



Our ref: HE551519-ATK-GEN-XX-LN-ZM-000012

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Mr Richard Allen  
Lead Member Examining Authority  
Planning Inspectorate  
National Infrastructure Planning

By email only

M25j28@highwaysengland.co.uk

9 March 2021

Dear Sir

**M25 junction 28 improvement scheme**  
**Planning Inspectorate reference: TR010029**  
**APPLICATION FOR CHANGE TO AN ACCEPTED DEVELOPMENT CONSENT**  
**ORDER (Changes 1-4)**

Thank you for your Procedural Decision dated 26 February 2021 regarding Highways England's Change Request application [REP3A-002] and your acceptance for examination of Change 1 and Change 4.

**Changes 1 and 4**

At the Issue Specific Hearing 1 held on Wednesday 3 March 2021 Highways England requested a deferral to the date for the submission of the updated draft Development Consent Order, Land plans, Works plans and other documents until the Examining Authority (the ExA) has made its decision regarding the acceptance of Changes 2 and 3. This will enable the relevant documents to be updated to address all accepted changes and will avoid confusion were multiple versions of documents to be submitted to the examination. Furthermore, given that Changes 1 and 2 are co-dependent upon one another, as mentioned in Highways England's Change Request letter [REP3A-002], your decision as to whether Change 2 will be accepted is required in order for Change 1 to be progressed. Highways England is grateful for the Examining Authority's confirmation at the Issue Specific Hearing 1 held on Thursday 4 March 2021 that it is content with this approach.

In relation to Change 4, Highways England wishes to clarify the width of the proposed easement required by Cadent as mentioned in paragraph 6.2.1 of the Report on Proposed Scheme Changes 1-4 [REP3A-030]. Plot 1/8 as shown on the

Land plans in the Proposed Scheme Changes 1-4 Drawings Report [REP3A-031] will accommodate the pipeline diversion and its easement. The easement will be 12.2m wide in total (typically 6.1m either side of the pipeline centreline) and will not encroach upon the burial plots.

## Change 2

In relation to Change 2, Highways England is continuing to pursue the necessary landowner consents and appreciates that if they are not forthcoming then the prescribed procedure under the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 (the 2010 Regulations) will be invoked in respect of Change 2. Should Highways England need to proceed with the notification procedure under Regulation 7 of the 2010 Regulations, it is Highways England's intention, subject to the ExA's views, to give notice under Regulation 7(1)(c) to those persons falling within any of the categories set out in section 57 of the Planning Act 2008. Highways England takes the view that this is only necessary insofar as they are affected by the additional compulsory acquisition sought in respect of Change 2 i.e. those with an interest in plot 1/11a.

Yours faithfully,



Thomas Selby  
Highways England  
Project Manager for the M25 junction 28 improvement scheme