

M25 junction 28 improvement scheme

TR010029

9.105 Applicant's comments on Jane Allan's response to the Rule 17 request

Rule 8 (1)(k)

Planning Act 2008

Infrastructure Planning (Examination Procedure) Rules 2010

Volume 9

May 2021

Infrastructure Planning

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The Infrastructure Planning (Examination Procedure) Rules 2010

M25 junction 28 scheme

Development Consent Order 202[x]

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Rule Number:	Rule 8(1)(k)
Planning Inspectorate Scheme Reference	TR010029
Application Document Reference	TR010029/EXAM/9.105
Author:	M25 junction 28 scheme, Project Team, Highways England

Version	Date	Status of Version
0	20 May 2021	Deadline 7

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1. Purpose and structure of this response

- 1.1.1 This document provides the comments of the applicant, Highways England, in response to Jane Allan's Response to the Examining Authority's Rule 17 Letter requesting further information about provisions for Non-Motorised Users (NMUs) (REP6-042) submitted to the Examining Authority (ExA) on or before Deadline 6 (27 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. REP6-042 Jane Allan response to the Examining Authority's rule 17 letter

Response reference:	Question	Highways England Response
REP6-042-01	<p>I am unhappy with the Applicant's proposal not to upgrade pedestrian and cycle provision in the area during this project.</p> <p>Pedestrian and cycle access in this area is currently severely compromised and extremely dangerous- this would be even worse if access for NMUs was not dealt with by the Applicant.</p> <p>This scheme is supposed to improve permanent NMU routes by installing safer pathways and crossing points.</p> <p>It is unacceptable to rely on a designated funds scheme which is not I believe signed, sealed and delivered?</p> <p>It is imperative to local residents that these arrangements are defined within the DCO to avoid unnecessary delays and cause further disruption after the M25j28 scheme is finished.</p> <p>A defined collaborative (Applicant and designated funds scheme) approach should be established where possible. If this is not possible the Applicant should fulfil their original proposals and deliver on this aspect</p>	<p>Highways England has now received approval to the wider designated funding scheme related to enhanced NMU provisions between Harold Hill and Brentwood. Highways England notified the ExA of this in a letter dated 7 May 2021 (AS-041).</p> <p>Highways England set out in its letter of 7 May 2021 that it is proposing to enter into a planning obligation with (or given to) the London Borough of Havering under section 106 of the Town and Country Planning Act 1990 to secure that the central section of the integrated NMU scheme (i.e. as it passes through the junction) will be delivered alongside the DCO Scheme.</p> <p>Highways England also confirmed orally at Issue Specific Hearing 3 (ISH3) that the elements of the designated fund NMU scheme which fall within the order limits for the Scheme will be delivered alongside the Scheme. A detailed description of the designated fund Scheme is also provided in paragraphs 3.1.12 of the written summary of ISH3 (TR010029/EXAM/9.96). For further information as to delivery and cost of the NMU improvements see Highways England's response to action point 2 from ISH3 (TR010029/EXAM/9.97).</p>

Response reference:	Question	Highways England Response
	during the construction phase as this scheme is suppose to improve accessibility, connectivity and reduce severance for all concerned- not just vehicles.	

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

