

## M25 junction 28 improvement scheme

TR010029

### 9.98 Applicant's comments on the London Borough of Havering's Deadline 6 submissions

Rule 8(1)(c)(ii)

Planning Act 2008

Infrastructure Planning (Examination Procedure) Rules 2010

Volume 9

May 2021

# Infrastructure Planning

## Planning Act 2008

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

### M25 junction 28 scheme

### Development Consent Order 202[x ]

---

### 9.98 Applicant's comments on the London Borough of Havering's Deadline 6 submissions

---

<b>Rule Number:</b>	Rule 8(1)(c)(ii)
<b>Planning Inspectorate Scheme Reference</b>	TR010029
<b>Application Document Reference</b>	TR010029/APP/9.98
<b>Author:</b>	M25 junction 28 improvement scheme Highways England

<b>Version</b>	<b>Date</b>	<b>Status of Version</b>
0	20 May 2021	Deadline 7

# Table of contents

<b>Chapter</b>	<b>Pages</b>
1. Purpose and structure of this response	4
2. REP6-030 Applicant's response to the Gardens of Peace Written summary of hearings	5
3. REP6-031 London Borough of Havering response to REP5-042	6
4. REP6-032 London Borough of Havering response to Environmental Statement and CEMP	10
5. REP6-034 London Borough of Havering response Applicant's Signposting document (REP5-052)	17
6. REP6-036 London Borough of Havering recommendations for Noise Mitigation at Grove Farm	21
7. REP6-037 London Borough of Havering update on Emerging Local Plan	25

# 1. Purpose and structure of this response

- 1.1.1 This document provides the comments of the applicant, Highways England, in response to London Borough of Havering's representations (submitted to the Examining Authority (ExA) at Deadline 6 (27 April 2021) namely;
- Response to Applicant's response to the Gardens of Peace Written summary of hearings (REP6-030)
  - Response to Applicant's responses to London Borough of Havering's Deadline 4 Submissions (REP6-031)
  - Response to Environment Statement Chapter 6 Noise and Vibration, associated appendices and outline CEMP (REP6-032)
  - Response to the Applicant's Signposting document (REP6-034)
  - Recommendations for noise mitigation for Grove Farm (REP6-036)
  - Update on London Borough of Havering Emerging Local Plan (REP6-037)
- 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. REP6-030 Applicant's response to the Gardens of Peace Written summary of hearings

Response reference:	Question	Highways England Response
REP6-030-02	LB Havering would seek clarification as to whether this temporary car park is to be located outside of the Order limits and would advise that if this is to be the case, Planning Permission from the Local Planning Authority would be required.	<p>Highways England confirms that the temporary car park will be located outside of the Order Limits and that planning permission from the Local Planning Authority is required. Highways England considers that the planning application would be considered favourably by London Borough of Havering given its short term nature and it being ancillary to the pipeline diversion.</p> <p>A draft plan has been issued to the London Borough of Havering to seek their views on the necessary planning consent required. As outlined in paragraph, 6.1.18 of Highways England ISH3 oral submission (TR010029/EXAM/ 9.96), Highways England confirms that the proposed temporary car park is outside the Order Limits and stated that Highways England is happy to submit the planning permission application to London Borough of Havering.</p>

### 3. REP6-031 London Borough of Havering response to REP5-042

Response reference:	Question	HE Response
REP6-031-01	<p>LB Havering remains of the view that an additional Requirement should be drafted to provide surety that residents are protected from noise during construction. Whilst it is noted and welcomed that any comments Havering makes on the final CEMP will be recorded and sent to the Secretary of State (Amended Requirement 18 of draft DCO) there is no guarantee for Havering that comments concerning noise matters made on the final CEMP will be addressed by the SoS to the satisfaction of the Council.</p>	<p>Highways England remain of the view that the DCO as drafted ensures that appropriate noise mitigation will be in place to protect residents during construction. The Secretary of State will be aware of all comments made on the draft CEMP following consultation on that document and will be able to consider whether the mitigation proposed is adequate prior to approving the final CEMP.</p>
REP6-031-05	<p>The Council remains concerned that a number of factors will need to be met (such as obtaining land access) if this timetable is to be achieved and for trial trenching to take place during the Examination in May 2021. An additional Requirement in relation to Archaeological trenching is seen as necessary so that the Council can have surety that the trenching will take place before commencement of the scheme, if it is</p>	<p>It has now been agreed between Highways England and London Borough of Havering that a requirement to secure this work is not required. This is detailed in section 8.1 of the Statement of Common Ground between London Borough of Havering and Highways England (TR010029/EXAM/9.8(2)).</p>

Response reference:	Question	HE Response
	unable to take place during the Examination.	
REP6-031-06	LB Havering retains its position that the phrase substantially in accordance with should be removed from Requirements 4, 9, 10 and 11 as set out in its response to the updated draft DCO at Deadline 5 (REP5-061).	Highways England would again note that the term 'substantially' is both proportionate and precedented and the Secretary of State has expressly supported the term (see para 34 of the Secretary of State's decision letter on A1 Birtley to Coalhouse Scheme). This term simply provides the necessary flexibility in bringing forward this nationally significant infrastructure project following detailed design. The Secretary of State would be made aware of any concerns London Borough of Havering would have on the final documents were they to be considered to be not 'substantially in accordance' which would be in breach of the requirement and the DCO under s161 of the Planning Act 2008.
REP6-031-07	LB Havering welcomes the submission of a signposting document by the Applicant at Deadline 5 and will be responding to this at Deadline 6.	Please refer to Highways England's response in section 5 of this document.
REP6-031-08	LB Havering welcomes the detail for how emergency services will be able to access the A12 eastbound off-slip during construction works. Whilst it is noted in the Outline Traffic Management Plan submitted at Deadline 4 (REP4-013) that emergency services will be a key stakeholder, Havering would encourage the ExA to seek	Highways England's appointed principal contractor will liaise with the emergency services when preparing the final Traffic Management Plan (TMP) to ensure that they are happy with the proposed approach for access during construction works as set out in para 2.3.46 of the outline TMP (TR010029/EXAM/9.52(1)). The Principal Contractor will also have regular traffic management meetings with the emergency services during the construction works.

Response reference:	Question	HE Response
	assurances from the emergency services that they are happy with the proposed approach to accessing the road during works.	
REP6-031-09	LB Havering remains concerned about the impact any temporary closure of the A12 Eastbound off-slip will have on local residents and the diversion that this would entail.	Please refer to Highways England responses to REP3A-041-1 (REP3B-003) and last paragraph of REP4-032-01 (REP5-043).
REP6-031-10	Havering would also reiterate the point made in REP5-057 in response to Written Question TA 2.4 that the outline Traffic Management Plan as drafted does not seek the closure of the A12 eastbound off-slip on a temporary basis. The position of the A12-eastbound off- slip should be clarified in the updated version of this document.	The Outline TMP has being amended to include the proposed overnight closure of the A12 eastbound off-slip and the associate temporary diversion, please see Table 2-4 of the Outline TMP submitted at deadline 7 (TR010029/EXAM/9.52(1)).
REP6-031-15	Havering retains its position on Deemed Consent as set out in REP4-031 and reiterated at Deadline 5 (REP5-061)	With regard to the principle of 'deemed consent' please see paragraph 4.1.5 of the written submission of Highways England's case put orally at the Issue Specific Hearing 2 (ISH2) on the dDCO held on 5 March 2021 (REP4-017).



Response reference:	Question	HE Response
REP6-031-16	Havering retains its position on Articles 13 and 18 (2c) as set out in its Deadline 5 submission (REP5-061)	Highways England maintains the position set out in the response to Action point 2 of Highways England's Response to Actions from ISH 2 (REP4-026) and would reiterate that this is a well precedented provision and reference to 'authorise the use as a parking space of any road' is in every Highways England DCO.
REP6-031-17	Havering retains the position set out at Deadline 4 (REP4-031) with regards to section 106 agreements and how's these meet the tests set out in paragraph 56 of the National Planning Policy Framework (NPPF).	With regard to paragraph 56 of the National Planning Policy Framework (NPPF), the Scheme and the associated mitigation measures proposed are sufficient to make the Scheme acceptable in planning terms as explained in section 5.20 of the Case for the Scheme (APP-095). In addition, paragraph REP3B-006-15 of Highways England's response to London Borough of Havering Deadline 3b submission (REP4-010) demonstrates that the policies quoted by London Borough of Havering are not directly relevant to the Scheme. The request for financial obligations therefore do not meet the tests set out in paragraph 56 of the NPPF.
REP6-031-18	Havering has submitted to the ExA correspondence that clarifies the position with regards to the status and relevance of it Local Plan policies to its request for section 106.	Please refer to Section 7 of this document.

## 4. REP6-032 London Borough of Havering response to Environmental Statement and CEMP

Response reference:	Question	HE Response
REP6-032-01	<p><b>6.1 Environmental Statement Chapter 6: Noise and Vibration</b></p> <p>Paragraph 6.6.1 – LB Havering would suggest that it should be stated that work between 23:00 and 07:00 (overnight) will be accompanied by a relevant S61 agreement for the duration of the works, with the Local Planning Authority.</p>	<p>The Outline Construction Environmental Management Plan (CEMP) (REP5-027) already states in section 5.3 that works taking place outside normal working hours (06:00-19:00) will be agreed through a Section 61 application. Section 5.3 notes that works between 06:00 and 07:00 will exclude noisy works.</p>
REP6-032-02	<p>LB Havering would suggest that the Applicant should consider the language used in paragraphs 6.8.14 and 6.9.11 to ensure there is consistency across Chapter 6 of the Environment Statement, the Register of Environmental Actions and Commitments (REP5- 028) and Appendix F of the outline Dust, Noise and Nuisance Management Plan (DNNMP) (REP5-027).</p> <p>Paragraph 6.8.14 States: ‘To avoid any perceptible vibration from ground compaction at Grove Farm, no vibratory rolling within 20 m is recommended as outlined in section 6.9.11’.</p>	<p>Following a meeting with London Borough of Havering on 6 May 2021, Highways England will revise Chapter 6 of the Environmental Statement, the noise sections of the Outline CEMP, the Register of Environmental Actions and Commitments (REAC) and the Outline Dust, Noise and Nuisance Management Plan (NNMP) in respect of the recommendations made on vibration mitigation measures to ensure greater clarity and consistency in the language used, in particular as to the expectations at Grove Farm. It is expected that this work will be completed no later than Deadline 9 and the proposed changes will be shared with London Borough of Havering as they become available.</p>

Response reference:	Question	HE Response
	<p>6.9.11 States: 'Dead rolling is recommended for all ground compaction works within 20 m of the receptors to avoid perceptible vibration, particularly adjacent to Grove Farm'.</p> <p>Paragraph 2.5.2 of the DNNMP states. 'Piling will be carried out with the method that minimises both noise and the transmission of vibration to sensitive receptors.</p> <p>Furthermore Table 1.1 of the REAC (Ref NV0.1) states: 'Vibratory rolling to be avoided within 20m of Grove Farm'.</p> <p>LB Havering would suggest that the wording must be clearer for the compaction works within 20m of Grove Farm. Ground compaction works within 20m of Grove Farm will use Dead Rolling methods only, to minimise noise and vibration affecting the residents of Grove Farm.</p>	
REP6-032-08	<p>LB Havering would suggest that the following bullet points can be added to paragraph 6.9.8:</p> <ul style="list-style-type: none"> <li>All plant within the compound should have white noise reversing warning alarms as opposed to the 'beeper' type.</li> </ul> <p>Compound layouts should be used to screen static plant e.g. diesel generators</p>	<p>Reversing alarms are covered in the bullets in 2.5.2 in the Outline CEMP (REP5-027) which states that "As far as reasonably practicable noise from reversing alarms will be controlled and limited".</p> <p>Noise control by altering layouts are covered in REAC NV2.1, which states "avoiding operation of noise generating plant and equipment close to noise-sensitive buildings as far as practicable". The Outline DNNMP also indicates in paragraph 2.5.2 that "Local hoarding, screens or barriers will be erected to shield particularly noisy activities".</p>

Response reference:	Question	HE Response
	and storage areas from the nearest noise sensitive receptors	<p>Highways England will update the bullet point in the Outline DNNMP in the next iteration about reversing alarms to be more specific about types of reversing alarms.</p> <p>However, Highways England considers that the controls on the design of compound layouts as described are sufficient to minimise noise impacts at receptors as far as practicable.</p>
REP6-032-09	Paragraph 6.9.10 – The inclusion of a temporary noise barrier at Putwell Bridge Caravan Park is welcome.	Noted.
REP6-032-10	Paragraph 6.10.13 – LB Havering would suggest that any major construction works within 20m of Grove Farm should be accompanied with a relevant S61 agreement to minimise impact from noise and vibration.	<p>The Outline CEMP (REP5-027) explains that Section 61 applications will be made for any works outside the normal working hours (paragraph 5.3.3), this includes those near Grove Farm and that Section 61 applications will be made for any works which are considered noisy (paragraph 5.3.1). In this context Highways England consider that construction impacts with potential to be significant would be “noisy”, as discussed at Issue Specific Hearing 3 (ISH3) and noted in paragraphs 4.1.6 and 4.1.7 in Highways England’s written summary of ISH3 (TR010029/EXAM/9.96).</p> <p>Section 61 applications will be made for all out-of-hours works, including those near Grove Farm.</p> <p>It is acknowledged that the performance of the noise mitigation during construction (outlined in the REAC, commitment NV0.1, page 6 (REP5-028)) is important in ensuring that significant effects do not occur at Grove Farm. For this reason, Highways England is proposing to install a continuous noise monitor at Grove Farm for the duration of the works</p>

Response reference:	Question	HE Response
		<p>to assist with verifying the performance of the mitigation measures and the avoidance of potentially significant effects.</p> <p>Given that the mitigation proposed for Grove Farm is expected to prevent potentially significant effects during construction, it is not anticipated that there will be a need to apply for a Section 61 consent for daytime works near Grove Farm.</p>
REP6-032-11	Table 6.20 - LB Havering would recommend that long-term continuous noise and vibration monitoring is undertaken at Grove Farm throughout the construction phase of the project	Highways England is proposing to install a continuous noise monitor at Grove Farm for the duration of the works. The requirement for a continuous noise monitor at Grove Farm will be included in Table 12.1 of the updated Outline CEMP submitted at a future deadline, and the Outline DNNMP updated with this detail.
REP6-032-12	LB Havering would recommend that short-term manned noise monitoring should be scheduled for other receptors e.g. Maylands Cottages, Putwell Bridge, Gardens of Peace, 17 Colchester Road and 12 Craven Garden experiencing adverse impacts during the day.	<p>Noise monitoring at other locations will be defined in section 2.6 of the DNNMP by the Principal Contractor in consultation with the local authority when more details about the construction programme become available.</p> <p>Highways England would expect noise monitoring locations to be focussed on those areas with potential for adverse or significant effects.</p>
REP6-032-13	LB Havering would suggest that S61 agreements should include monitoring details and that Havering should agree details prior to these works starting.	Highways England will define proposals for noise monitoring within the DNNMP, secured under Requirement 4 of the draft DCO. When the Principal Contractor applies for a Section 61 consent, noise monitoring requirements in connection with the activities covered in the Section 61 application will be included.

Response reference:	Question	HE Response
REP6-032-14	Paragraphs 6.5.15 - 6.5.19 – LB Havering would suggest that there should be a margin of error published for the noise model and some documented correlation between the noise model and published levels or the baseline measurements.	See response to REP6-032-15 below. As discussed at the meeting with London Borough of Havering on 6May 2021, Highways England will amend the Noise and Vibration Chapter (REP5-014) to cover this point, and an updated version will be submitted by Deadline 9. Drafts of the changes would be shared with London Borough of Havering as they become available.
REP6-032-15	<p><b>6.3 Environmental Statement Appendix 6.3: Noise sensitive receptors</b></p> <p>The noise model uses the correct standards but there appears to be receptor noise level discrepancies between the baseline measured, and DEFRA and noise model predicted levels. Clarification on this point has previously been requested at a meeting between LB Havering and the Applicant.</p>	<p>The details of the baseline noise measurements are given in Appendix 6.1 of the ES (APP-053). The measurements at Grove Farm are reported in Table 6.8 of the Noise and Vibration Chapter (page 24 of REP5-014) to be 66dB LA10,18hr. The photo on page 7 of Appendix 6.1 shows that the measurement point is a freefield location (away from any reflecting surfaces other than the ground) between the house and the garage, and near to one of the other dwellings identified. As discussed at ISH3 and noted in paragraph 4.1.10 of Highways England's written summary of ISH3 (TR010029/EXAM/9.96), the reported results from the noise model are calculated levels 1m from the façade of the building, so they do not represent the same thing.</p> <p>The reported results in Table 6.1 in Appendix 6.3 (page 6, REP5-024) show levels of 73dB LA10,18hr for the first floor. Predicted levels are higher than measured because of the façade reflection and reduced soft ground attenuation for the first floor result. The Defra noise maps (Figure 6.2, REP5-021) show a level of around 70dB LAeq,16hr for this location, which is a freefield first floor level. LAeq numbers are typically a couple of dB lower than the LA10 numbers. All of the three different data sources for Grove Farm are within a few decibels of each other, and</p>

Response reference:	Question	HE Response
		<p>this gives confidence in the assessment of current and future noise levels at Grove Farm.</p> <p>Highways England do not consider these differences to be discrepancies.</p>
REP6-032-17	<p><b>Environmental Statement Appendix 6.4: Noise Nuisance</b></p> <p>LB Havering is satisfied that the correct methodology from DRMB Table A1.3 has been used for the assessment of noise nuisance from the Scheme.</p> <p>The assessment of noise nuisance is not to be confused with nuisance in Statutory documents e.g Environmental Protection Act 1990. This use of nuisance is an estimation of the perception of traffic noise based upon research and previous data. It therefore does not necessarily reflect the exact situation 'on the ground' for receptors surrounding this scheme.</p>	<p>The differences between an individual's response to noise and the average community response was discussed at ISH3 and noted in paragraph 4.1.15 of Highways England's written summary of ISH 3 (TR010029/EXAM/9.96)</p> <p>The assessment is designed to capture the effects of the Scheme to those 'on the ground' rather than any actions those people may take in response to those effects.</p>
REP6-032-18	<p>LB Havering would suggest that an explanatory note should follow 6.1.1 of Appendix 6.4 stating this measure is a perception of road traffic nuisance and not based upon comparison against numerical values. The same explanatory note should</p>	<p>See REP6-032-17 (above). As discussed at the meeting with London Borough of Havering on 6 May 2021, it was agreed that an amendment to the ES was not needed to address this. With regard to noise all matters are agreed as per section 12 of the Statement of Common Ground (SoCG) with London Borough of Havering (TR010029/EXAM/9.8(2)).</p>



Response reference:	Question	HE Response
	be added after 6.5.15 in the 6.1 Environmental Statement Chapter 6: Noise and Vibration.	
REP6-032-20	<p><b>Appendix F: Outline Dust Noise and Nuisance Management Plan (DNNMP)</b>            LB Havering welcomes the Dust Risk Assessment that has been added to the DNNMP.</p> <p>Concerning Table 3.2, Havering is of the view that there is insufficient clarity on the specific mitigation measures which are only stated as “likely” measures, and do not appear to be linked to the risk assessment. Havering is concerned that the monitoring of effectiveness of these measures is left to the principal contractor.</p>	<p>Table 3.2 in the Outline DNNMP has been amended to remove the word ‘likely’ from the title and will be titled ‘Table 3.2: Control measures to be implemented during the construction activities and residual risks’. This update will be included in the next iteration of the Outline DNNMP that sits in Appendix F of the Outline CEMP.</p> <p>the SoCG with London Borough of Havering submitted at Deadline 7 has been updated to reflect this (TR010029/EXAM/9.8(2)).</p>



## 5. REP6-034 London Borough of Havering response Applicant's Signposting document (REP5-052)

Response reference:	Question	HE Response
REP6-034-01	<p>LB Havering has reviewed the Signposting Document prepared by the Applicant in response to Written Question GQ 2.2 and TA 2.1. The ExA wished for clarification as to how this Signposting Document aided the understanding of the difference between a Code of Construction Practice (CoCP) and the current outline CEMP.</p> <p>The current Signposting document does not provide an understanding as to why a CoCP is not required. The principles of a CoCP are not discussed, instead the Signposting document illustrates the interdependencies between the various outline documents including the proposed management plans. LB Havering sees this a major omission in terms of this Signposting document.</p>	<p>Highways England has engaged with London Borough of Havering during the preparation of the DCO application on draft versions of the Outline Construction Environmental Management Plan (CEMP) and Register of Environmental Actions and Commitments (REAC).</p> <p>Highways England has consulted on the suitability of the Outline CEMP and REAC on 17 April 2020 before the formal DCO application submission was made to the Planning Inspectorate on 26 May 2020.</p> <p>London Borough of Havering's response to this consultation did not suggest that a Code of Construction Practice (CoCP) document would be most appropriate. In addition, none of the other statutory environmental bodies have raised issues on the suitability of the Outline CEMP or REAC.</p> <p>Highways England is using the Design Manual for Roads and Bridges (DMRB) standards, which are widely used for this type of scheme. In relation to the development of the Outline CEMP, this Scheme has adopted IAN 183/14, IAN 183/16 (W), which recently has been replaced by LA120 guidance.</p> <p>Highways England's view is that the Outline CEMP and REAC are appropriate and no other DCO requirements are needed for the Scheme. For clarity, the Examining Authority's request for a signposting document in questions GQ 2.2 and TA 2.1 (REP5-052) was to 'demonstrate the interdependencies between the subject</p>

Response reference:	Question	HE Response
		<p>matters covered by the outline CEMP, REAC and Management Plans and transport plan' and seeks to direct as to where all of the relevant information, which may be found in a CoCP, is located within the documents before the examination. Rather than to provide an explanation of the 'difference between a Code of Construction Practice (CoCP) and the current outline CEMP' or 'why a CoCP is not required'. Furthermore, as noted at the ISH3 on 12 May 2021 (Agenda item 2.7), it is Highways England's view that the Outline CEMP is sufficiently detailed for this stage in the process and the final version will be even more detailed and effectively does the same job as a CoCP. It is not therefore necessary or appropriate for Highways England to produce another document that overlaps with that one.</p>
REP6-034-02	<p>The Traffic Management Plan (TMP) is not seen to be linked to the outline CEMP which Havering believes to be important with particular regards to matters of pollution and community engagement. LB Havering would strongly advise that this link is made in the process and reflected in the document.</p> <p>In the paragraphs dealing with transport interdependencies, no reference is given to the waste and materials movements. This omission highlights the Applicant's lack of appreciation of what a CoCP deals with as waste and materials handling and</p>	<p>Section 2.3 of the Outline TMP has been updated to ensure the final TMP will take into consideration the mitigation measures described in the Outline CEMP (REP5-027) and REAC (REP5-028). The revised Outline TMP (TR010029/EXAM/9.52(1)) is submitted at Deadline 7. Regarding Waste and Materials requirement 4(2) of the dDCO requires the CEMP to include a Site Waste Management Plan.</p>

Response reference:	Question	HE Response
	<p>movements form a critical component of a CoCP.</p>	
REP6-034-03	<p>It is noted that a Workforce Travel Plan (WTP) will be prepared for the final Traffic Management Plan which is welcome. LB Havering would wish to see the WTP provided for scrutiny under this Examination. The WTP is an important element of the CoCP.</p> <p>One of the key benefits of a CoCP is that it brings together all the processes of ; general site management, neighbour engagement, transport (deliveries and collections, management of the areas around the work compounds for non-motorised users, parking management, contractor low emission vehicle use requirements), permitted hours of working (with permits), noise and vibration notices, dust and air quality.</p>	<p>It would be premature to prepare a Workforce Travel Plan prior to preparation of the Final TMP. This is because the most appropriate and effective measures to be included in the Workforce Travel Plan cannot be decided upon until working methods, workforce composition, where the workforce will be drawn from, sub-division of works by sub-contractor and appointment of sub-contractors have all been confirmed, which will not take place until after the close of the DCO examination.</p> <p>The CEMP required to be approved by the Secretary of State under requirement 4 of the DCO will provide a comprehensive set of environmental controls thereby performing the same functions as a CoCP.</p>
REP6-034-04	<p>Community Engagement is a fundamental element of the CoCP. The scope of the community engagement, the methods and techniques to be employed, the duration of the works, the cumulative impacts of any</p>	<p>As discussed at ISH3 on 12 May 2021, an Outline Community and Engagement Plan will be submitted as part of the Outline CEMP, at Deadline 8.</p> <p>Highways England is not intending to produce both a CEMP and a CoCP in relation to the Lower Thames Crossing project.</p>

Response reference:	Question	HE Response
	<p>construction sites operating in the vicinity needs to be included in the CoCP.</p> <p>LB Havering recognises that the Outline REAC provides some information on some of these matters but wishes to reiterate that HE is currently preparing a CoCP for their Lower Thames Crossing Scheme, so a precedent has been set by Highways England on this matter.</p>	
REP6-034-05	<p>In the absence of a CoCP that can be examined during this Hearing, Havering would wish that a pre commencement requirement is included in the Draft Development Consent Order (dDCO) that will include for the production of a Site Construction Management Plan. The Site Construction Management Plan should provide a summary of the management, monitoring and auditing procedures to ensure compliance with the CoCP.</p>	<p>Highways England does not agree with the need of a pre-commencement requirement for a Site Construction Management Plan. The Outline CEMP and REAC are robust and provide appropriate environmental control measures for the Scheme.</p>

## 6. REP6-036 London Borough of Havering recommendations for Noise Mitigation at Grove Farm

Response reference:	Question	HE Response
REP6-036-01	<p>Construction noise will have a negative impact at Grove Farm both day and night. The principal mitigation measure proposed by the Applicant is a temporary barrier to screen and remove line of sight between the receptor and the working plant. This is welcomed and supported by LB Havering and all works that have a negative impact on any LB Havering receptors should be accompanied by relevant s61 agreements.</p>	<p>The environmental assessments undertaken and set out in Chapter 6 (REP5-014) of the ES do show there will be a negative noise impact from construction activities at Grove Farm. Mitigation is proposed, see NV0.1, on page 7 of the REAC (REP-5-028)) to minimise those impacts and avoid potentially significant effects.</p> <p>The Outline CEMP explains that Section 61 applications will be made for any works outside the normal working hours (paragraph 5.3.3), this includes those near Grove Farm and would cover any night-time works. The Outline CEMP also notes that Section 61 applications will be made for any works which are considered noisy (paragraph 5.3.1). Highways England consider that activities giving rise to potentially significant effects would be considered noisy. The mitigation proposals avoid potentially significant effects, and as such there is not considered to be any need to apply for Section 61 consents for works during the daytime.</p> <p>Highways England is proposing to install a continuous noise monitor at Grove Farm for the duration of the works to help with this verification process. The noise monitoring requirement will be included in Table 12.1 of the updated Outline CEMP submitted no later than Deadline 9.</p>
REP6-036-02	<p>The scheme will result in the A12 eastbound off-slip road moving significantly closer to the residential dwelling Grove Farm.</p>	<p>Changes in overall road traffic noise levels at Grove Farm have been shown to be negligible, i.e. smaller than 1dB. The traffic on the M25 mainline carriageway which runs elevated through the junction is the</p>

Response reference:	Question	HE Response
	Despite the closeness of the new road, the operational noise assessment concludes that the noise levels at Grove Farm may fall following scheme operation because of a low noise road covering used on new and re-surfaced carriageways.	one of the key contributor to the noise levels experienced by Grove Farm residents. This was explained in REP5-067-11, Highways England's response to Hinson Parry & Company submission on behalf of Mr and Mrs Jones of Grove Farm (REP6-012).
<b>REP6-036-03</b>	Overall daily average noise levels may fall but Grove Farm will be subject to louder transient maximum noise sources e.g. motorcycles, HGVs and cars with aftersales exhaust systems. Short term maximum levels may be lost in consideration of 18h average noise levels only. These transient sources may subject Grove Farm to more frequent maximum noise levels starting at 06:00.	Changes in overall noise levels at Grove Farm have been shown to be negligible, i.e. smaller than 1dB. The design of the Scheme improves traffic flows at the junction which should mean fewer vehicles making 'louder transient' noises such as accelerating and braking. It is acknowledged that transient noises from vehicles on the A12 slip road move closer to Grove Farm with the Scheme, but similar noises from vehicles on the junction 28 roundabout remain in the same position as they currently are.  As explained in paragraphs 4.1.11 to 4.1.13 in Highways England's written summary of ISH3 (TR010029/EXAM/9.96) transient noise from vehicles at the junction will be masked by the continuous noise of traffic on the M25 running elevated through the junction.
<b>REP6-036-04</b>	It is noted in representation REP5-067 that the owners of Grove Farm remain concerned that no permanent noise mitigation measures are included in the scheme near Grove Farm. LB Havering shares these concerns.	No permanent noise mitigation measures are proposed near Grove Farm as the assessments undertaken show that the Scheme will give rise to negligible changes in noise once operational. As such, there is no perceptible adverse impact generated by the Scheme which requires mitigation.

Response reference:	Question	HE Response
		Changes in noise smaller than 1dB are negligible, and the results at Grove Farm can be seen to be smaller than 1dB in Tables 6.1 and 6.2 of Appendix 6.3 (REP5-024).
REP6-036-05	LB Havering recommends a permanent acoustic barrier 2m above the final carriageway height along the A12 eastbound off-slip road around to the Grove Farm entrance. The barrier can be painted green and planted on the Grove Farm side to soften the view and provide additional vegetative cover.	<p>Highways England has estimated the performance of a 2m noise barrier along the A12 eastbound off-slip around to the Grove Farm entrance, as noted during ISH3. A 2m high noise barrier in this position would change the overall noise levels at Grove Farm by less than half a decibel as noted in paragraph 4.1.13 in Highways England written summary of ISH3 (TR010029/EXAM/9.96). The noise levels at Grove Farm are dominated by the traffic on the M25 carriageway, which would not be screened by a barrier in this location. The overall impact of the Scheme would remain negligible if a noise barrier were to be constructed in this location.</p> <p>Given that there would be no change in noise impacts from a noise barrier in this location Highways England disagree with London Borough of Havering's recommendation.</p>
REP6-036-06	The benefits of the barrier will be to provide physical separation between motor vehicles and Grove Farm, provide visual interruption between source and receiver, which can reduce psychological awareness of a source, reduce maximum noise levels from short term transient events and subject to the vegetation planting filter vehicle exhaust air pollutants.	<p>A visual screening fence is proposed to be provided for Grove Farm instead of a noise barrier and this will be added to the next iteration of the REAC. The visual screen is explicitly secured under requirement 5(3)(g) of the DCO submitted at Deadline 7 (TR010029/APP/3.1(6)).</p> <p>Physical separation and visual interruption would be provided by the proposed visual screen. The visual screening of traffic by the fence is also likely to help reduce psychological awareness, and the reduced awareness may lead to perceptions of improved noise conditions, even if there were no change in noise levels.</p>



Response reference:	Question	HE Response
REP6-036-07	LB Havering has indicated in previous representations including REP5-061 the need for an additional requirement in the draft DCO to ensure residents are protected from construction noise.	Highways England believe that the controls as set out within the current draft DCO give adequate protections for nearby receptors from construction noise, including Grove Farm. See paragraphs 4.1.1 to 4.1.7 in Highways England's written summary of ISH3 for a summary (TR010029/EXAM/9.96)



## 7. REP6-037 London Borough of Havering update on Emerging Local Plan

Response reference:	Question	HE Response
REP6-037-01	<p>London Borough of Havering (20025659) – Update on London Borough of Havering Emerging Local Plan</p> <p>LB Havering would like to submit to the Examining Authority (ExA) a representation concerning its emerging Local Plan.</p> <p>London Borough of Havering is aware that the Applicant has commented on the “soundness” of the emerging Havering Local Plan in recent submissions to the Planning Inspectorate (PINS).</p> <p>At Deadline 4 (REP4-010) the Applicant states in point REP3B-006-11 <i>“It should be noted that the examination of the Havering Local Plan is not concluded and its adoption is subject to an assessment of its general conformity with the recently published London Plan”</i>. The Applicant raised this point again in relation to point REP3B-006-15 where it further states <i>“Notwithstanding this, as noted in point REP3B-006-11</i></p>	<p>Highways England welcome the clarification from the London Borough of Havering and would re-iterate that due consideration has been given to the policies within the emerging Havering Local Plan as set out in section 5.3 of the Case for the Scheme (APP-095) including Policies 22 and 23 referenced in this response.</p>

Response reference:	Question	HE Response
	<i>above, the examination into the soundness of the Havering Local Plan is not concluded”.</i>	

© 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

