



Planning Act 2008 – section 91

Application by Highways England for an Order granting Development Consent for the M25 Junction 28 Improvement Scheme

Hearing	Date and Time	Location
Issue Specific Hearing 3	Wednesday 12 May 2021	Virtual meeting via Microsoft Teams

Issue Specific Hearings

All Interested Parties (IPs) are invited to attend issue specific hearings but it would assist the running of the hearings if notice could be given to the Inspectorate's Case Team (M25Junction28@planninginspectorate.gov.uk) of a wish to participate prior to the hearing by **Friday 7 May 2021**.

Each IP is entitled to make an oral representation at Hearings. However, this is subject to the Examining Authority's (ExA) power to control hearings.

The arrangements conference will commence 30 minutes prior to the start of the Hearing to enable a prompt start. The Hearing will finish as soon as the ExA deems that all those present have had their say and that all matters have been covered.

The agenda is for guidance only. It is not designed to be exclusive or exhaustive. The ExA may add other issues for consideration, may alter the order in which issues are considered and will seek to allocate sufficient time to each issue to allow proper consideration of them. Any lack of discussion of a particular issue at a Hearing does not preclude further examination of this issue, including the asking of Further Written Questions.

Every effort will be made to ensure that the issues will be discussed on the days that they are scheduled for. Should the consideration of the issues take less time than anticipated, the ExA may conclude the hearing as soon as all relevant contributions have been made and all questions asked and responded to.

If there are additional matters to be dealt with or there are submissions that take a considerable amount of time at any hearing, there may be a need to continue the session for longer on the day. Alternatively, it may be necessary to prioritise matters and defer others to Further Written Questions.

Please Note:

In order to ensure timely publication of the agenda, this has been drafted very shortly after the receipt of submissions for Deadline 6. As a consequence, the ExA may need to adjust the agenda at the meeting to allow for responses received at this deadline.



Agenda

Title of Meeting: Issue Specific Hearing 3: Environmental Matters and Draft Development Consent Order

Date: **Wednesday 12 May 2021**

Time: 10:00am

Venue: Virtually via Microsoft Teams

Attendees: Invitees

1. Welcome, introductions, arrangements for the hearing

2. Traffic and Access - Provision for Non-Motorised Users

- 2.1 An explanation of the Designated Funds Scheme
- 2.2 Answers to the questions (TA 2.7) raised by the ExA in Further Written Questions [PD-015] and in the ExA's Rule 17 letter dated 16 April 2021 [PD-017]
- 2.3 The Applicant's proposals for enhancements to the provision for Non-motorised Users (NMUs) within the Order Limits
- 2.4 An explanation of how the enhancement to the provision for NMUs is to be secured in the event that the Designated Funds Scheme application is unsuccessful.
- 2.5 Whether the draft Development Consent Order (draft DCO) [REP6-005] should include provision for the NMU
- 2.6 The adequacy of the outline Traffic Management Plan (TMP)
- 2.7 Following the submission by the Applicant at Deadline 5 of a signposting document: comment on the requirement or otherwise for a Code of Construction Practice (CoCP) to be submitted to the Examination.

3. Noise and Vibration

- 3.1 Whether the Outline Dust Noise and Nuisance Management Plan, submitted as Appendix F of the Construction Environmental Management Plan (CEMP) [REP5-027] is sufficient to deal with construction noise.
- 3.2 The impact of peak noise levels on the occupants of Grove Farm and the contribution of these levels to the cumulative impact on the occupants and whether justification exists for a noise barrier as opposed to a visual barrier.
- 3.3 Whether control of noise should form a separate Requirement in the draft DCO [REP6-005].



4. The Draft Development Consent Order

- 4.1 Schedule 2 and how the proposed measures for Grove Farm including additional planting and the appropriate screening as indicated in the REAC Commitment LV 0.6 and Commitment LV 1.11 [REP5-028] and as the planting is shown on the Engineering Drawings submitted at Deadline 5 [REP5-007] would be secured in the draft DCO [REP6-005].
- 4.2 In respect to Part 5, Articles 31 and 32, Transport for London to explain further its concerns as outline in paragraph 2.10 in its Written Representations at Deadline 6 [REP6-044].
- 4.3 Schedule 2, Requirement 3 and whether wording should be added to ensure that the final designs of structures be subjected to an independent design review (as was the case for the A14 2016 Order).
- 4.4 Schedule 2, Requirement 13(2) and whether Work No 2 should be added.
- 4.5 Transport for London [REP4-038, App A], [REP6-044] and London Borough of Havering [REP4-029], [REP5-061], and [REP6-035] to update the ExA from their respective written submissions and on outstanding concerns with the draft DCO not discussed above.
- 4.6 Updates on the Schedule 9 Protected Provisions for Cadent Gas, Transport for London and (the removal of) Network Rail with updates to be actioned by **Deadline 7, Thursday 20 May 2021**.

5. Matters for Clarification

- 5.1 Biodiversity: Comments from the parties as to the adequacy of the Outline Ecological Habitats and Species Plan (EHSP) and Outline Invasive Species Management Plan (ISMP) submitted at Deadline 6 [REP6-019], having specific regard to Chapter 2 of the EHSP. Confirmation that both documents will be added to the next iteration of the CEMP.
- 5.2 Geology and Soils: In response to the updated Register of Environmental Actions and Commitments (REAC) submitted at Deadline 5 [REP5-028] where it is stated that excavations in certain areas (near exploratory location ATK-092) would not be permitted below a certain depth, and recommends mitigation is risk identified. The Applicant to clarify the estimated extent of gas generating material, identify what material this is likely to be and what would happen if this material is breached by the Proposed Development during any works, and to state when this material is likely to be identified and submitted in a future revised REAC.
- 5.3 Landscape and Visual: The Applicant to confirm its response at Deadline 6 [REP6-013] that it will incorporate the suggested changes advanced by the London Borough of Havering in its response to WQ2 LV 2.4 [REP5-057] to the outline Landscape and Ecological Management Plan (LEMP) [APP-072]. Applicant to confirm the tree loss and replacement numbers as specified in paragraphs 5.2.6 and 6.1.2 of the Arboricultural Method Statement submitted at Deadline 5 [REP5-040].



- 5.4 People and Communities: Either Luddington Gold Ltd, Glebelands Estates Ltd (or the Applicant on their behalf) to confirm whether Maylands Golf Course will be responding to our Procedural Decision letter [PD-018] response to the Applicants Change Request 7 [REP6-002]. Applicant to confirm whether the tri-party agreement with the Gardens of Peace Muslim Cemetery will be submitted into the Examination.
- 5.5 Statements of Common Ground (SoCG): Applicant to update the ExA on the completion timescales of the outstanding SoCGs as indicated in the Statement of Commonality for SoCGs submitted at Deadline 5 [REP5-032].

6. AOB

7. Action points arising from the Hearing

8. Close

Invited attendees:

All IPs are welcome to attend the Hearing. However, representatives for the following parties are specifically requested to attend because the ExA considers that the material that they have submitted raises issues that the ExA may wish to explore at the hearing:

- The Applicant;
- The London Borough of Havering;
- Brentwood Borough Council;
- Essex County Council;
- Transport for London;
- Representatives of Grove Farm;
- Representatives of the Maylands Golf Course.