

26 August 2022

MALDON DISTRICT COUNCIL

Princes Road
Maldon
Essex CM9 5DL

www.maldon.gov.uk



Ms Allen
Case Manager
The Planning Inspectorate
National Infrastructure Planning
Temple Quay House
2 The Square
Bristol BS1 6NP

Enquiries to: Paul Dodson

Email: [REDACTED]

Ref TR010060

Served by e-mail only to:

A12ChelmsfordA120@planninginspectorate.gov.uk

Dear Ms Allen

Planning Act 2008 (as amended) - Section 55 Application by National Highways for an Order Granting Development Consent for the A12 Chelmsford to A120 Widening

Scheme adequacy of consultation request

Thank you for your letters of 9 August and 16 August 2022 informing us of the submission of the DCO and requesting representations on the adequacy of consultation. Our comments are provided by 29 August 2022 as requested, although as this is a Bank Holiday in England, the response is being supplied three days earlier.

Maldon District Council (the Council) will comment upon the pre-application stage of the DCO process and if the Applicant, National Highways, (NH) has complied with their duties under the Planning Act 2008 and as set out in the Applicant's submitted Consultation Report:

- Section 42 – Duty to consult
- Section 47 – Duty to consult the local community
- Section 48 – Duty to publicise

Section 42

The Council is consulted as a statutory consultee and 'host authority'. The submitted Consultation Report (TRO10060 5.1) comprehensively and chronologically sets down all the engagements and consultation, statutory and non-statutory, undertaken since 2017 by the Applicant.

Section 47

The Council can confirm it was contacted by the Applicant to comment on the Statement of Community Consultation.

Section 48

The Council believes that the duty to publicise has been met with adverts in relevant local newspapers.

To conclude, the Council is satisfied that NH has carried out adequate pre-application consultation on the DCO application in line with Sections 42, 47 and 48 of the Planning Act 2008.

Other Concerns

Whilst the Council has no grounds to challenge whether the Applicant has met their legal duties, it does however raise concerns that despite the consultation and engagement undertaken, this Council's expectations and concerns have not been fully addressed or considered by NH prior to the statutory consultation process and after it.

It has been markedly difficult to engage meaningfully with NH on matters pertaining to the authority of Essex County Council as the District's Highway Authority that manages the local road network connecting to the strategic road network and the A12 to A120 Widening (the project). Maldon District Council has raised a number of concerns consistently on behalf of its residents and businesses that rely on the local road network to connect to the strategic road network, many of whom would have not been directly contacted by the NH as Applicant.

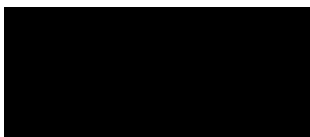
NH seem to have deemed the residents and businesses in the Maldon District, that rely on the local road network to connect to the strategic road network, to be unaffected directly by the project, and consequently the scope of their consultation has not reached those in the Maldon District that will be impacted by the project. These are residents and businesses in Maldon, the District's principal town and Heybridge, as a main settlement adjacent to Maldon which have the District's largest employment area, many businesses within which rely on the strategic road network to access their markets and supply chains. Both settlements have housing and employment growth approved in the Development Plan since 2017 when this project started, which uses Maldon Road as the principal access to the A12, via Hatfield Peverel.

The Council has consistently made the point that the local road network to and from the strategic road network needs an improved connection to reduce congestion on the local road network and impacts on a neighbouring authority area in Hatfield Peverel. The Council does not feel that the opportunity has been adequately taken at pre-application and pre-design stage, despite continuous concerns raised, to address a better connection from the local road network to the project in collaboration with Essex County Council, as the Highway Authority, via engagement and consultation.

Of particular concern, is a clear inconsistency of approach to the project where certain components along the route offer improvements to the local road network connections and others do not; despite thorough consultation and engagement with the Council raising these issues during the pre-application stage, via statutory consultation and re-design following supplementary consultation.

The Council looks forward to engaging constructively and proactively with the Planning Inspectorate during the DCO Examination and is open to exploring how its outstanding objections can be resolved.

Yours sincerely

A solid black rectangular box used to redact the signature of Paul Dodson.

Paul Dodson
Director of Strategy, Performance & Governance