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**To:** [M25 Junction 28](#)  
**Cc:** [REDACTED]  
**Subject:** London Borough of Havering Deadline 5 Submission TR010029 -Response to Applicant's response to LB Havering's Deadline 3b submission (REP4-010)  
**Date:** 13 April 2021 19:58:47  
**Attachments:** [LBHaveringResponsetoREP4-010 - 13042021.pdf](#)

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Dear Planning Inspectorate,

Please find attached the London Borough of Havering (20025659) submission for Deadline 5 for the M25/J28 Improvement Scheme (TR010029). This submission concerns LB Havering's response to the Applicant's response to LB Havering's Deadline 3b submission (REP4-010).

Regards,

Daniel

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Mr Richard Allen  
Lead Member of the Examining Authority

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13<sup>th</sup> April 2021  
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Dear Sir,

**London Borough of Havering (20025659) – Response to Applicant’s responses to LBH Deadline 3B Submission (REP4-010)**

Thank you for the opportunity to comment on the Applicants Responses to the LB Havering Deadline 3B submissions.

Havering notes the comments made by Highways England (HE) (REP4-010) concerning Havering’s Deadline 3B submission and would like to offer the following comments:

**Policy Compliance**

REP3B-006-1

LB Havering updated its position with regards to Policy 22 of the emerging Local Plan at Deadline 4 (REP4-031) stating that should the Applicant produce a Local Training Skills and Job Brokerage Strategy as is required in Policy 22 of the emerging Local Plan, LB Havering would consider the scheme to be in compliance with this policy.

REP3B-006-2

LB Havering notes that the Applicant has submitted at Deadline 4 (REP4-020) an Overlay of Works Plan showing Plot 1/8 and the burial plots at the Gardens of Peace Cemetery. It is further noted that draft Heads of Terms have been sent to the Gardens of Peace Trustees. Should the Trustees be satisfied with the information provided, LB Havering would consider that the scheme is in compliance with LDF policies CP8 and DC27.

REP3B-006-3

It is not considered appropriate for the Applicant to site a scheme that is being progressed outside of the DCO process through Designated Funds as reasoned justification for the scheme being compliant with the Council’s sustainable travel policies.

Furthermore it is concerning that despite the Applicant’s reassurances that funding for the NMU is being pursued through the Designated Funds process, host local authorities have been approached to establish whether any financial contribution can be made to the

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project. LB Havering considers that it is the responsibility of the Applicant to develop a scheme that is compliant with local authority planning policies, and it should not be for host local authorities to have to make a financial contribution towards this.

LB Havering further notes in the Applicant's response to ISH2 Action Points (REP4-026) that it is not the current intention of the applicant to incorporate the NMU scheme within the draft DCO itself. LB Havering would encourage the applicant to reconsider this position.

It is also noted within REP4-026 in response to Action Point 9 that the Applicant is considering the inclusion of a footway/cycle link provision from Brook Street through the circulatory. Havering would welcome this and such a provision would support Policies CP9 and CP10.

#### REP3B-006-4

LB Havering notes that Part Two Procedure for Discharge of Requirements Article 18 has been updated and this is welcome. The wording contained in the updated draft DCO (REP4-009) gives the Council the surety it needs that representations made by consultees will be provided in full to the Secretary of State. The Council agrees with the Applicant that the scheme is now compliant with policy CP 16 Biodiversity and Geodiversity.

#### REP3B-006-5

LB Havering notes and agrees with the Applicant that the scheme is now considered policy compliant with Policies CP18 Heritage and DC 67 Buildings of Heritage and this was reflected in the updated Statement of Common Ground submitted by the Applicant at Deadline 4 (REP4-004).

LB Havering welcomes the discussions with the Applicant on the updated draft Outline Archaeological Management Plan (AMP) and have provided comments on the updated version that is to be submitted by the Applicant at Deadline 5.

#### REP3B-006-6

LB Havering maintains its position as set out in (REP3B-006) that the Applicant should make additional efforts to engage with the residents of the Putwell Bridge Caravan Park.

The Council considers it unacceptable that the most recent communications with the residents have been made in written form, and has made a separate submission at Deadline 5 on this matter.

### **Draft Development Consent Order Amendments**

#### REP3B-006-9

LB Havering have stated within its Written Summary of Oral Submissions (REP4-031) that should the Applicant make clear within the draft DCO that stakeholder consultation comments would be submitted to the Secretary of State, its concerns in relation to the language within some requirements would be considered addressed.

Since the Applicant has made this change within Part Two Procedure for Discharge of Requirements Article 18 of the updated draft DCO (RP4-009), LB Havering confirms that the concerns expressed at Deadline 3B (REP3B-006) with regards to the approval process

for Management Plans contained within Requirements 4 and 10 of the draft DCO have been satisfactorily addressed.

#### REP3B-006-10

LB Havering put forward a suggested amendment to clauses 13, 18, 19 and 22 with regards to Deemed Consent and this was reiterated within the Written Statement of Oral Submissions (REP4-031). It was noted at ISH2 that the Panel would consider the matter. Havering maintains the position as set out in REP4-031.

#### **Traffic assessment and traffic modelling**

#### REP3B-006-11

LB Havering maintains its position as set out at ISH1 and confirmed in its Written Statement of Oral Submissions (REP4-031) that Gallows Corner should be included within the operational traffic model.

#### REP3B-005-12

LB Havering welcomes the production of a draft outline Traffic Management Plan at Deadline 4. LB Havering will comment further on this in response to Written Question TA 2.4, to be submitted at Deadline 5.

#### REP3B-006-13

LB Havering maintains its position with regards to a Code of Construction Practice (CoCP) and that precedent has been set for such as document being prepared and included as part of the Examination. A clear example of this is the draft Code of Construction Practice that has been produced by the Applicant for the Lower Thames Crossing project.

#### Applicant's response to Planning Obligations

#### REP3B-006-15

With regards to the Applicant's comments on the Examination of the Havering Local Plan, it is important to note that the emerging Local Plan has been through an Examination in Public and been through a further round of consultation on Main Modifications.

There has been no request by the Planning Inspector for the need for a Main Modification to Policy 22, and therefore we anticipate that it will be adopted its current form in due course. The Council considers that, significant weight should therefore be afforded to this policy.

Furthermore LB Havering would bring to the ExA attention Policy E11 *Skills and Opportunities for all* contained within the recently published London Plan. LB Havering considers that the production of a Local Training Skills and Job Brokerage Strategy would ensure that the Applicant meets policy requirements of both the adopted London Plan and emerging Havering Local Plan.

With regards to the other Planning Obligations, Havering has submitted an updated position on these at Deadline 4 (REP4-031) which sets out the reasoned justification for such obligations.

Thank you for the opportunity to comment on the Applicant's response to LB Havering's Deadline 3B Submission.

Yours faithfully,



Daniel Douglas,  
**Team Leader Transport Planning**