

M25 junction 28 improvement scheme

TR010029

9.121 Applicant's comments on the Environment Agency's Deadline 8 submission

Rule 8(1)(k)

Planning Act 2008

Infrastructure Planning (Examination Procedure) Rules 2010

Volume 9

June 2021

Infrastructure Planning

Planning Act 2008

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/APP/9.121
Author:	M25 junction 28 scheme, Project Team, Highways England

Version	Date	Status of Version
0	30 June 2021	Deadline 9

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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 the Environment Agency's Deadline 8 submission (REP8-030) submitted to the Examining Authority (ExA) on or before Deadline 8 (9 June 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. REP8-030 Environment Agency's Comments on the Examining Authority's Consultation draft Development Consent Order and comments on the Proposed Development

Response reference:	Question	Highways England Response
REP8-030-03	<p>We note the request from the Examiner for a new requirement (no.23 on the schedule of changes to the draft DCO (REP7-003) for a Code of Construction Practice (CoCP). Given we would naturally have an interest in the construction practices as they relate to protecting the water environment, we would wish to be consulted on this. This would also ensure a level of consistency between our review and comments on the Construction Environmental Management Plan, Landscape Environmental Management Plan and CoCP. With the applicant's agreement we would like to be listed as a specific authority to be consulted on this requirement. We are happy to discuss with the applicant if necessary. This should conclude our comments on the draft DCO but we will check the final version at Deadline 9 when available.</p>	<p>Highways England remains of the view set out in (REP8-010) that a CoCP is not necessary as the requisite information is provided within the Outline CEMP (REP5-027) and REAC (REP5-028). However, were the Secretary of State to include a requirement for a CoCP in the Order <u>Highways Order</u> <u>Highways</u> England is content for the Environment Agency to be a consultee.</p>

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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