

## **M25 junction 28 improvement scheme**

**TR010029**

### **9.85 Applicant's comments on Hinson Parry & Company on behalf of Mr and Mrs Jones of Grove Farm's response to ExA WQ2**

Rules 5(2)(q)

Planning Act 2008

Infrastructure Planning (Examination Procedure) Rules 2010

Volume 9

April 2021

# Infrastructure Planning

## Planning Act 2008

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

### M25 junction 28 scheme

### Development Consent Order 202[x ]

---

### 9.85 Applicant's comments on Hinson Parry & Company on behalf of Mr and Mrs Jones of Grove Farm's response to ExAWQ2

---

<b>Rule Number:</b>	Rule 5(2)(q)
<b>Planning Inspectorate Scheme Reference</b>	TR010029
<b>Application Document Reference</b>	TR010029/APP/9.85
<b>Author:</b>	M25 junction 28 scheme, Project Team, Highways England

<b>Version</b>	<b>Date</b>	<b>Status of Version</b>
0	27 April 2021	Deadline 6

# Table of contents

<b>Chapter</b>	<b>Pages</b>
1. Purpose and structure of this response	4
2. REP5-067 Hinson Parry & Company on behalf of Mr and Mrs Jones of Grove Farm Response to the Examining Authority's Further Written Questions	5

## 1. Purpose and structure of this response


- 1.1.1 This document provides the comments of the Applicant, Highways England, in response to Hinson Parry & Company on behalf of Mr and Mrs Jones of Grove Farm's response to ExAWQ2 (REP5-067), submitted to the Examining Authority (ExA) at Deadline 5 (13 April 2021).
- 1.1.2 Highways England has sought to provide comments where it is helpful to the Examination to do so, for instance where a representation includes a request for further information or clarification from Highways England or where Highways England considers that it would be appropriate for the Examining Authority (ExA) to have Highways England's views in response to a matter raised by an Interested Party in its representations. Where issues raised within a representation have been dealt with previously by Highways England, for instance in response to a question posed by the ExA in its first round of written questions or within one of the application documents submitted to the Examination, a cross reference to that response or document is provided to avoid unnecessary duplication. The information provided in this document should, therefore, be read in conjunction with the material to which cross references are provided.
- 1.1.3 Highways England has not provided comments on every point made within the representation (for instance, Highways England has not responded to comments made about the adequacy of its pre-application consultation given that Highways England has already provided a full report of the consultation it has undertaken as part of its application for the Development Consent Order (DCO) and the Planning Inspectorate has already confirmed the adequacy of the pre-application consultation undertaken when the application was accepted for Examination. In some cases, no comments have been provided, for instance, because the written representation was very short, or because it expressed objections in principle to the Scheme or expressions of opinion without supporting evidence.
- 1.1.4 For the avoidance of doubt, where Highways England has chosen not to comment on matters raised by Interested Parties, this is not an indication Highways England agrees with the point or comment raised or opinion expressed.

## 2. REP5-067 Hinson Parry & Company on behalf of Mr and Mrs Jones of Grove Farm Response to the Examining Authority's Further Written Questions

Response reference:	Representation Issue	HE Response
REP5-067-01	<p><b>2.0 GROVE FARM ACCESS PROPOSALS – M25 NORTHBOUND ON-SLIP</b></p> <p><b>2.1</b> The location of the existing Grove Farm access from the M25 northbound on-slip is already a significant departure from highway design standards by its very location close the north- west egress of the roundabout. HE, incorrectly in our opinion, stated at Issue Specific Hearing 1 that the HE Scheme does not affect the existing access to Grove Farm from the M25 northbound slip, therefore no alteration to Grove Farm access is necessary.</p>	<p>With regard to the arrangements for the existing access to Grove Farm, and the access to the new maintenance track from the M25 northbound on-slip road, Highways England maintains its view as set out in the previous responses (REP3A-022 responses REP2-033-7 to REP2-033-32, and REP5-047 responses REP4-036-5 to REP4-036-12) to the Jones Family's written representations submitted at Deadline 2, Deadline 3a, and Deadline 4.</p> <p>Highways England maintains its position that the Scheme has been developed such that it does not affect the arrangements for access to Grove Farm from the M25 northbound on-slip. As such no alteration to the M25 on-slip is proposed between the roundabout and the Grove Farm access, including the existing access itself.</p> <p>Although it would be the case that if proposed now the access would be a departure from highway design standards, this would be because it is a direct access from a connector road, not because of its proximity to the roundabout. It is understood that the access was not a departure from standards when it was originally built.</p> <p>In Highways England's opinion there is no need to adjust this access and no scope to provide a better access pursuant to the Scheme.</p>
REP5-067-02	<p><b>2.2</b> Grove Farm does not accept that the HE Scheme will not have a detrimental effect on the safe operation of the existing Grove Farm access for reasons detailed in our initial Written Representations and Supplementary Representations. The farm access will be located much closer to the new A12 eastbound off-slip at the roundabout compromising highway safety at the entrance which will result in confusion for vehicles travelling behind vehicles left-turn signaling whilst leaving the A12 off-slip, turning left and accelerating onto the northbound M25 on-slip with their left turn indicator still active passing the farm access and vehicles indicating a left turn into the farm but decelerating, all within a much shortened merge length after leaving the roundabout (Ref: PMcL/3396d1/Feb 2021 and Ref: PMcL/3396d2/Mar 2021).</p>	<p><i>Please read in conjunction with response to REP5-067-01 above.</i></p> <p>The Road Safety Audit (RSA) undertaken on behalf of Highways England raised no issues in respect of the existing access to Grove Farm or on the M25 northbound on-slip.</p> <p>The realignment of the A12 eastbound off-slip road does not affect the distance from the exit of the roundabout to the existing access to Grove Farm on the M25 northbound on-slip. As such the Scheme does not affect the current arrangements for traffic signalling and exiting the roundabout to travel to the M25 north or destined for Grove Farm.</p> <p>Therefore, no alteration to the existing Grove Farm access is necessary or advisable in terms of safety.</p> <p>The Grove Farm alternative would relocate the conflict zone from its current location where traffic speeds are slow, to a section of the slip-road where vehicles will be travelling at higher speeds having accelerated further from the exit of the roundabout. At higher speeds there is a reduced reaction time for drivers to avoid conflicts, and the severity of any injury in the event of a collision could be greater.</p>
REP5-067-03	<p><b>2.3</b> Grove Farm considers the alternative proposal to close the existing farm access and relocate to a new farm access a short distance north beyond the electrical sub-station layby will provide a safer access for farm and other businesses on the site and can be combined with the proposed access for HE pond maintenance vehicles and electricity board vehicles providing a safer entrance for all users.</p>	<p><i>Please read in conjunction with responses to REP5-067-01 and REP5-067-02 above.</i></p> <p>The Scheme does not affect the existing access to Grove Farm. Notwithstanding this, Highways England maintains its position that the Scheme is safer for all road users, including Grove Farm related traffic, compared to the alternative proposal submitted by Grove Farm. That is because access to Grove Farm is considered by Highways England to be safer in the existing location where vehicles speeds are lower.</p>

Response reference:	Representation Issue	HE Response
		With regard to proposed access to the maintenance track, Highways England identified a location in the Scheme for maintenance access only. As such it will be used infrequently by trained maintenance professionals. Vehicles using the maintenance access would be liveried with reflective markings, reflective chevrons, and flashing beacons identifying them as maintenance vehicles in accordance with Chapter 8 of the Traffic Signs Manual, the Government's guidance on measures and signing for temporary road works and maintenance. On this basis, Highways England's proposed layout provides a safe means of access to the maintenance track.
REP5-067-04	<p><b>2.4</b> We consider the relocation of the farm access to be a safety improvement, further supported by an independent and leading highway safety consultant Mayer Brown (Ref: PMcL/3396d1/Feb 2021 – Appendix A).</p>	<p>The Scheme has been subject to a Road Safety Audit which raised no safety concerns in this location relating to the existing access to Grove Farm or the proposed maintenance access.</p> <p>Highways England's road safety engineers have reviewed the alternative option put forward on behalf of the Jones Family and have reiterated their concerns that the option proposed by Grove Farm would be unsafe (please see Highways England response REP5-047, in particular REP4-036-5 to REP4-036-12).</p>
REP5-067-05	<p><b>2.5</b> It is confirmed by Grove Farm that Grove Farm requests that the Examining Authority require HE to include in an amended HE Scheme, farm access proposals as shown on <b>Drawing No. REDW-3396-115</b> including the following:</p> <ul style="list-style-type: none"> <li>i) The closure of the existing access to Grove Farm from the M25 northbound on-slip;</li> <li>ii) The construction of a new dedicated auxiliary left-turn lane access to Grove Farm from the M25 northbound on slip road to be shared with the HE service access already proposed for pond maintenance and electricity board vehicles.</li> </ul>	<p><i>Please see responses to REP5-067-01 to REP5-067-04 above.</i></p> <p>Highways England maintains its position that the Scheme has been developed such that it does not affect the arrangements for access to Grove Farm from the M25 northbound on-slip, and that no alteration to the M25 on-slip is proposed between the roundabout and the Grove Farm access, including the existing access itself.</p>
REP5-067-06	<p><b>3.0 GROVE FARM EGRESS PROPOSALS – A12 EASTBOUND OFF-SLIP</b></p> <p><b>3.0</b> Notes from the ExA issued after the Hearing required HE to provide plans at scale 1:1000. HE stated during our online meeting that although plans states 'not to scale', the plans are at 1:1000. HE should provide plans showing correct scale [ExA question - PC2.1].</p>	<p>The 1:1000 plan of Grove Farm using topographical survey has been submitted by Highways England to the ExA at Deadline 5 (REP5-051).</p>
REP5-067-07	<p><b>3.1</b> HE's response to <b>Drawing No. REDW-3396-115</b> raised issues of the impact of our suggested egress onto the A12 eastbound off-slip on tree loss and the effect on the habitats for bats and badgers. We have previously requested a copy of the topographical survey so that the impact of the HE Scheme on Grove Farm can be considered appropriately. Whilst the topographical survey is not needed in the formal planning application documentation, we would expect that the topographical survey could be made available to Grove Farm as an internal document to better inform Grove Farm's response to the HE Scheme proposals [ExA question - LV2.2]. HE also agreed to provide Grove</p>	<p>Highways England continues to engage with owners of Grove Farm and has now provided the CAD file for the proposed new egress which is currently subject to non-statutory targeted consultation. See response REP5-067-08 below.</p>



Response reference:	Representation Issue	HE Response
	<p>Farm with 3D CAD modelling so that implications of road embankments can be considered. No 3D CAD files have been received.</p>	
<p>REP5-067-08</p>	<p><b>3.2</b> HE has confirmed they are assessing the feasibility of providing an amendment to the alignment of the Grove Farm egress. <b>Figure 3.1</b> shows a blue dash of the current potential line of an amended farm egress currently being investigated by HE:</p> <p><b>Figure 3.1 – HE preliminary route for Grove Farm egress</b></p> 	<p>Highways England wrote to the ExA on 13 April 2021 to inform the ExA of its intention to submit a further change request to re-position the egress from Grove Farm onto the A12 eastbound off-slip. The proposed change is currently subject to a non-statutory targeted consultation. Following the consultation, and subject to responses received, Highways England intends to submit a formal change request to the ExA for a re-positioned egress from Grove Farm onto the A12 eastbound on-slip to be included into the examination.</p>

Response reference:	Representation Issue	HE Response
REP5-067-09	<p><b>3.3</b> Grove Farm welcomes this response from HE with regards alteration of the farm egress onto the A12 eastbound off-slip as the relocation of the farm egress will:</p> <ul style="list-style-type: none"> <li>i) Move queuing traffic leaving the site further away from the farmhouses;</li> <li>ii) Allow for the inclusion of a reasonably sized landscaped area between the farmhouse;</li> <li>iii) Allow for the inclusion of suggested noise attenuation barriers;</li> <li>iv) Provide traffic leaving the farm heading south on the M25 with more distance to adequately cross to the right-hand lane when approaching the roundabout.</li> </ul>	<p>Highways England welcomes this positive response regarding the alteration of the egress onto the A12 eastbound off-slip. However, Highways England would point out that noise attenuation barriers are not proposed to be provided for the reasons already given (REP5-067-11 below). With regard to point iv), although it has been possible to propose moving the egress a short distance further to the west in order to address the amenity concerns within Grove Farm and providing screening from the farmhouse, the egress point on the A12 slip road is only a short distance from that included in the dDCO. Highways England considers that it would not be appropriate for the egress to be located any further west for highway safety reasons.</p>
	<p><b>3.4</b> It is confirmed by Grove Farm that all Grove Farm land required for a change request for the amended farm egress proposals onto the A12 eastbound off-slip can be made available to HE for the construction of the amended farm egress. Grove Farm request that the distance between the farmhouse and the egress road be maximised.</p>	<p>Highways England welcomes this confirmation from the representatives of Grove Farm that all Grove Farm land required for a change request for the amended farm egress proposals onto the A12 eastbound off-slip can be made available to Highways England for the construction of the amended egress.</p>
REP5-067-10	<p><b>3.5</b> Grove Farm requests that ExA require HE to include in an amended HE Scheme:</p> <ul style="list-style-type: none"> <li>i) The closure of the current amended egress from Grove Farm to the A12 eastbound off-slip;</li> <li>ii) Construction of a new dedicated egress from Grove Farm to the A12 eastbound off-slip with alteration of on-site roads to suit;</li> <li>iii) Provide Grove Farm with a copy of the CAD topographical survey and CAD 3d survey as an internal document;</li> <li>iv) Provide proposals at scale 1:1000 [ExA question - PC2.1].</li> </ul>	<ul style="list-style-type: none"> <li>i) If the change request for the egress from Grove Farm to the A12 eastbound off-slip is accepted by the ExA and authorised by the DCO as made, then it would be this amended egress that would be constructed and not the egress as currently proposed in the dDCO.</li> <li>ii) The repositioned egress would be authorised by the DCO. No changes of the internal Grove Farm road other than to tie in the new egress would be necessary.</li> <li>iii) Refer to response to REP5-067-07 above.</li> <li>iv) The 1:1000 plan of Grove Farm using topographical survey has been submitted by Highways England to the ExA at Deadline 5 (REP5-051).</li> </ul>
REP5-067-11	<p><b>4.0 PERMANENT NOISE ATTENUATION</b></p> <p><b>4.1</b> The owners of Grove Farm remain concerned that no permanent noise</p>	<p>The noise assessment shows that noise levels at Grove Farm would decrease negligibly with the Scheme in place (Table 6.1 in Appendix 6.3 of the Environmental Statement (ES) (REP5-024)).</p>



Response reference:	Representation Issue	HE Response																																				
	<p>mitigation measures are included in the HE Scheme surrounding Grove Farm. Our <b>Drawing No. REDW-3396- 115</b>, previously issued, showed Grove Farm's suggested location of permanent noise attenuation barriers which would contribute towards the enhancement of Grove Farm's environment and mitigate increased environmental traffic noise brought about by the HE Scheme. HE proposals for additional landscaping or standard visual fencing will not provide any material benefit for traffic noise reduction [ExA question - PC2.3 (ii)]. HE has dismissed any need for noise attenuation barriers based upon their noise assessment and has not worked with Grove Farm with a view to include a noise attenuation barrier in the HE Scheme; only suggesting visual fencing [ExA question - PC2.4 (ii)].</p> <p><b>4.2</b> <b>Figure 4.1</b> shows an extract of our <b>Drawing No. REDW-3396-115</b> showing Grove Farm's suggested line for permanent noise attenuation fence (highlighted in orange):</p> <p><b>Figure 4.1 – Grove Farm's suggested location for noise attenuation fencing</b></p>	<p>As the impacts at Grove Farm are negligible there is no justification for Highways England to provide any permanent noise mitigation at this location given the substantial cost to the public purse that this would involve.</p> <p>Further, the noise assessment shows that the current noise levels at Grove Farm are high, with higher noise levels only occurring at a limited number of other properties within the study area, principally on Colchester Road.</p> <p>At Grove Farm the existing noise levels are dominated by noise from the M25 motorway mainline carriageway, which is elevated above the junction 28 roundabout, and above Grove Farm. The least beneficial noise impact of the Scheme at Grove Farm is on the first floor of the south-east façade, which also has the highest baseline noise levels. The contribution of noise at this receptor, from the different elements of the surrounding road network and the proposed loop road, is indicated in the following table.</p> <table border="1" data-bbox="1537 829 2341 1243"> <thead> <tr> <th>Noise levels in dB LA10,18h 1m from facade</th> <th>Existing (2022)</th> <th>Scheme (2022)</th> <th>Change with Scheme</th> </tr> </thead> <tbody> <tr> <td>M25 carriageway</td> <td>72.1</td> <td>72.0</td> <td>-0.1</td> </tr> <tr> <td>M25 slip roads</td> <td>60.8</td> <td>60.7</td> <td>-0.1</td> </tr> <tr> <td>A12 Carriageway</td> <td>60.0</td> <td>58.4</td> <td>-1.6</td> </tr> <tr> <td>A12 slip roads</td> <td>62.5</td> <td>62.9</td> <td>0.4</td> </tr> <tr> <td>J28 roundabout</td> <td>62.8</td> <td>61.7</td> <td>-1.1</td> </tr> <tr> <td>Proposed loop road</td> <td>-</td> <td>46.9</td> <td>-</td> </tr> <tr> <td>Total noise</td> <td>73.4</td> <td>73.3</td> <td>-0.1</td> </tr> <tr> <td>Total junction</td> <td>66.9</td> <td>66.7</td> <td>-0.2</td> </tr> </tbody> </table> <p>The table shows that noise from the M25 carriageway is approximately 6dB higher than the total noise from the junction (all slip roads, the roundabout and the proposed loop). This in turn illustrates that reductions in noise from any road other than the M25 carriageway would have very limited benefits on the total noise levels at Grove Farm.</p>	Noise levels in dB LA10,18h 1m from facade	Existing (2022)	Scheme (2022)	Change with Scheme	M25 carriageway	72.1	72.0	-0.1	M25 slip roads	60.8	60.7	-0.1	A12 Carriageway	60.0	58.4	-1.6	A12 slip roads	62.5	62.9	0.4	J28 roundabout	62.8	61.7	-1.1	Proposed loop road	-	46.9	-	Total noise	73.4	73.3	-0.1	Total junction	66.9	66.7	-0.2
Noise levels in dB LA10,18h 1m from facade	Existing (2022)	Scheme (2022)	Change with Scheme																																			
M25 carriageway	72.1	72.0	-0.1																																			
M25 slip roads	60.8	60.7	-0.1																																			
A12 Carriageway	60.0	58.4	-1.6																																			
A12 slip roads	62.5	62.9	0.4																																			
J28 roundabout	62.8	61.7	-1.1																																			
Proposed loop road	-	46.9	-																																			
Total noise	73.4	73.3	-0.1																																			
Total junction	66.9	66.7	-0.2																																			
REP5-067-12	<p><b>4.3</b> The HE Scheme will not reduce traffic flows and associated future traffic growth on the new and closer A12 eastbound off-slip or the M25 northbound on-slip both next to Grove Farm. The highlighted noise attenuation barrier shows the fence returning into the site at the existing farm entrance and our</p>	<p>The aim of the Scheme is to improve traffic flow through junction 28 and reduce queueing on the approaches, reducing the need for people to brake and accelerate near Grove Farm, thereby reducing some of the more distinctive elements of road traffic noise. The Scheme includes low</p>																																				

Response reference:	Representation Issue	HE Response
	<p>suggested farm egress. These barrier returns will mitigate against increased noise from traffic flows on the closer A12 eastbound off-slip and the M25 northbound on-slip.</p>	<p>noise surfacing, and is expected to have a negligible impact on Grove Farm compared to a situation without the Scheme.</p> <p>Highways England considers that the performance of the two suggested barrier returns, as indicated on the plan submitted by Grove Farm at Deadline 5 (Figure 4.1 from REP5-067) would not provide effective noise mitigation as the improvement would be less than half a decibel. Particularly, the farm egress is at a lower level than the A12 slip road, and the corresponding lower height of the top of the barrier would have limited potential to reduce noise from the A12 slip road.</p>
REP5-067-13	<p><b>4.4</b> HE's current position on the effect of the HE Scheme on traffic noise is that their noise assessment has established such a significant base level of background noise from the M25 and A12 that the HE Scheme will not produce a material change in traffic noise sufficient to warrant inclusion of physical noise attenuation measures. Mr R Bedson representing Grove Farm at the Hearing referred to his experience in other projects where subsequent post-development noise measurements were greater than the pre-development assessment.</p>	<p>As noted in response REP5-067-11 above, the existing noise levels at Grove Farm are high and are dominated by noise from traffic on the M25 motorway mainline carriageway.</p> <p>Highways England does not agree that post-development noise levels are necessarily greater than the pre-development assessment. Post-opening noise measurements can be shown to vary from forecast levels. For example, for road traffic noise, Highways England would expect noise levels from measurements to be higher than predictions if the road surface is wet, because the calculations assume a dry surface. Equally, the calculations would be expected to be higher than the measurements when the wind blows from the measurement location to the road because the assessment assumes the wind blows from the road to the receptor location. The assessment uses an annual average traffic flow and there would be hour-to-hour, day-to-day and month-to-month variations in traffic giving rise to variations in noise which would not be shown in the predictions. The objective of the assessment is to allow decisions to be made, and the expected changes in noise levels and corresponding impacts of schemes can be compared on a like-for-like basis. It is not to predict the worst case noise levels out of any situation which may occur at a receptor, even though those living near roads are likely to note those more adverse times more than they would note the times when noise levels are lower.</p> <p>Mr Bedson has not provided any substantiation of his experience of noise levels as assessed being inaccurate in practice on other schemes, or the circumstances that arose on those schemes.</p>
REP5-067-14	<p><b>4.5</b> The HE position that noise attenuation is unnecessary runs contrary to the stated ethos of HE to <i>'enhance the environment for people living and working close to our network'</i>. We refer the Examining Authority to HE's own publication 'Protecting the Environment':</p> <p>(<a href="https://highwaysengland.co.uk/media/u20b3kvg/protecting-the-environment.pdf">https://highwaysengland.co.uk/media/u20b3kvg/protecting-the-environment.pdf</a>)</p> <p>The opening statement from Mike Wilson, Executive Director Safety, Engineering and Standards, Highways England within that document states:</p> <p><i>'We're thinking differently too. We now place far greater emphasis on what we can do to <u>enhance the environment</u> for people living and working close to our network.'</i> (Our underlining).</p>	<p>Highways England is taking the steps that are appropriate and proportionate to address the environmental effects of the Scheme on Grove Farm. A change request for the egress of Grove Farm is proposed as well as the provision of visual screen fencing and additional planting. As it has been explained in response REP5-067-13 above the provision of permanent noise barriers at Grove Farm, at considerable expense to the public purse, cannot be justified on the basis of the results of the noise assessment undertaken. The Scheme will improve traffic flows through the junction and reduce queuing at the junction in the vicinity of Grove Farm which will be beneficial to the owners of Grove Farm.</p>

Response reference:	Representation Issue	HE Response
REP5-067-15	<p><b>4.6</b> Grove Farm appreciates that HE is constrained in proposing expenditure for noise attenuation where theoretical noise studies show no material effect from development proposals. However, the HE Scheme provides the opportunity to enhance the environment of Grove Farm and partially mitigate the detrimental effects of the HE Scheme on Grove Farm. The provision of a noise attenuation barrier fully supports HE's own goal to <u>enhance</u> the environment for people living and working close to the HE network and not just retain a detrimental status quo.</p>	Please see response to (REP5-067-14) above.
REP5-067-16	<p><b>4.7</b> Grove Farm requests that the ExA require HE to include an appropriate and visually pleasing noise attenuation barrier as environmental mitigation along the coloured line suggested in <b>Figure 4.1</b>.</p>	<p>Highways England is proposing a 2.5m to 2.8m visual screening fence and additional landscape planting which has been welcomed by the owners of Grove Farm to mitigate the visual impact.</p> <p>With regards to the provision of a noise barrier see the response at REP5-067-13 above.</p>

© Crown copyright (2021).

You may re-use this information (not including logos) free of charge in any format or medium, under the terms of the Open Government Licence. To view this licence:

visit [www.nationalarchives.gov.uk/doc/open-government-licence/](http://www.nationalarchives.gov.uk/doc/open-government-licence/)

write to the Information Policy Team, **The National Archives, Kew, London TW9 4DU**,  
or email [psi@nationalarchives.gsi.gov.uk](mailto:psi@nationalarchives.gsi.gov.uk).

Printed on paper from well-managed forests and other controlled sources.

Registered office Bridge House, 1 Walnut Tree Close, Guildford GU1 4LZ  
Highways England Company Limited registered in England and Wales number 09346363

