red)	Status of negotiation with land interest
		Permanent acquisition (land)	1/4, 1/5, 1/26, 1/27a, 1/28, 1/29, 1/30, 1/31, 1/32, 1/33, 1/34, 1/36, 1/37, 1/38, 4/4, 4/9	4, 1/5, 1/26, 1/27a, 1/28, 1/29, 1/30, 1/31, 1/32, 1/33, 1/34, 1/36, 1/37, 1/38, 4/4, 4/9	
		Permanent acquisition (rights)	1/1, 1/6, 1/7, 1/8, 1/25, 1/27	1/1, 1/6, 1/7, <del>1/8</del> , 1/25, 1/27	No longer has interest in Plot 1/8.
Thames Water Utilities Limited	Category 1 (Occupier) <i>(in respect of underground sewerage pipelines)</i>	Temporary possession	1/9, 1/11	1/9, 1/11, <del>1/8a</del>	No negotiation required as no additional land sought.
		Permanent acquisition (land)	1/3, 1/10, 4/3, 4/5, 4/6, 4/7	1/3, 1/10, 4/3, 4/5, 4/6, 4/7	
		Permanent acquisition (rights)	1/1, 1/7, 1/8	1/1, 1/7, 1/8	

## Appendix.D Consents and agreements position statement

Table D1: Other consents and agreement table

Issue:	Consent/licence/agreement & legislation:	Consenting authority:	Requirement:	Status of negotiations:
Protected species licensing	Regulation 55 of the Conservation of Habitats and Species Regulations 2017, a European Protected Species mitigation licence from Natural England (in respect of Great Crested Newts and Bats)	Natural England (NE)	Ecology surveys have identified that the Scheme may have an impact upon bats and great crested newts. This consent is therefore likely to be required prior to commencement of construction activities	The Principal Contractor is to gain this consent and liaise with NE. Discussions with NE are ongoing.
	A license under section 10 of the Protection of Badgers Act 1992		Badgers setts have been identified within the DCO boundary and may require relocation. This consent is therefore likely to be required prior to commencement of construction activities.	The Principal Contractor is to gain this consent and liaise with NE Badger activity may alter before construction commences. <del>Discussions with NE are ongoing.</del> No relocation of a badger sett is required, therefore, it is not envisaged that this licence is required.
	A mitigation licence (from Natural England) under the Conservation of Habitats and Species Regulations 2017, in relation to the		It is possible that further protected species are identified in future ecology surveys due to the natural movement of wildlife.	The mitigation requirements for the protected species are outlined in the Environmental Statement Chapter 7 Biodiversity (APP-029). It is not

Issue:	Consent/licence/agreement & legislation:	Consenting authority:	Requirement:	Status of negotiations:
	identified European protected species or other protected species.		Further mitigation licences may therefore be required.	yet known, and there is currently no evidence to suggest, whether further mitigation licences will be required.
Hazardous substance	Revocation of hazardous substances consent on change of control of land Determination of applications for continuation of hazardous substances consent Any consignment note or notification under the Hazardous Waste (England and Wales) Regulations 2005	Environment Agency	The consents are applicable if the disposal of hazardous waste is required.	Further site investigations are necessary to determine whether the excavations include hazardous substances. Discussions with the EA are ongoing. The mitigation measures are outlined in the Register of Environmental Actions and Commitments (REAC) (APP-097).
Materials and <del>W</del> waste	Materials Management Plan (MMP)	Environment Agency	A MMP is required for the reuse of materials defined as non-waste or end-of-waste and greater than exemption limits.	Further site investigations and the assessment of potential surplus material reuse is required. Specific deposit sites are identified within Schedule 1 of the DCO, work numbers <del>17</del> and-18. The use of a MMP, in relation to CL:AIRE guidance, and the requirement for other waste



Issue:	Consent/licence/agreement & legislation:	Consenting authority:	Requirement:	Status of negotiations:
	<p>Any waste carrier licences or transfer licences that may be required under the Control of Pollution (Amendment) Act 1989. Waste (England and Wales) Regulations 20113 (SI 2011/988) The Hazardous Waste (England and Wales) Regulations 20054 (SI 2005/894) (as amended in 2016)</p> <p>Environmental Permitting (England and Wales) Regulations 2016</p>		<p>The Principal Contractor is required to ensure their selected waste disposal contractor holds a Waste Carrier Licence and the waste generated by the Scheme is appropriately disposed of.</p> <p>A Waste Recovery Permit is required for re-using controlled wastes from the Brook Street landfill site and the recently deposited materials within Grove Farm area.</p>	<p>consents is currently being examined-discussed with the EA. Discussions are ongoing See the SoCG with the Environment Agency (REP1-003).</p> <p>The materials and waste requirements are outlined in the REAC (APP-097).</p> <p>The materials and waste requirements are outlined in the REAC (APP-097). Further information is also available in the SoCG with the Environment Agency (REP1-003).</p>
Regulation 12 consents	Environmental Permitting (England and Wales) Regulations 2016	Environment Agency and local authorities	A variety of environmental permits will be required to support the Scheme. They are to be gained by	Discussion regarding the use of waste permits are ongoing with the EA and are

<b>Issue:</b>	<b>Consent/licence/agreement &amp; legislation:</b>	<b>Consenting authority:</b>	<b>Requirement:</b>	<b>Status of negotiations:</b>
	Mobile plant permit Waste exemption permit Environmental permit for waste operation Environmental permit: Discharge to surface water or groundwater		the Principal Contractor who will be responsible for their acquisition and works associated with them.	documented within the SOCG (REP1-003).

# Appendix.E Potential changes to the Outline CEMP and REAC

## E.1 Potential changes to the Outline CEMP

Table E.1: Proposed changes to the Outline CEMP - Table 3.2 Environmental management responsibilities (red text is new text)

Role	Responsibility
Principal Contractor Environmental Manager	<p>Principal Contractor Environmental Manager or the delegate shall be responsible for overseeing and maintaining the environmental components and documentation of the Scheme.</p> <p>Develop and review the Environmental Control Plans (ECPs) throughout the construction period.</p> <p><b>Obtain environmental permits, licenses, and consents, as required; ensure compliance with the requirements and conditions of all relevant permits, licenses and consents.</b></p> <p>Act as the focal point of contact for all environmental issues on site and identify key environmental concerns on site as the Scheme develops.</p> <p>Coordination with environmental specialists and ensure the site environmental management compliance in line with the ECPs.</p> <p>Ensure compliance with environmental legislation, consents, objectives, targets and other environmental commitments, including those from the ES.</p> <p>Audit the Principal Contractor's Site Environmental Management System and Programmes (e.g. Waste Management Plan and activities associated with onsite waste management).</p> <p>Audit the Principal Contractor's Environmental Management System ISO 14001:2015.</p> <p>Monitor compliance with the environmental requirements of the Scheme.</p> <p>Assist in the review of method statements.</p> <p>Compile applications for unexpected authorisations with assistance of the Principal Contractor Environmental Clerk of Works (EnvCoW) if necessary.</p> <p>Accompany statutory authorities on site visits (with the Principal Contractor EnvCoW if necessary).</p> <p>Investigate environmental incidents.</p>

Role	Responsibility
	Assist with the delivery of environmental training of the workforce. Assess and check survey results and update databases, ECPs, etc with new information. Identify cost saving and best practice activities. Liaise with site supervisors, site management team and general construction workers. Liaise with relevant bodies for the application, and implementation of required consents and permits. Liaise with relevant stakeholders.

**Table E.2: Proposed changes to the Outline CEMP - Table 7.1 Permits, consents and licences (red text is new text)**

Type of licence and reference	Issuing authority	Requirement	Comments/actions
Mobile plant permit (for crushing operations or site permits if not using a subcontractor with their own mobile permit) Environmental Permitting (England and Wales) Regulations 2016 (as amended)	Local authorities or Environment Agency (Waste Operation)	Also known as a part B (local authority) or waste operation (Environment Agency). <b>If a site-based environmental permit is required, this will cover all treatment, storage and re-use of materials it applies to.</b>	Ensure that the equipment has been registered with the local authorities for use as mobile plant; or either a standard rules waste operation mobile plant permit or bespoke waste operation permit is obtained (treatment of waste concrete etc). NB reuse of the material will require either a waste exemption, end-of-waste protocol, or permit. Principal Contractor to action
Materials Management Plan (MMP)	Qualified Person	Produce and agree an MMP for the reuse of materials defined as non-waste or end-of-waste and greater than exemption limits. <b>It is anticipated that materials from the Scheme (excluding Grove Farm controlled wastes and</b>	For reuse of materials in line with the CL:AIRE code of practice and ensure that it meets end of waste criteria where relevant. Principal Contractor to action

Type of licence and reference	Issuing authority	Requirement	Comments/actions
		<b>Brook Street historic landfill) will be re-used under an MMP.</b>	
Environmental Permit for waste operation Environmental Permitting (England and Wales) Regulation 2016 (as amended)	Environment Agency	Principal Contractor to ensure that the waste generated is recycled/reused/disposed of at authorised facilities (or obtain relevant waste operations permit/deployment of mobile plant permit if undertaking recovery/disposal activities on site).  It is anticipated that re-use of controlled wastes from Grove Farm (recently deposited materials) and Brook Street historic landfill will be undertaken under a Waste Recovery Permit.	Waste disposal, recycling, restoration, reuse sites to produce permit to prove that they are authorised to receive waste streams.  <b>Re-use of controlled wastes from Grove Farm area and Brook Street historic landfill as part of the Scheme permanent works will require an environmental permit, anticipated to be a Waste Recovery Permit.</b>  Principal Contractor to action

**Table E.3: Proposed changes to the Outline CEMP - Table 12.1 Environmental monitoring requirements – materials and waste (red text is new text)**

ES Chapter	Impact/potential impact	Summary of mitigation	Monitoring requirements
Materials and waste	<b>Re-use of materials / controlled wastes</b>	<b>Controlled wastes from Grove Farm (recently deposited materials) and Brook Street historic landfill, are proposed to be re-used within the Scheme under a Waste Recovery Permit (WRP). The remainder of the materials are proposed to be re-used under a MMP.</b>	<b>Controlled wastes and materials records will be collected and maintained throughout the construction of the Scheme, and reported as lines of evidence in the verification report upon the completion of the Scheme. These records are anticipated to include (but not limited to); plans showing excavation and deposition areas; stockpile</b>

ES Chapter	Impact/potential impact	Summary of mitigation	Monitoring requirements
		The controlled wastes and the material streams will require segregation and handling as separate streams, and placement in clearly assigned areas of the sites in line with the WRP and MMP requirements.	management; waste and materials testing to demonstrate compliance with environmental requirements and no unacceptable risks to environmental receptors at deposition locations, etc.



## E.2 Potential changes to the REAC

**Table E.4: Proposed changes to the REAC - Table 1.1: REAC Part 1: Schedule of environmental mitigation commitments (red text is new text)**

Ref	Impact	ES reference	DCO reference	Mitigation commitments	Residual effect (post mitigation) [not significant, neutral, slight/moderate/large adverse, slight/moderate/large beneficial]	Proposed plan reference (e.g. Proposed scheme layout plans, etc)
<b>Noise and vibration</b>						
NV0.1	Construction noise and vibration	Ch 6, section 6.9 TR010029/APP/6.1	Requirement 4	<ul style="list-style-type: none"> <li>Temporary noise barriers or solid fencing will be used for Grove Farm, Maylands Cottages <b>and Putwell Bridge Caravan Park (for Cadent gas works)</b> during construction.</li> </ul>	Not significant	CEMP
<b>Geology and soils</b>						
GS0.6	Impacts to waste and material	Ch 10, section 10.9 TR010029/APP/6.1	Requirement 4	<ul style="list-style-type: none"> <li>Implementation of a Materials Management Plan, <b>Soil Handling Management Plan</b> or Site Waste Management Plan.</li> <li>The quality and quantity of soil on-site will be maintained by implementing appropriate techniques for stripping, stockpiling and reinstatement (in accordance with Defra's 2009 Code of Practice for the Sustainable Use of Soils on Construction Sites).</li> </ul>	See Materials and Waste section	CEMP

Ref	Impact	ES reference	DCO reference	Mitigation commitments	Residual effect (post mitigation) [not significant, neutral, slight/moderate/large adverse, slight/moderate/large beneficial]	Proposed plan reference (e.g. Proposed scheme layout plans, etc)
<b>Materials and waste</b>						
MW0.3	Re-use of controlled wastes	Ch 12, section 12.8 TR010029/APP/6.1	Requirement 4	Develop, obtain approval and implement an environmental permit (Waste Recovery Permit) to re-use controlled wastes from Grove Farm area and Brook Street historic landfill on-site. The CEMP includes the requirements and commitments to segregate the controlled wastes from the other Scheme materials, monitor and record placement and deposition at final location, sample and record data as part of the final verification report.	Neutral	CEMP

**Table E.5: Proposed changes to the REAC - Table 1.2: REAC Part 2: Environmental action plan – Actions required before start of construction (i.e. during detailed design stage or before construction) (red text is new text)**

Ref.	ES ref.	Environmental objective	Action/commitment (including specific locations, if applicable and any assumptions of the action/commitment)	Action/commitment implementation methods (incl. stakeholder agreements)	Required monitoring details	Responsible person	Achievement criteria and reporting requirement	Completion record	Notes/further action
<b>Geology and soils</b>									
GS 1.2	Ch 10, section 10.9	Limit permanent removal of soils during earthworks and foundation construction and reuse of excess materials	A SWMP, MMP and SHMP will be outlined at pre-construction to ensure that measures to reduce the volumes of waste and materials permanently removed from the site are considered whilst planning construction works. <b>It is also proposed that controlled wastes from Grove Farm area and Brook Street historic landfill are re-used under a Waste Recovery Permit (WRP).</b>	Mitigation measures and environmental controls will be included within the CEMP, MMP, <b>WRP</b> , SWMP and SHMP and implemented through the construction phase.	Mitigation measures as set out in the CEMP, MMP, SRMP and SWMP and the SHMP will be monitored during the construction phase.	Principal Contractor/ Designer	SHMP, SRMP, SWMP and CEMP (including an MMP where required).	Initial: Date:	N/A
<b>Materials and soils</b>									

Ref.	ES ref.	Environmental objective	Action/commitment (including specific locations, if applicable and any assumptions of the action/commitment)	Action/commitment implementation methods (incl. stakeholder agreements)	Required monitoring details	Responsible person	Achievement criteria and reporting requirement	Completion record	Notes/further action
MW 1.3	Ch 12, section 12.9	Reduce impacts associated with importing materials and exporting waste through design and planning	<p>Identify nearby sources of materials and suitable local or regional waste management facilities.</p> <p>Consider good practice construction methods and reduce haulage distances and/or need to travel.</p> <p>Maximise re-use of wastes and material generated on-site.</p>	<p>Develop an MMP and SWMP, as part of the CEMP, considering the proximity principle and the social or environmental impacts of transporting waste and materials.</p> <p>Construction Traffic Logistics Management Plan to consider materials and waste transport options based on their sustainability.</p> <p>Re-use controlled wastes from Grove Farm area and Brook Street historic landfill under an environmental permit (Waste Recovery Permit) within a specific</p>	Records related to the re-use of the controlled wastes within the permanent works of the scheme, including (but not limited to): types and volumes of wastes, source and deposition plans, data to demonstrate compliance with environmental	Principal Contractor	<p>Confirmation that a CEMP, SWMP, MMP and Construction Traffic and Logistics Management Plan have been produced and approved by Highways England during the pre-construction phase.</p> <p><b>Approval of the WRP by the Environment Agency</b></p> <p>Details of materials used, imported, and removed from</p>	Initial: Date:	N/A

Ref.	ES ref.	Environmental objective	Action/commitment (including specific locations, if applicable and any assumptions of the action/commitment)	Action/commitment implementation methods (incl. stakeholder agreements)	Required monitoring details	Responsible person	Achievement criteria and reporting requirement	Completion record	Notes/further action
				part of the permanent of the Scheme.	requirements, etc.NA		site (wastes) should be reported in the verification report upon completion of the works, and provided to Highways England, local authority and Environment Agency for approval.		

**Table E.6: Potential changes to the REAC - Table 1.3: REAC Part 2: Environmental action plan – Actions required during construction (red text is new text)**

Ref.	ES ref.	Environmental objective	Action/commitment (including specific locations, if applicable and any assumptions of the action/commitment)	Action/commitment implementation methods (incl. stakeholder agreements)	Required monitoring details	Responsible person	Achievement criteria and reporting requirement	Completion record	Notes/further action
<b>Noise and vibration</b>									
NV 2.1	Ch 6, section 6.9	Limit noise emissions during construction	Temporary noise barriers or solid fencing will be used for Grove Farm, Maylands Cottages and Putwell Bridge Caravan Park (for Cadent gas works) during construction.	Prepare Dust, Noise and Nuisance Management Plan, as part of the CEMP, and consult with local authorities. Agree measures with Highways England, local authorities and local residents.	Maintain noise and vibration monitoring locations throughout construction and report on a monthly basis. Works to be stopped where agreed levels are exceeded until alternative methods to reduce to acceptable levels are developed	Principal Contractor	Daily site audits, Section 61 consent, letter drop, community liaison. Provide monitored data to local authorities. If necessary, agree updated mitigation strategy.	Initial: Date:	Any assessment based on agreed noise and vibration limits with local authorities.



Ref.	ES ref.	Environmental objective	Action/commitment (including specific locations, if applicable and any assumptions of the action/commitment)	Action/commitment implementation methods (incl. stakeholder agreements)	Required monitoring details	Responsible person	Achievement criteria and reporting requirement	Completion record	Notes/further action
<b>Materials and waste</b>									
MW 2.2	Ch 12, section 12.9	Minimise waste generation and impact of wastes arising from the Scheme	Implement good materials management and good practice construction methods to minimise waste generation. Wastes that are generated will be segregated and stored in dedicated areas. All wastes will be managed in accordance with the waste hierarchy. Wastes generated during the construction phase of the Scheme will be sampled and characterised to determine the appropriate waste classification, i.e. inert, non-hazardous or hazardous.	A SWMP will be implemented by the Principal Contractor. The document will identify personnel and their roles and responsibilities relating to waste. This includes maintaining records of waste transfers. All personnel working on the site should be aware of waste management procedures. The Principal Contractor will manage construction, demolition and excavation wastes in accordance with the SWMP.	Waste transfer notes and consignment notes will be kept on record during the construction phase and as required by the legislation. Waste carrier licences and waste management facility permits will be checked to ensure they are authorised	Principal Contractor	Confirmation from the Principal Contractor that the Scheme 'As Constructed' is in accordance with the design. Implement CEMP, MMP and SWMP, with all construction workers aware of measures identified in plans. Monitor through programme of Environmental	Initial: Date:	N/A

Ref.	ES ref.	Environmental objective	Action/commitment (including specific locations, if applicable and any assumptions of the action/commitment)	Action/commitment implementation methods (incl. stakeholder agreements)	Required monitoring details	Responsible person	Achievement criteria and reporting requirement	Completion record	Notes/further action
			<p>Compliance with waste Duty of Care will be ensured to prevent negative environmental impacts arising from handling, storing, transporting and disposing of wastes arising from the Scheme.</p> <p>Transfer of waste off-site will be carried out by a licensed waste carrier and with the appropriate documentation including:</p> <ul style="list-style-type: none"> <li>• a written description of the waste and the waste code;</li> <li>• non-hazardous waste will be accompanied by a transfer note or appropriate season ticket; and</li> </ul>	<p>The Principal Contractor will manage and implement the re-use of controlled wastes from Grove Farm area and Brook Street historic landfill in accordance with the WRP.</p>	<p>to undertake the waste activity.</p> <p><b>Records related to the re-use of the controlled wastes within the permanent works of the Scheme to, include (but not limited to): types and volumes of wastes, source and deposition plans, data to demonstrate compliance</b></p>		<p>I Auditing and Reporting.</p> <p>Records related to the re-use of the controlled wastes within the permanent works of the scheme, including (but not limited to): types and volumes of wastes, source and deposition plans, data to demonstrate compliance with environmental requirements, etc.</p>		

Ref.	ES ref.	Environmental objective	Action/commitment (including specific locations, if applicable and any assumptions of the action/commitment)	Action/commitment implementation methods (incl. stakeholder agreements)	Required monitoring details	Responsible person	Achievement criteria and reporting requirement	Completion record	Notes/further action
			<ul style="list-style-type: none"> <li>hazardous waste will be accompanied by a consignment note.</li> </ul> <p>Checks will be made by the Principal Contractor or waste holder to ensure the receiving facility is authorised to receive the waste and undertake the required waste activity.</p> <p>Where safe and appropriate to do so, road planings may be left in situ to avoid unnecessary generation of hazardous waste arisings requiring disposal. This activity will require an exemption or environmental permit.</p> <p>An appropriate exemption or environmental permit</p>		e with environmental requirements, etc				

Ref.	ES ref.	Environmental objective	Action/commitment (including specific locations, if applicable and any assumptions of the action/commitment)	Action/commitment implementation methods (incl. stakeholder agreements)	Required monitoring details	Responsible person	Achievement criteria and reporting requirement	Completion record	Notes/further action
			will be sought for storing, treating, using or disposing of waste as part of the Scheme. For example, crushing of demolition waste may be required to produce an aggregate which can be used. It is anticipated that controlled wastes from Grove Farm area and Brook Street historic landfill will be re-used within the permanent works of the Scheme, under a Waste Recovery Permit. The re-use of controlled wastes and therefore the area to which the Waste Recovery Permit (WRP) extends is proposed to be a specific designated						

Ref.	ES ref.	Environmental objective	Action/commitment (including specific locations, if applicable and any assumptions of the action/commitment)	Action/commitment implementation methods (incl. stakeholder agreements)	Required monitoring details	Responsible person	Achievement criteria and reporting requirement	Completion record	Notes/further action
			<p>area within the Scheme.</p> <p>A dedicated Waste Manager from the Principal Contractor shall be responsible for all the waste strategy and management measures including segregation, collection, storage, transportation and disposal/treatment of hazardous and non-hazardous wastes arising from the Scheme.</p> <p>The Principal Contractor must ensure that Waste Electrical and Electronic Equipment produced in the construction, demolition and excavation should be segregated and</p>						

Ref.	ES ref.	Environmental objective	Action/commitment (including specific locations, if applicable and any assumptions of the action/commitment)	Action/commitment implementation methods (incl. stakeholder agreements)	Required monitoring details	Responsible person	Achievement criteria and reporting requirement	Completion record	Notes/further action
			managed separately from other wastes.						



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