

M25 junction 28 improvement scheme

TR010029

9.117 Applicant's comments on Grove Farm's Deadline 7 submission

Rule 8(1)(k)

Planning Act 2008

Infrastructure Planning (Examination Procedure) Rules 2010

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M25 junction 28 scheme

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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 Hinson Parry & Company on behalf of Mr and Mrs Jones of Grove Farm comments on the proposed development (REP7-043) submitted to the Examining Authority (ExA) on or before Deadline 7 (20 May 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. REP7-043 Hinson Parry & Company on behalf of Mr and Mrs Jones of Grove Farm Deadline 7 submission.

Response reference:	Representation Issue	Highways England Response
REP7-043-01	<p>We note that there has been a change 8 submitted whereby the egress is moved westerly away from the main farmhouse by a further 25m. We welcome this amendment subject to appropriate landscape mitigation and noise attenuation barriers being constructed. It is acknowledged that the length of the egress will extend from 50m to 87m, but it will move traffic away from the farmhouse. We welcome the additional tree planting on both sides of the realigned egress and although long term could provide additional visual screening, this will not reduce the noise impact over the short to medium term while these trees mature over the next 15-20 years. Furthermore, trees do not provide noise attenuation unless a buffer of at least 100ft wide is planted with dense species and again the benefit of these would take an extended amount of time to be realised.</p>	<p>Highways England welcomes confirmation from the representatives of Grove Farm that the repositioning of the egress from Grove Farm onto the A12 eastbound off slip (Change 8) is supported albeit conditionally. The ExA has submitted its response to the proposed change request submitted by Highways England at Deadline 7 (REP7-029) and is requesting views from the owners of Grove Farm, and other Interested Parties, as to the materiality of Change 8 by Deadline 8 before making a decision on whether the change is to be formally accepted.</p> <p>With regard to landscape mitigation, Highways England welcomes Grove Farm's support for the additional tree planting proposed by Highways England as shown on the change request drawings submitted at Deadline 7 (REP7-030) and that it could (or in Highways England's view would) provide long term additional visual screening.</p> <p>The proposed woodland planting alongside the repositioned egress mainly functions to provide visual mitigation to impacts from views of traffic and biodiversity mitigation to offset the associated loss of woodland. It has not been designed for noise mitigation as the space in question is insufficient to achieve this function.</p> <p>With regard to noise attenuation, please see response to REP6-041-17 in (REP7-024) which sets out Highways England position</p>

Response reference:	Representation Issue	Highways England Response
		that a noise barrier is not required. Highways England is taking the steps that are appropriate and proportionate to address the environmental effects of the Scheme on Grove Farm.
REP7-043-02	<p>Interlinking with this Grove Farm requests that ExA requires HE to include in an amended HE scheme:</p> <ol style="list-style-type: none"> 1. The closure of current amended egress from Grove Farm to the A12 eastbound off-slip 2. Construction of a new dedicated egress from Grove Farm to the A12 eastbound off-slip with alteration of on-site roads to suit. 	As part of Change 8 there will be a new dedicated egress from Grove Farm to the A12 eastbound off-slip as requested. This will replace the amended egress as proposed in the DCO application.
REP7-043-03	<p>Additionally, Grove Farm requests that the ExA rectify the Scheme proposals for Grove Farm to provide a safer access and to direct HE to include a further design change to the Scheme to provide the amended farm access proposal shown on Redwood Partnership Drawing No. REDW-3396-115 including the following alterations:</p> <ol style="list-style-type: none"> 1. i) The closure of the existing access to Grove Farm from the M25 northbound on-slip; 	Please see Highways England response to REP6-041-11 in (REP7-024) which sets out Highways England position. Highways England maintains its position with regard to the amended farm access proposal from the M25 on slip road as also set out in (REP5-047) and (REP6-012).

Response reference:	Representation Issue	Highways England Response
	<p>2. 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.</p>	
<p>REP7-043-04</p>	<p>Grove Farm welcomes the response from HE with regards alteration of the farm egress onto the A12 eastbound off-slip. However, Grove Farm requests that the ExA should direct the HE to provide a noise attenuation barrier instead of the 'visual screen' currently proposed and extend the noise attenuation barrier further north on the M25 northbound on-slip and further north into the farm egress as shown on Fig 3.2 within our submission at Deadline 6.</p>	<p>See response to REP7-043-01 above.</p>
<p>REP7-043-05</p>	<p>The 3m visual fencing will require substantial foundations to ensure these remain secure, incurring a cost as part of the scheme, however altering the barrier to noise attenuation will have a greatly positive benefit to the residents which will outweigh the increase in cost for this amendment.</p>	<p>Please see Highways England response to REP6-041-15 set out in REP7-024.</p>
<p>REP7-043-06</p>	<p>Serious consideration has to be had for the physical and mental wellbeing of the residents at Grove Farm, it cannot be merely shrugged off that the area was already noisy and therefore nothing needs to be taken into account. The proposed road is moving within 20m of the main dwelling and although the noise and vibration figures may not show a</p>	<p>Highways England has given consideration to the physical and mental wellbeing of the residents at Grove Farm throughout the development of the Scheme. Whilst it is acknowledged that noise levels at Grove Farm are high, the Scheme does consider health and wellbeing of residents and proposes a visual screen to mitigate the predicted adverse visual impact, and also help</p>

Response reference:	Representation Issue	Highways England Response
	<p>substantial change on paper, we have to take a sympathetic view on the mental and physical health of individuals impacted by this scheme.</p>	<p>reduce psychological awareness of the relocated slip road. Highways England notes that the ExA has suggested a specific requirement for Grove Farm in the dDCO which Highways England has commented on at Deadline 8 (TR010029/EXAM/9.109). As noted at Issue Specific Hearing 3 (ISH3) (REP7-018), paragraph 4.1.13, Highways England consider that a noise barrier in this location would not change overall noise levels as these are dominated by traffic on the elevated M25 carriageway.</p> <p>As a matter of accuracy, the proposed road is not moving to within 20m of the main dwelling but is being moved approximately 20m towards Grove Farm but will be approximately 30m from the main house.</p>
<p>REP7-043-07</p>	<p>We have previously supplied plans that show before and after the proposed works and the fact that they move substantially closer to the house cannot be ignored. Furthermore HGV lorries will always use the lane closest to the house as they travel along the road therefore increasing the noise and vibration further. We also refer to the case mentioned within the last Site Specific hearing known as the Tom's case (Toms V The Secretary of State for Transport 2011) whereby the noise levels demonstrated within scientific calculations did not reflect what was happening in reality and the tribunal agreed that the residents were indeed negatively impacted by the noise created by the Channel Tunnel Rail Link.</p>	<p>Highways England has provided responses to these points at Deadline 7 in the response to Grove Farm's Deadline 6 submission (REP6-041-14, REP7-024) and these were also discussed under agenda item 3.2 of Highways England's written summary of the ISH3 (REP7-021).</p>

Response reference:	Representation Issue	Highways England Response
REP7-043-08	<p>We note the Applicant proposes noise reduction surfacing approaching the J28 roundabout from the A12 eastbound off-slip, however this material has a 6-10 year life (depending upon supplier and location) then it loses its noise reduction properties, probably 6 years in this location as cars will be applying their brakes. Is the Applicant intending to re-surface every 6 years?</p>	<p>Research by the Transport Research Laboratory (TRL Report TRL674) has shown that the expected life of a thin surface wearing course system is typically 10 to 12+ years. There is no particular reason to suppose that the surfacing in this location will need to be replaced within 6 years but in any event the surfacing will be replaced when it is deemed to be at the end of its structural life.</p>
REP7-043-09	<p>Additionally, the stop line at the roundabout from the A12 eastbound off-slip will be traffic signal controlled. As part of the detailed design at least the first 50 metres from the stop line will have buff coloured anti-skid surfacing applied on top of the noise reduced surfacing. This anti-skid surface will not have noise reducing properties in a location exactly opposite the farmhouse where traffic noise from the A12 eastbound off-slip is the highest.</p>	<p>The requirements for the provision of high friction surfacing (HFS) are set down in the DMRB design standards CD 236 and CS 228. The need for HFS is based upon the investigatory level and traffic at design life measured in commercial vehicles per lane per day. For the forecast traffic near Grove Farm, HFS is not required and as such, will not be provided.</p>
REP7-043-10	<p>Finally, we refer to Highway England's published ethos on enhancing the environment of living near the roads which includes low-noise road surfacing, noise barriers and offering free noise insulation to homes that are the worst affected by noise. I would hope that we all agree that the relocation closer makes Grove Farm clearly one of the worst affected sites by noise. Traffic flows since M25 was built are significantly higher now and will continue to rise over time. These proposals provide an excellent opportunity to enhance the living environment of Grove Farm by the inclusion of noise attenuation fencing.</p>	<p>Highways England has provided a response to this point at Deadline 6 in the response to Grove Farm's Deadline 5 submission (REP5-067-14, REP6-012) and in the response to Grove Farm's Deadline 6 submission at Deadline 7 (REP6-041-14, REP7-024).</p>

2.1 Mr and Mrs Jones experience of current 'peak' noise levels/events

Response reference:	Representation Issue	Highways England Response
REP7-043-14	<p>It is going to be hard enough for us all here on a daily basis whilst the project is carried out on our property and the surrounding area and we think we deserve as much protection as possible during the works and thereafter.</p> <p>Tree planting is all well and good but takes a long time to mature, probably not in mine or my husbands life times, so physical noise prevention/sound barrier/road surface is imperative to our continued family life.</p> <p>From our experience the depth of trees planted between us and the road has to be substantial to make any impact and of course this takes 10-15 years to make any difference. Also in the Winter the trees will have less of an impact than in the summer.</p>	<p>See response to REP7-043-01 above.</p>
REP7-043-15	<p>Revving of engines, screeching of brakes, use of car horns, sirens etc, all of the elements we understand from the site specific hearing cannot be calculated and have been discounted as part of the average noise figures. We feel if these are being ignored we are not being given the fair right to noise mitigation.</p>	<p>There are no standard ways of calculating the specific noise from intermittent peak noises from traffic, however the time varying aspect of noise is considered. The calculation assesses the point where noise levels are higher than this for 10% of the time. The noise levels at Grove Farm are around 73dB LA10, which means that for 90% of the time noise levels are less than 73dB, and for 10% of the time noise levels are above 73dB. The 10% of the time above 73dB includes the intermittent peak noises from vehicles including varying engine noise. These types of noise are considered in the assessment, but they are not specifically quantified.</p>

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REP7-043-16	<p>We are concerned about our mental wellbeing with this increased and the road coming to within 20 metres of our property.</p> <p>We will struggle to have the windows open during the day and evenings when trying to sleep.</p> <p>The toll this will have on our mental health cannot be ignored purely because everyone thinks it was noisy before. It might have been but we have tried for years to reduce the noise, now for more land to be taken and get closer to us.</p>	See response to REP7-043-06 above.
REP7-043-17	<p>We understand from the documents published that they are proposing to put noise dampening tarmac on the road in front but this won't last forever with all the stopping and starting from the traffic lights at the top of the junction.</p> <p>Who is responsible for repairing it in the future??</p>	See response to REP7-043-08 above.
REP7-043-18	<p>This is why we need as a minimum the noise barrier around the front of our properties if not the side as well, our bedroom windows face directly on to the new proposed slip road.</p> <p>The noise will also impact our grandchildren's lives as we have previously mentioned</p> <p>Above. Young children should not be faced with increased noise such as is expected to be faced with.</p>	With regard to noise attenuation, please see response to REP6-041-17 in (REP7-024) which sets out Highways England position that a noise barrier is not required and explains why this is the case. Highways England is taking the steps that are appropriate and proportionate to address the effects of the Scheme on Grove Farm.

Response reference:	Representation Issue	Highways England Response
REP7-043-19	<p>If a visual barrier is already being proposed which will need large foundations we cannot see how a noise barrier would be much more in the overall cost of the scheme.</p>	<p>Please see Highways England response to REP6-041-15 set out in REP7-024.</p>
REP7-043-20	<p>Security is also of importance to us and we would like to see the proposals for security during the works and on completion. At the moment we have the river and field and fencing</p> <p>To protect us from unwanted intruders and security gates, these will all be gone.</p>	<p>During the construction works, security measures may include hoarding, gates, motion detector cameras and security personnel. The security position as regards Grove Farm throughout the construction and once it has been completed will be equivalent to the current position if not improved. The detail of these arrangements will be discussed with the landowner.</p>
REP7-043-21	<p>Up until now we have been more than helpful in allowing Highways England and their representatives access to our property over the last few years for surveys, some of which have been carried out at unsociable hours and expect the same courtesy when assessing our situation.</p> <p>We hope that you can consider and sympathise with our situation and give us what we are asking for.</p>	<p>Highways England very much appreciates the cooperation Grove Farm has given Highways England and its contractors in providing access over the years for surveys.</p>

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