

A12 Chelmsford to A120 widening scheme

TR010060

9.10 Applicants Response to Open Floor Hearing 1

Rule 8(1)(k)

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A12 Chelmsford to A120 widening scheme
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Applicants Response to Open Floor Hearing 1

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1 Applicant's responses to Representations made Open Floor Hearing 1: 12 January 2023 at 2pm

1.1 Introduction

- 1.1.1 Open Floor Hearing 1 for the A12 Chelmsford to A120 Widening Scheme (DCO) application was held at Witham Public Hall Collingwood Road, Witham CM8 2DY on Thursday 12 January 2023, commencing at 2pm. Attendance was possible virtually on Microsoft Teams as well as in person.
- 1.1.2 The Examining Authority (ExA) invited the Applicant to respond to matters raised at the Hearing but also in writing following Open Floor Hearing 1.
- 1.1.3 This document summarises the responses made at Open Floor Hearing 1 by the Applicant and addresses the representations made by Affected Parties, Interested Parties and other parties attending.
- 1.1.4 The Applicant has responded to the topics raised by each of the attending parties in the sequence that the ExA invited them to speak. It provides cross-references to the relevant application or examination documents in the text below.
- 1.1.5 The Applicant has provided on section 2 of this document a list of actions captured during the Open Floor Hearing, where relevant the applicant has provided a response to those actions.
- 1.1.6 Where it assists the Applicant's responses, the Applicant has appended additional documentation to this response document. These are:
- Appendix OFH1A: Explanation of Traffic Model Changes

1.2 Post-hearing submissions in response to matters raised at Open Floor Hearing 1 (OFH1)

Ref:	Comment/ Representation by:	Questions/Issues Raised at OFH1	Applicant's Response at the OFH1	Applicant's Written Response
1.	ExA	<p>The ExA detailed the formal purpose for the hearing - for parties to be heard. It is an opportunity for the ExA to hear first-hand the views and experiences of Interested Parties. At the end of the hearing there is an opportunity for the Applicant to respond.</p> <p>The ExA requested that be contributions be kept as focused as possible and limited to between 5 and 10 minutes. Parties are able to submit written versions of their submissions by Deadline 1.</p> <p>The ExA reminded parties that the DCO process is primarily a written process.</p>	-	-

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	Essex County Council			
2.	Billy Parr on behalf of Essex County Council	<p>Essex County Council, as host authority, has a significant interest in the Scheme. Junctions 19 to 25 are wholly within Essex County Council's boundary and passes through 7 parish councils and 4 district councils.</p> <p>Essex County Council is a large local authority with responsibility for 5000 miles of road in Essex as well as the role as planning authority and education authority.</p>	-	-
3.	Billy Parr on behalf of Essex County Council	<p>Essex County Council (ECC) has been engaging with the Applicant and other stakeholders. Overall discussions have been constructive and cooperative. In principle, ECC supports the project and the need for it.</p>	-	<p>The Applicant notes and welcomes ECC's support for the proposed scheme and the need for it.</p> <p>The Applicant agrees with ECC's analysis of discussions to date.</p>

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4.	Billy Parr on behalf of Essex County Council	<p>ECC considers that substantial changes are required to make the scheme acceptable and to mitigate negative impacts of the scheme and minimise impact on local communities and take advantage of opportunities the scheme presents.</p> <p>The Applicant has made some changes in response to things that stakeholders have asked for. However, changes have been modest.</p>	-	<p>The Applicant welcomes ECC's acknowledgement that changes to the proposed scheme have been made following consultation. The Applicant believes the current scheme design is justified and appropriate and sufficiently minimises impacts on local communities.</p> <p>The Applicant will continue to engage with ECC to discuss ECC's remaining concerns.</p>
5.	Billy Parr on behalf of Essex County Council	<p>The Strategic Road Network is dependent on the local highway network for which the Local Highway Authority, here Essex County Council, is responsible. This means that the interface between the Strategic Road Network (SRN) and the local highway network is important. It is essential that the junctions work both for the Strategic Road Network and the local highway</p>	-	<p>The Applicant believes the interfaces proposed between the SRN and the local highway network has been sufficiently and appropriately designed throughout the proposed scheme. Whilst not agreeing with ECC the Applicant will continue to explore ECC's concerns with ECC.</p>

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		network. That is currently not the case with the scheme proposals.		
6.	Billy Parr on behalf of Essex County Council	Essex County Council want to maximise benefits of the scheme and minimise negative impacts. Where there are adverse impacts on local networks, Essex County Council want these to be mitigated as far as possible.	-	The Applicant believes the proposed scheme provides a sensible and appropriate level of mitigation of the negative impacts that are perceived as potentially arising. Whilst not agreeing with ECC the Applicant will continue to explore ECC's concerns with ECC.
7.	Billy Parr on behalf of Essex County Council	Essex County Council believe that there are a number of key outstanding issues: 1. Approach to detrunking - 2 sections of A12 are to be detrunked for Essex County Council to operate and maintain. Essex County Council do not agree with current proposals and think that	-	Whilst not agreeing with ECC the Applicant will continue to explore ECC's concerns with ECC. The Applicant awaits ECC's further written submissions. Meetings with ECC have taken place subsequent to OFH1.

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		<p>there is better alternative that should be proposed.</p> <ol style="list-style-type: none"> 2. Arrangement and impacts at proposed Junctions especially J24 and J21. New junctions relocated from current locations. 3. Impact on the B1137 particularly through village of Boreham 4. Amendments to draft DCO provisions to better cover Essex County Council's interest. 5. Construction impacts and management of road works <p>Essex County Council will provide its views in writing to inform the examination</p>		
8.	Billy Parr on behalf of Essex County Council	The need for post opening monitoring of scheme impacts with a minimum traffic and air quality. If monitoring indicated an unanticipated negative impact, the Applicant should work with Essex County Council to address that.	-	The Applicant will await ECC's further written submissions. It has agreed to undertake a Dust Management and Control Plan during construction including visual inspections, which is a commitment captured in the REAC [APP-185]. Further details regarding implementation and management of the plan, are under discussion.

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		<p>Another issue for us is the need, we think, for post opening monitoring of the scheme impacts. So we think there needs to be at a minimum traffic monitoring of the impact of the scheme and ideally, air quality monitoring as well coupled with a commitment and this is quite important from national highways that if that monitoring indicates that the scheme is having an unanticipated adverse impact on the network, that they will work with us and other stakeholders to do something about that.</p>		
	<p>Messing Cum Inworth Parish Council</p>			
9.	<p>Andrew Harding on behalf of Messing Cum Inworth Parish Council</p>	<p>Messing cum Inworth Parish Council (McIPC) would like to address how they believe the Applicant has conducted the early stage of the DCO. The Parish Council has a written paper to submit.</p>	-	<p>The Applicant believes it has discharged its consultation duties fully prior to the submission of the application for development consent. It has fully reported on the likely impacts of the proposed scheme on identified receptors, including in the villages of Inworth and Messing. It does not believe the impacts</p>

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		<p>MclPC were only appraised on Junction 24 in late 2020.</p> <p>In 2021 MclPC had serious issues to raise. The Applicant has implied in all correspondence that there has been years of consultation. This is not true regarding Junction 24 for MclPC. In consultations in late 2021, the plan would devastate villages with extra traffic, destroyed amenity and safety impacts.</p> <p>Site visits were denied.</p>		<p>suggested by MclPC will be of the magnitude suggested by MclPC.</p> <p>The Statement of Common Ground that is being taken forward will capture the engagement undertaken with the Parish. The Applicant will continue to seek to explore MclPC's concerns with MclPC.</p>
10.	Andrew Harding on behalf of Messing Cum Inworth Parish Council	MclPC sought an alternative plan which was seemingly of no interest to the Applicant – the 'Main Alternative'. The Applicant said it was too expensive, incorrect or unfeasible. The Applicant was not willing to engage to discuss the plan. The Applicant was never open minded or fair. This breaches the	The Applicant requested a copy of Mr Andrew Harding's detailed written response to provide a detailed response sooner.	The Applicant believes it has discharged its consultation duties fully prior to the submission of the application for development consent. The Applicant has fully considered what MclPC refer to as the Main Alternative. The Applicant's report forms an appendix to Chapter 3 of the Environmental Statement – see APP 095. This concludes there is no justification for the proposed bypass of Inworth and that with localised improvements the

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		<p>Applicant's code of conduct and consultation principles. McIPC sought a number of meetings and it became clear that the Applicant was conducting a tick box exercise and not truly consulting.</p> <p>McIPC listed a number of meetings sought from the Applicant including on 7 March 2020 and 17 June 2020 which the Applicant cancelled at short notice.</p> <p>McIPC stated that the Applicant issued threatening emails to McIPC and cancelled a meeting when McIPC proposed to bring legal representation because the Applicant was unable to organise legal representation.</p> <p>McIPC also believed it was deeply inappropriate that the Applicant approached McIPC's chairman for a private meeting. The meeting was declined.</p>	<p>The views expressed by Mr Harding did not chime with the Applicant's views of experience to date.</p> <p>The Applicant expressed hope that the agreement reached to pursue a SoCG would enable focus on Messing and Inworth Parish Council's substantive issues.</p>	<p>existing B1023 can continue to function appropriately for the predicted traffic levels. The Applicant has not issued any threatening correspondence. The Applicant did postpone a meeting when it was given only very late notice (four hours prior to the meeting) that McIPC would be attending with lawyers, without there being time for the Applicant to secure its own lawyers' attendance. In the other instances the meeting was postponed by the Parish Council, or in one instance it was postponed by the Applicant at the request of Essex County Council.</p>

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11.	Andrew Harding on behalf of Messing Cum Inworth Parish Council	<p>On 22 September 2022, the Applicant sent MclPC 2,745 pages of material one week prior to a planned meeting.</p> <p>The Applicant is an expert at planning, MclPC is not. The Applicant should have adapted mountains of submissions to accommodate MclPC.</p>	-	The Applicant has always been and remains willing to assist MclPC by guiding it through application documentation.
12.	Andrew Harding on behalf of Messing Cum Inworth Parish Council	MclPC believe that the Applicant has failed on all the Gunning principles on consultation. MclPC has been marginalised and ignored. MclPC have done their best to communicate and support, and that they understand the need for improvements to the A12. MclPC has offered many suggestions on improvements to the Junction.	-	The Applicant welcomes MclPC's understanding of the need for improvements to the A12. The Applicant has discharged its duties in regard to pre application consultation and has always sought, and will continue to seek, dialogue with MclPC.
13.	ExA	The ExA asked what the relationship is between Messing Cum Inworth Parish Council and	-	-

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		<p>the Messing and Inworth Action Group (MIAG).</p> <p>Andrew Harding on behalf of Messing Cum Inworth Parish Council explained that the Parish Council represents the same villages. The Parish Council has constraints under which it can and can't do things - a set of constraints under which it must operate. MIAG was formed due to the consternation from the wider village. Whilst in many ways the interests coalesce and correspond, and the Parish Council has said it will stay behind MIAG, the interests are slightly different.</p>		
	Tiptree Parish Council			
14.	Jonathan Greenwood on behalf of Tiptree Parish Council	Tiptree Parish Council (TPC) is generally in favour of the proposed scheme but has some concerns regarding the siting of Junction 24.	-	The Applicant welcomes TPC's recognition of the need for improvements to the A12. The Applicant does not believe its consideration of the location of junction for, nor the Applicant's considerations of impacts, are flawed.

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		<p>TPC is concerned that the Applicant did not adequately consider the impact of placing Junction 24 at the proposed location on traffic flow in Tiptree village. This has led to flawed methodology resulting in the placing of J24.</p>		
15.	Jonathan Greenwood on behalf of Tiptree Parish Council	<p>The Scheme Assessment Report Addendum 2020 – Appendix D deals with the options that were considered for the siting of Junction 24. This sets out the alternative schemes considered for the siting of Junction 24 and settles on current proposal. The main benefits given, of siting Junction 24 where currently proposed, is that it promotes the right traffic on the right roads and that Tiptree to the A12 southbound will join the Junction rather than travelling by Rivenhall, which will result in a reduction on the Braxted Park Road. At first glance this would appear favourable to Tiptree residents</p>	-	<p>Following the 2017 consultation, a detailed technical assessment of took place to consider the appropriate junction strategy for the proposed scheme. The assessment included consideration of consultation feedback which included the possibility of moving junction 24 from its existing location to Inworth Road and making it an all movements junction. A full assessment was undertaken which concluded the best performing solution would be to relocate the junction from its existing location to Inworth Road. A number of benefits for the proposed location were identified, which were not limited to traffic impacts. This proposed location of J24 allows long-distance traffic to join the A12 without going through Kelvedon and Feering, and reduces the desirability of joining the A12 southbound at J22 from Tiptree. In doing so it</p>

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		however the prospect of an all-ways junction is lacking any detailed consideration of the impact on traffic flow through Tiptree village.		improves the operation of J22, it minimises the visual impact to Prested Hall, addresses requests made by several statutory stakeholders in Stage 2 for moving the junction towards Inworth Road, minimises impact on The Crown Estate land, and provides an opportunity to construct the junction in cutting, which reduces the amount of construction material needed to be brought onto site.
16.	Jonathan Greenwood on behalf of Tiptree Parish Council	The Applicant has regarded any impacts on Tiptree as a local issue and excluded the village from any detailed consultation at this formative stage. There is a massive increase in projected traffic in the centre of Tiptree village, on Inworth Road and on Church Road.	-	<p>The Applicant disagrees. As noted in Section 5.4 of the Consultation Report [APP-045] the parish of Tiptree was included in the mail out boundary of the statutory consultation to ensure that residents and business were offered the opportunity to respond. The Applicant has met with the Parish Council on several occasions starting in 2016. The most recent information on the predicted traffic impacts in Tiptree was shared as part of a meeting between the Applicant and Tiptree Parish Council in March 2022. This showed that:</p> <ul style="list-style-type: none"> On the B1023 Church Road to the south of the double mini-roundabouts, traffic is predicted to increase by 166 vehicles in the AM

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				<p>peak hour, and 132 vehicles in the PM peak hour.</p> <ul style="list-style-type: none"> • On the B1023 Kelvedon Road to the north of the double mini-roundabouts, traffic is predicted to increase by 171 vehicles in the AM peak hour, and 100 vehicles in the PM peak hour. • On B1022 Maypole Road to the east of the double mini-roundabouts, traffic is predicted to decrease by 168 vehicles in the AM peak hour, and 151 vehicles in the PM peak hour. • On B1022 Maldon Road to the west of the double mini-roundabouts, traffic is predicted to decrease by 54 vehicles in the AM peak hour, and 76 vehicles in the PM peak hour. <p>The effect of this additional traffic through Tiptree has been assessed and the Applicant is satisfied that the roads can operate safely without changes.</p>

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17.	Jonathan Greenwood on behalf of Tiptree Parish Council	<p>At the time of the 2019 consultation the predicted increase in peak morning traffic at Tiptree was a 150% whereas if Junction 24 is left in its current position it would only be a 4% increase. Going from 700 vehicles to 1,032 vehicles.</p> <p>Tiptree already suffers from high levels of through traffic, making it difficult to cross roads and subject to high levels of pollution. Tiptree is a designated district centre with a population of around 10,000 people, with 4 primary schools and 1 secondary.</p> <p>In the Tiptree Neighbourhood Plan, proposed future development in Tiptree is positioned to the north and west of so that new residents can access the A12 without passing through the centre of Tiptree (Church Road).</p> <p>An important strategy adopted in the neighbourhood planning was to encourage traffic heading to the A12 southbound from settlements</p>	-	<p>The traffic flows presented in 2019 predicted the traffic impact of four route options which took into account the Colchester Braintree Borders Garden Community which was subsequently removed from Local Plan documents.</p> <p>An updated traffic model was developed for use in the June 2021 Statutory Consultation, which predicted traffic flows for the proposed scheme design that was presented in its 2020 Preferred Route Announcement.</p> <p>This traffic model was then revised ahead of the proposed scheme's DCO submission, to incorporate more recent traffic data and planning data. In line with national traffic modelling guidance, the model takes into account current trips as well as future housing and employment developments which have planning applications.</p> <p>Further information summarising the changes to the traffic model results over the course of the proposed scheme's development are provided in the Appendix of this document (Appendix OFH1A: Explanation of Traffic Model Changes). This includes specific detail on traffic flow changes on the B1023 in chapter 3.</p>

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		to the east like West Mersea and Tollesbury to travel via Braxted Park Road to access the A12 at Rivenhall End.		Braxted Park Road is intended to remain as a viable route for southbound traffic and the traffic model predicts that traffic from the east of Tiptree (such as West Mersea and Tollesbury) will to continue to use Station Road and Braxted Park Road to access the A12 southbound from junction 22.
18.	Jonathan Greenwood on behalf of Tiptree Parish Council	TPC has had several conversations with the Applicant. The Applicant's only response was to revise the computer modelling. Going from an increase of 150% to 139%, in June 2021 the brochure stated the increase as 92%, in November 2021 it was 42% and in March 2022 it would be a 14% increase (100 vehicles per hour).	-	<p>The changes in traffic model predictions on the B1023 compared to earlier in the scheme development and consultation process were explained in meetings between the Applicant and Tiptree Parish Council, including in March 2022.</p> <p>The traffic changes of 150% were presented in 2019, showing the predicted impact of four now discarded route options which took into account the Colchester Braintree Borders Garden Community, which was subsequently removed from Local Plan documents.</p> <p>The traffic changes of 92% and 42% shown in consultation brochures in June and November 2021 respectively were for a section of the B1023 through Inworth, in the AM peak hour. In contrast, the traffic information presented to Tiptree Parish Council in March 2022 showing an increase of 100 vehicles per hour was for a different section of the B1023 – on the B1023</p>

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				<p>Kelvedon Road in Tiptree village, north of the double-mini roundabouts in the centre of Tiptree – during the PM peak hour. These traffic figures are therefore not directly comparable. Further information summarising the changes to the traffic model results are provided in the Appendix of this document (Appendix OFH1A: Explanation of Traffic Model Changes). This includes specific detail on traffic flow changes on the B1023.</p>
19.	Jonathan Greenwood on behalf of Tiptree Parish Council	<p>This reduction in the predicted increase in traffic on Church Road is given as justification for leaving Junction 24 where it is proposed to be. This is in contrast to the original reason for placing the junction in its location – that it would attract all traffic, whereas now southbound traffic coming from Tiptree is expected to still use the Braxted Park Road. Wherever Junction 24 is placed the Braxted Park route must remain a viable option for southbound traffic. TPC don't want up to 1000 vehicles through</p>	-	<p>As noted above, a full assessment was undertaken which concluded the best performing solution would be to relocate the junction from its existing location to Inworth Road. The benefits of the proposed location included consideration of traffic flows as well as other issues. Based on the most recent traffic model predictions shared with Tiptree Parish Council in March 2022, the majority of the predicted traffic on the B1023 through Inworth is traffic to or from the Tiptree area, using the proposed new junction 24 to access the A12. The proposed location of the new junction 24 means that, for example, traffic from Tiptree joining the A12 southbound could do so at</p>

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		<p>Tiptree. The doubling of the Appleford Bridge is essential to maintain this viability and a roundabout is needed at the Maldon Road junction.</p> <p>If Junction 24 is placed at the bottom of Inworth Road, the impact on Tiptree is severe and cannot be mitigated. Serious consideration needs to be given how to encourage lorries heading east from the A12 to come off the A12 at Witham instead of coming off at the new junction 24, turning right down the B1023 and travelling through Church Road in Tiptree.</p>		<p>junction 24 instead of travelling to Rivenhall End via Braxted Park Road.</p> <p>However, Braxted Park Road is intended to remain as a viable route for southbound traffic to access the A12 via junction 22. Although traffic from Tiptree itself is predicted to use the new junction 24 to join the A12 southbound, traffic from south-east of Tiptree (e.g., Mersea and other settlements) heading towards the A12 southbound is predicted to do so via Braxted Park Road (then to Rivenhall End, joining the A12 at junction 22).</p> <p>The justification for the proposed location of junction 24 has therefore not been eroded by updates to the traffic predictions. The conclusion that traffic from Tiptree would use junction 24 to access the A12 southbound instead of travelling via Rivenhall End remains valid. There is still predicted to be a resultant decrease in traffic on the route via Braxted Park Road / Rivenhall End, as shown in image C.5 of the Transport Assessment – Appendix C: Traffic Flow Diagrams – Communities and A12 Mainline [APP-256]. In addition, many of the reasons outlined above for why the proposed location of junction 24 was chosen do not specifically relate to traffic patterns.</p>

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				<p>Regarding Appleford Bridge, as the traffic model predicts an overall decrease in traffic on Braxted Park Road as a result of the proposed scheme, improvements to widen Appleford Bridge or provide a roundabout at the junction with Maldon Road are not required as a result of the scheme. The performance of Braxted Park Road is not worsened by the proposed scheme.</p> <p>The effect of the additional traffic on the B1023 through Tiptree has been assessed and the Applicant is satisfied that the roads can operate safely without changes.</p>
20.	ExA	<p>During their the unaccompanied site visit the ExA went to Tiptree. The ExA requested that when Tiptree Parish Council makes its submission, it makes it clear where Braxted Park Road is. Jonathan Greenwood on behalf of Tiptree Parish Council confirmed that his written submission would include maps.</p>	-	-

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	Boreham Parish Council			
21.	Linda Reid on behalf of Boreham Parish Council	Like Tiptree Parish Council, Boreham Parish Council (BPC) recognises the potential benefits of the scheme and anticipates that the A12 will be safer and that the scheme will improve traffic flows.	-	The Applicant welcomes BPC's recognition of the need for improvements to the A12.
22.	Linda Reid on behalf of Boreham Parish Council	Many residents are concerned about the scheme. The scheme will have a negative impact on Boreham specifically with increased traffic through the village, increased road noise and a reduction of air quality. This is in addition to the traffic congestion problems the village is already experiencing.	-	The Applicant's responses to relevant representations submitted at Procedural Deadline A (RR-023 of PDA-004) provides the Applicant's response to the BPC's relevant representation, whilst responses to Boreham residents, including those in PDA-004, in respect of RR-025 and RR-046 are adopted here.
23.	Linda Reid on behalf of Boreham Parish Council	The objective of the scheme is to remove traffic from country roads onto the Strategic Road Network, but this will be failed at Boreham, due to the closure of Junction 20.	-	Overall, the proposed scheme is predicted to decrease the amount of traffic on the local roads maintained by Essex County Council. In addition, more local roads are predicted to experience a reduction in traffic than are expected to see an increase.

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				<p>The Applicant acknowledges that traffic is predicted to increase on Main Road in Boreham as a result of the proposed scheme. However, roads such as this typically have a capacity of over 1,500 vehicles per hour, which far exceeds the predicted peak hour flow with the proposed scheme in place. The Applicant therefore believes that Main Road in Boreham has sufficient capacity to accommodate the anticipated changes to traffic, and that the closure of junction 20a is justified. The Applicant has prepared a report explaining its approach to reinstating junction 20A and this is at Appendix B to PDA-004.</p>
24.	Linda Reid on behalf of Boreham Parish Council	<p>It is recognised in the Application that some traffic entering Hatfield Peverel is likely to turn left on to the B1137 through Boreham to access the A12 at Junction 19, rather than heading north to access the A12 at the new Junction 21.</p> <p>BPC have discussed one possible solution which is to make using junction 19 less attractive for traffic by using traffic control</p>	-	<p>The Applicant has engaged with the Local Highway Authority on this matter. Annex A of Applicant's Response to Relevant Representations [PDA-004] presents correspondence between the Applicant and Essex County Council.</p>

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		<p>measures through the village. These would be required on Main Road and at key junctions. Residents feel the need to have more information about potential mitigation measures that could be implemented to reduce the impact of increased traffic both during construction and operation to ensure they will be effective. Boreham Parish Council would also like to ensure there is provision of safe crossing places.</p>		
25.	Linda Reid on behalf of Boreham Parish Council	<p>Current delays and road closures on the A12 drive traffic off the A12 at Junction 19 through Boreham causing congestion. One potential benefit of the scheme is the likely reduction in the number of incidents, but this might be short-lived as it is a stated scheme aim to increase traffic on the A12, which will result in increased incidents thereby driving traffic onto country roads and increased traffic through Boreham.</p>	-	<p>The Applicant believes the improvements to the A12 will reduce the number of incidents on the A12 that may divert traffic on to the local highway network. Furthermore, if an incident does occur the additional capacity provided will reduce the likelihood of strategic traffic diverting onto local roads.</p>

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26.	Linda Reid on behalf of Boreham Parish Council	BPC referred to the protected lane which is unsuited to increased traffic and stated that measures are needed to ensure volume and type of traffic through this lane is controlled.	-	Chelmsford City Council has identified on their GIS system that Church Lane south of the junction with Plantation Road is a Protected Lane, this designation sets the road as a non designated heritage asset under the City Council's local plan policy DM14. The Applicant will not designate Church Lane as a construction or diversion route.
27.	Linda Reid on behalf of Boreham Parish Council	Boreham Parish Council's preference is for the decision to close Junction 20 to be reconsidered. Retaining it would alleviate pressure on the village. In the absence of Junction 20, more information is needed on measures to mitigate impacts of traffic through the village. Traffic lights, mini roundabouts, speeds limits or other control measures, including safe crossing places.		The Applicant has engaged with the Local Highway Authority on this matter. Annex A of Applicant's Response to Relevant Representations [PDA-004] presents correspondence between the Applicant and Essex County Council.
28.	Linda Reid on behalf of Boreham Parish Council	The Applicant should consider extending the use of noise reduction surfaces on both sides of the A12 and not just on the southbound carriageway as currently proposed.		The Applicant does not believe that surface treatments to the northbound carriageway are required. The Applicant's responses to relevant representations submitted at Procedural Deadline A (RR-023 of PDA-004) provides the Applicant's response to

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				the BPC's relevant representation, whilst responses to Boreham residents, including that from Linda Reid (RR-059), is also in PDA-004.
	Messing and Inworth Action Group			
29.	Stephen Humphreys, Ashfords LLP, on behalf of MIAG	(Messing and Inworth Action Group) MIAG formed exclusively to deal with the concerns about the scheme, especially proposed Junction 24. MIAG will make written representations by 30 January 2023. MIAG does not object to the overall proposal and is mainly concerned about Junction 24 and its impact on villages. The Applicant has admitted significant impacts on the two villages. On current modelling the Applicant predicts increased traffic flow in Inworth and in Messing.	-	<p>The Applicant notes MIAG's understanding of the need for improvements to the A12. The Applicant believes the increased traffic flows, whilst significant in percentage terms, are well within the capacity of the relevant roads.</p> <p>The proposed scheme's traffic model predicts a flow of two vehicles per minute through Messing during the highest peak hour. As this is well within the capacity of the local road network, the Applicant is not proposing any further interventions beyond those for the B1023.</p>

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30.	Stephen Humphreys, Ashfords LLP, on behalf of MIAG	<p>MIAG is concerned about modelling and assessed impact on local road network. MIAG has employed TPA to consider the Applicant's modelling. As an example the model has been revised on a number of occasions resulting in a forecast reduction.</p> <p>MIAG is concerned about the coding of roads in the modelling and downplaying of the likely impacts and discrepancies behind the rationale for changes in methodology. Little consideration has been given to the likely speed exceedances on Inworth Road.</p> <p>MIAG is concerned about the simulations run on flows through Inworth which don't account for speed exceedance.</p>	-	The Applicant does not accept the points made but will respond substantively when it has seen TPA's critique and the detailed submissions from MIAG.
31.	Stephen Humphreys, Ashfords LLP, on behalf of MIAG	MIAG is concerned that little consideration has been given by the Applicant that the new Junction 24 will attract majority of displaced traffic from closure of Junctions 23 and 24. No detail	-	The traffic flows predicted on all roads are based on a strategic traffic model. This takes account of the proposed closure of A12 junction 23, and the new routes that would be taken by traffic which would otherwise have used that junction.

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		<p>has been given by the Applicant on current usage of Junctions 23 and J24 and how this is accounted for in modelling. Condensing two junctions into one and closing direct accesses onto the A12 will create greater use of Junction 24. Current AM peak traffic southbound and PM peak northbound are at above 85% capacity. This will shift onto the new Junction 24 and the proposed level of mitigation is inadequate.</p>		<p>Traffic which currently uses junction 23 would not all be displaced to use the proposed new junction 24. Access from Kelvedon to the A12 southbound would still be possible under the proposed scheme by travelling along the detrunked A12 and joining the A12 at junction 22. This route would also provide access between Kelvedon and Witham without needing to join the A12, therefore removing the need for those local trips to join the Strategic Road Network.</p> <p>Based on the traffic flows predicted to use A12 junction 24, a detailed modelling assessment of its predicted operational performance was undertaken. This confirmed that the junction is expected to operate well, even by 2042. Further information on this assessment is provided in section F.8 of the Transport Assessment - Appendix F: Junction Modelling Technical Notes – A12 Junctions [APP-259].</p>

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32.	Stephen Humphreys, Ashfords LLP, on behalf of MIAG	MIAG is concerned about issues with highway safety, especially on Inworth Road towards Tiptree and the Street in Messing. The local roads tend to be narrow lanes with few passing places and blind bends. No mitigation is proposed in and around Messing and only small interventions are proposed in Inworth. The works are not considered to be sufficient – alleviating pinch points will remove constraints supporting a reduction in speed on the road and will increase the speed exceedance that currently occur. The Applicant is not proposing to amend the speed limit or improve street lighting to increase visibility. MIAG is concerned about passing distances and there is not much room where cyclists are present.	-	<p>The Applicant's extensive traffic modelling indicates that the forecast increase in traffic on the B1023 Kelvedon Road through Inworth as a result of the proposed scheme is an additional five vehicles per minute in peak hours.</p> <p>The 30 mph speed limit within the village is being retained and extended to the north to a point close to the proposed roundabout on B1023 connecting to A12 J24. This speed limit is the appropriate one based on the guidance in DfT current guidance Department for Transport Circular 01/2013. The extent of easing of pinch points has been localised to minimise the likelihood of vehicles over-running the footway, without increasing in route speed which would occur if more extensive widening was undertaken (throughout the village for example). There are no facilities for cyclists on this route apart from using the road with all-purpose traffic, and no facilities could be provided without extensive purchase of residential property from many homes to provide an off-road path. Even that would be an isolated provision because there are no off-road</p>

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				<p>facilities anywhere else on this route. Therefore no cycle measures are proposed as part of this scheme.</p> <p>In Messing, the predicted increase in traffic is equivalent to two vehicles per minute during the highest peak hour and one additional HGV in each 10-minute period. This predicted increase is within the capacity of the existing local road network and the Applicant is not proposing any further interventions beyond those proposed for the B1023. As previously stated in a letter to MIAG dated 15th September 2022, the Applicant recognises the lack of existing crossing provisions for horse riders, cyclists, or walkers in many places in the Messing area, however as the increase in traffic is minimal, the Applicant does not believe that the safety level of these roads changes as a result of the proposed scheme.</p>

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33.	Stephen Humphreys, Ashfords LLP, on behalf of MIAG	<p>One of MIAG's main concerns is the Main Alternative and the Applicant's rationale for discounting this. The scoring under by the Applicant against the RIS objectives is finely balanced. MIAG does not think that the scoring is well reasoned which results in a disproportionately negative scoring given to the Main Alternative.</p> <p>MIAG fails to see how a small diversionary route around Inworth will considerably worsen traffic in Tiptree and elsewhere. Traffic will be attracted to Junction 24.</p>	-	<p>The assessment by the Applicant found that, while the Main Alternative bypass option with a southern and northern link could reduce traffic in Inworth Village and Messing, it would increase traffic in Tiptree, Feering and the B1023 to the north of junction 24. A bypass does reduce traffic in some locations, but it will create similar issues in other locations.</p> <p>A bypass would add an additional approximate cost of £10million to the proposed scheme and require approximately 40% more land to construct the bypass that is required for the improvements proposed to the B1023.</p> <p>See appendix 3.3 of Chapter 3 of the Environmental Statement [APP 095].</p>
34.	Stephen Humphreys, Ashfords LLP, on behalf of MIAG	<p>MIAG also has concerns from a humans perspective about flooding, noise and vibration. 74 properties will experience a major noise impact and 4 will be above the significant impact level. Severance and human health is also an issue.</p>	-	<p>Post scheme opening, there are 75 dwellings within Inworth and Messing that are predicted to experience a significant adverse effect from noise. Of these, four are along Inworth Road and will experience an increase in noise of around 1.5 dB(A) and these will have an absolute noise level above the Significant Observed Adverse</p>

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				<p>Effect Level. Without the Proposed Scheme, these four properties already experience a noise level above the SOAEL. The 71 within Messing will all be below the SOAEL.</p> <p>With regard to vibration, the level of vibration from a passing vehicle that is experienced by the residents should not change. This is because the Proposed Scheme should not introduce any different type of vehicle to the roads.</p> <p>As demonstrated in the flood risk assessment [APP-162], the proposed scheme ensures no adverse impact on flood risk as a result of the scheme. The proposals for the B1023 include flood mitigation measures that would reduce the present degree of flood risk to the B1023.</p>
35.	Stephen Humphreys, Ashfords LLP, on behalf of MIAG	MIAG would like to see ongoing monitoring of impact and mitigation measures in the DCO to ensure that, in the event that the impacts are greater than expected, during and after construction, there is a fund to	-	The Applicant does not believe that post scheme monitoring is required to be included in the dDCO or supporting documents. As part of the delivery of road schemes, the Applicant does undertake post-opening project evaluations. An example of this can be found for the A556 Knutsford to Bowdon

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		counter unforeseen issues.		improvement scheme (https://nationalhighways.co.uk/media/faih0do3/a556-knutford-to-bowdon-pope-one-year-after-report.pdf). The Register of Environmental Actions and Commitments (REAC) [APP-185] states that a dust control and management plan will be implemented during construction.
36.	Stephen Humphreys, Ashfords LLP, on behalf of MIAG	MIAG is reviewing the draft DCO and will provide comments in due course. MIAG has agreed to a SoCG and will follow this up in writing.		The Applicant will respond substantively when it has seen the detailed submissions from MIAG. The Applicant has prepared a draft SoCG which was issued to MIAG and to Messing cum Inworth Parish Council on 20 January 2023.
	ExA	Of the 6 directors of MIAG, 2 of them are due to speak. The ExA requested that main representations are worked up so that the main points are not repeated. Stephen Humphreys, Ashfords LLP, on behalf of MIAG, said MIAG will endeavour not to take	-	-

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		up time with any repetition. MIAG has made conscious effort not to repeat issues as there is cross-over. MIAG has support from others in the community some of whom are speaking in their capacity as local residents.		
	Andrew Watson			
37.	Andrew Watson	Mr Watson is an Inworth resident. His home is a Grade II listed thatched cottage which was bought with the intention to preserve. It is a beautiful building The proposals for Junction 24 mean the house will become uninhabitable due to the number of vehicles passing the property. It will be significantly affected by an increase in traffic noise both day and night. The house will be bombarded by vehicles of all sizes at all times. A survey carried out in 2022, out of an average 1400 vehicles in peak times, over 50% were larger	-	The Applicant has responded to these points in its response to Mr Watsons Relevant Representation RR-075.

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		<p>than the average car. These generate more noise and vibration. HGVs shake the whole structure causing sleep deprivation and damage the exterior of the house. If it becomes worse it will be devastating to Mr Watson's mental health, wellbeing and financial security.</p>		
38.	Andrew Watson	<p>Mr Watson is concerned about the health impacts. Carcinogenic pollutants from wheels, breaks etc. The Applicant has used models from unrelated areas to show emissions were acceptable. No information has been forthcoming from the Applicant and Mr Watson said this is indicative of the consultation. Mr Watson said it is not possible to make an informed decision when not in possession of all the facts.</p>		<p>The Applicant notes Mr Watson's concerns about health impacts associated with air pollution.</p> <p>Section 4 of Appendix 13.1 (Human Health Literature Review and Evidence) of the Environmental Statement [APP-153] presents evidence for health impacts from particulate matter (PM), which may be sourced from tyre, brake and road wear.</p> <p>The Applicant's air quality assessment reports that there are no predicted exceedances of the air quality objectives (AQO) for PM₁₀ or PM_{2.5} in any of the modelled scenarios (Chapter 6 of the Environmental Statement [APP-073]).</p>

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				<p>Results from the air quality modelling have been checked for receptor location R117 (the relevant sensitive receptor location for land registry title EX82954). These can be found in Appendix 6.5 of the Environmental Statement [APP-104]. The predicted change in annual mean concentrations of PM between the Do Minimum (DM) and Do Something (DS) scenario for 2027 is imperceptible for PM₁₀ (a change of 0.3 µg/m³ with 15.8 µg/m³ in the DM compared to 16.1 µg/m³ in the DS), while the predicted change in PM_{2.5} is small (a change of 0.4 µg/m³ with 9.6 µg/m³ predicted in the DM compared to 10.0 µg/m³ in the DS).</p> <p>Section 4.5 of Appendix 13.1 (Human Health Literature Review and Evidence) of the Environmental Statement [APP-153] provides the interpretation of health evidence applied to the assessment of the proposed scheme that helped to inform the determination of significance of health impacts for the population and human health assessment presented in Chapter 13 (Population and Human Health) of the Environmental Statement [APP-080]. It should be noted that the evidence around</p>

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				relative risks presented in Appendix 13.1 [APP-153] and the assessment in Chapter 13 [APP-080] relate to population level health effects and cannot be used to infer an individual's level of risk (see Section 13.13, APP-080).
39.	Andrew Watson	The Applicant cannot mitigate the noise effects. Mr Watson said that it is not possible to live peacefully and enjoy his house. He is concerned about who would be willing to buy his house at an unaffected market value.	-	<p>The Applicant's responses to relevant representations submitted at Procedural Deadline A (RR-075 of PDA-004) provides the Applicant's response to this issue.</p> <p>The Applicant operates a discretionary purchase scheme which could be considered by Mr Watson.</p> <p>Post construction, it may be that compensation for a reduction in value arising from specified physical factors, such as noise arising from new roads, may be available under Part 1 of the Land Compensation Act 1973.</p>
40.	Andrew Watson	Messing and Inworth are the sacrificial element in the scheme. The Applicant has no objectives to minimise traffic as they would undermine the purpose of the Applicant's design. There will be	-	The Applicant's responses to relevant representations submitted at Procedural Deadline A (RR-075 of PDA-004) provides the Applicant's response to this issue.

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		2.5 seconds between vehicles so can't access or egress properties and this has a knock on impacts on postal deliveries etc.		
41.	Andrew Watson	With regards to attenuation ponds – no details of when and how long disruption will be. There has been a lack of communication from the Applicant and when information is forthcoming we have been overwhelmed. Mr Watson said that the Applicant has not answered questions and that the Applicant does not understand the devastating impact of the scheme.	-	<p>Attenuation ponds would be constructed in land adjacent to Inworth Road and would not need traffic management for their construction. It is therefore expected that disruption associated with attenuation ponds would be limited.</p> <p>Extensive engagement and consultation have taken place with residents of the B1023 including Mr Watson. Alongside the formal consultation process which is documented in the Consultation Report [APP-045], the Applicant has had many written exchanges with the Interested Party.</p> <p>In addition to written correspondence, on 29 June 2022 the Applicant wrote to the Interested Party to offer a meeting, this was not responded to. The Interested Party wrote to Applicant on 20 October 2022 requesting information and the Applicant spoke to the Interested Party on 24 October 2022 to discuss the scheme in detail and followed up with an</p>

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				email containing links to the documents discussed. A further meeting was also offered within the email, this was not responded to.
42.	Andrew Watson	Messing and Inworth will be blighted and the Applicant has ignored concerns	-	The Applicant has considered in detail the concerns that have been raised and within the Applicant's 2021 Supplementary Consultation proposals were presented to address some of the safety and flooding concerns raised. The Applicant's response to feedback received in the Statutory Consultation and the Supplementary Consultation can be found in Annex N of the Consultation Report [APP-062]. The pertinent sections are 1.4 and 2.5.
	ExA	The ExA noted that they saw Mr Watson's property during their unaccompanied site visit. It is a very impressive property. The ExA asked for clarification about when the house was built. Mr Watson said that his house was originally two pauper's cottages which were knocked together in the 1970s and listed in	-	-

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		1980s. Mr Watson put new thatch on the house but will no longer spend money restoring the property as it might not be financially worthwhile.		
	Ian Mahoney			
43.	Ian Mahoney	Mr Mahoney is a resident of Hatfield Peverel. His house is impacted on by a temporary footbridge for people to walk across whilst other bridges are being replaced.	-	-
44.	Ian Mahoney	Mr Mahoney has had various meetings and site visits since June 2021 with Costain, Ardent and Jacobs.	-	The Applicant has met with Mr Mahoney on numerous occasions and continues to engage with him.
45.	Ian Mahoney	The temporary footbridge was going to be put across the A12 to allow people to walk down to the station. During meetings, a plan had been come up with of what was going to happen down the	The Applicant noted Mr Mahoney's concerns regarding lack of clarity will provide	The provision of access on foot and bicycle between Hatfield Peverel Station and The Street, whilst the bridge carrying Station Road over the A12 is replaced, is considered to be an important part of the overall proposals to reduce construction-related impacts on Hatfield

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		<p>side of my property – a footpath towards the edge of the bank. There will be fences on the bank to protect Mr Mahoney's property. This was agreed and sent documents were sent to Mr Mahoney. The valuation office had also been in touch with Mahoney.</p> <p>Mr Mahoney is concerned that the documents have not been put in the Exam Library for the ExA to see. Only thing there is, is a rough plan which is very different to the one Mr Mahoney has. The plan suggests that it will not be a temporary footbridge, but will be permanent acquisition as shown on Land Plans. Mr Mahoney does not understand why this is necessary to provide a temporary footbridge.</p>	<p>clarification about what is proposed. The Applicant will look to continue discussions with Mr Mahoney.</p>	<p>Peverel. The proposed location for the temporary bridge means only one private residential property is materially impacted (with the landing on the Hatfield Peverel side of the A12 impacting an area of verge leading to a road). There is no other suitable location for the temporary work.</p> <p>Some of the documentation referred to has been prepared in the course of negotiations and it was not felt appropriate to make these publicly available.</p> <p>The detailed proposals will continue to be discussed with Mr Mahoney.</p> <p>Whilst the bridge is a temporary feature of the proposed scheme, it is recognised that it will impact on Mr Mahoney's property for some months. It was therefore felt appropriate for the route of the temporary path would be shown for permanent acquisition to allow Mr Mahoney to claim statutory blight should he wish to explore relocation options.</p>
	ExA	The ExA requested that the plans Mr Mahoney wishes to refer to are submitted at Deadline 1.	-	-

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	Boreham Conservation Society			
46.	Bill Kyle on behalf of Boreham Conservation Society (BCS)	Mr Kyle has lived in Boreham for over 40 years. BCS is funded by subscriptions and has 300 members. BCS is run by volunteers,	-	-
47.	Bill Kyle on behalf of Boreham Conservation Society (BCS)	BCS support the development but are concerned with failure to provide a direct link from the B1019 at Maldon to the new Junction 21. This failure to provide direct access means traffic still goes through Hatfield Peverel and Boreham. The failure is compounded by closing the access at Junction 20A. Given the potential consequences, BCS requests that the ExA consider an ISH on these points.		The Applicant welcomes BCS's recognition of the need for improvements to the A12. In its appendices to Chapter 3 of the Environmental Statement, the Applicant has provided at Appendix 3.2 its Maldon Road and Hatfield Peverel Bypass Technical Report (APP-094) whilst attached at Appendix B to its responses to relevant representations, provided at Procedural Deadline A, (PDA-004) the Applicant has provided its A12 Junction 20a Southbound Merge Assessment Of Alternatives Report. The Applicant relies on the contents of these reports to justify its scheme in relation to the criticisms made by BCS, as set out below and in relation to the submissions of Mr Martin on behalf of BCS at OFH2.

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48.	Bill Kyle on behalf of BCS	BCS are concerned about deficiencies in consultation and difficulties with data. BCS are not experts in data or traffic modelling but common sense raises a few questions – the number for traffic increase in Boreham has not changed since June 2021. BCS don't understand how this can be so when the numbers for the B1137 have changed and the numbers for Plantation Road within Boreham have changed dramatically, from a 50% to 25% to 17%, but without affecting numbers on the main road.		<p>The Applicant has carried out various consultations as part of the evolution of the proposed scheme, seeking views from local residents, businesses and statutory organisations.</p> <p>The 2017 route options consultation ran for six weeks and included seven public events including in the village of Boreham. An extensive letter drop took place advertising the consultation.</p> <p>In the 2017 consultation, the Applicant asked for people's views on junctions 20a and 20b and the results were published in the 2017 Report on public consultation.</p> <p>In June 2021, the statutory consultation ran for eight weeks and included six public events, as well as six webinars and a virtual exhibition available 24 hours a day during the consultation period. An extensive letter drop took place, advertising the consultation to over 33,000 households in the area. The consultation was supported with detailed information including the traffic effects of the proposed route</p>

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				<p>For further information on the Statement of Community Consultation, see Chapter 4 of the Consultation Report [APP-045]</p> <p>Feedback from this consultation included concerns about the traffic projected on Main Road Boreham. As a result, the application proposed the introduction of reduced speed limits on Main Road.</p> <p>The proposed speed reductions were presented in the November 2021 supplementary consultation. The consultation was held for a duration of 6 weeks and included three public events. An extensive letter drop took place, three webinars were held and a virtual exhibition was made available 24 hours a day during the consultation period.</p> <p>The proposed scheme's response to feedback received in the Statutory Consultation can be found in section 1.1 of Annex N of the Consultation Report [APP-062] which was submitted as part of the Application For further information please see Chapter 5 of the Consultation Report [APP-045].</p> <p>In addition to consultation, the Applicant has met with Boreham Parish Council on several</p>

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				<p>occasions, including October 2022, a public information event was held in Boreham Village Hall where the community were invited by letter to come and engage further with the applicant regarding the proposed plans for the Boreham area.</p> <p>Regarding the change in traffic modelling numbers, information on how the traffic model has evolved over the course of the proposed scheme's development is provided in the Appendix of this document (Appendix OFH1A: Explanation of Traffic Model Changes). Section 4 of this Appendix provides specific information about the flows referred to in Boreham.</p>
49.	Bill Kyle on behalf of BCS	BCS's other concern is the traffic arriving in Hatfield Peverel up the Maldon Road. Currently this turns west to access the A12 through Junction 20a or Junction 19. The Applicant asserts that following new Junction 21 means 88% of this commuter traffic will turn east to go around [two] large roundabouts, rejoin the A12 and then head west toward Chelmsford. BCS think that this is	-	<p>The traffic model predicts that, of traffic on the B1019 Maldon Road heading towards either Chelmsford or the A12 southbound towards London in the morning peak, 88% would turn right at the Duke of Wellington mini-roundabout and join the A12 at the proposed new junction 21. Only 12% would travel through Boreham to junction 19.</p> <p>Even though the route via junction 21 is a longer distance than via Boreham, it is predicted to be over one minute quicker. This takes into account the predicted quicker</p>

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		<p>an optimistic assumption. The justification given is that there will be signage in Hatfield Peverel to direct traffic to Junction 21. BCS don't believe commuters will take notice of the signs.</p>		<p>speeds on the widened A12, as well as the proposed reduced speed limits on the B1137</p>
50.	Bill Kyle on behalf of BCS	<p>The Applicant claim that commuters will be swayed to travel a longer distance because it will save them 1 minute per journey. A minute is insignificant. BCS believe most commuters will choose to save a mile, rather than a minute and will therefore come through Boreham. BCS is concerned that the predicted increase of 34% will become a flood and overwhelm Boreham. This assumption needs to be probed.</p>	-	<p>The prediction of which routes people take on their journeys is undertaken by the traffic model. This takes into account both the journey time and distance of a trip. How each traveller weighs up journey time and distance is based on standard traffic modelling parameters provided in the Department for Transport's Transport Appraisal Guidance. These parameters vary for different types of traveller, for example a commuter travelling by car would have different preferences to an HGV driver. The traffic model also takes into account the impact of congestion. For example, if more people chose to travel via the B1137 through Boreham this route would become more congested and therefore slower, making the route via junction 21 more attractive in comparison.</p>

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51.	Bill Kyle on behalf of BCS	Mitigation for Boreham has been referenced. None was proposed in June 2021. BCS believe this shouldn't be experimented upon. The mitigation that BCS propose includes average speed cameras between Hatfield Peverel and Junction 19. This is now supported by Essex Police. This should be a condition of consent.	-	The Applicant has engaged with the Local Highway Authority on this matter. Annex A of Applicant's Response to Relevant Representations [PDA-004] presents correspondence between the Applicant and Essex County Council.
52.	Bill Kyle on behalf of BCS	BCS have a proposal that will resolve many issues – this will be explained at Open Floor Hearing 2 by Mr Charles Martin.		The Applicant's Responses to Mr Martin can be found in the document responding to comments made at OFH2.
53.	Bill Kyle on behalf of BCS	The Applicant wants to take long distance traffic off local roads, but can't define what long distance traffic is. BCS does not understand how the Applicant can predict what it cannot define. BCS is fed up with this justification. Noise will cause sleep disturbance to 28 properties in Boreham. BCS do not currently have an issue with long distance traffic, BCS have an issue with	-	<p>Overall, the proposed scheme is predicted to decrease the amount of traffic on the local roads maintained by Essex County Council. In addition, more local roads are predicted to experience a reduction in traffic than are expected to see an increase.</p> <p>However, the Applicant acknowledges that traffic is predicted to increase on Main Road in Boreham as a result of the proposed scheme. The Applicant acknowledges there are 28 significant adverse effects in Boreham, but this</p>

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		commuters, which will be made worse by diverting traffic from the A12 and forcing it through Boreham.		does not follow that these will cause sleep disturbance.
54.	Bill Kyle on behalf of BCS	As recently as September 2022, the Project Director for the Applicant noted the use of local roads by HGVs as rat runs. This scheme will put that traffic back on A12 where it belongs, except for Boreham. This is not an acceptable outcome for a scheme costing £1.3bn. BCS request the ExA to consider that Westbound access to the A12 should be maintained between Hatfield Peverel and Boreham.	-	The applicant has previously considered potentially re-opening the existing Junction 20A westbound access, and previously provided a number of responses within Section 1.1 of Annex N of the Consultation Report (APP-062). This issue was consequently raised by a number of Interested Parties throughout the period of relevant representations, and produced the Junction 20A Southbound Merge Assessment of Alternatives Report to capture this. This was provided as Appendix B of Applicant's Response to Relevant Representations (PDA-004).
	ExA	The ExA asked if there are any particular historic assets that will be affected and requested that BCS refers to these assets in their submission.	-	-

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		<p>BCS referred to the Clock House on Main Road and Boreham House.</p> <p>25% of the Relevant Representations received by the ExA are from Boreham residents re maintaining westbound access to the A12.</p>		
	Anne Green			
55.	Anne Green	<p>Mrs Green is a resident of Inworth. Mrs Green stated that her home was built in 1871 with a timber frame. It is sited opposite the proposed new junction and is about 10 feet from the road. The property has a lake and some land as well as an abundance of wildlife.</p> <p>The Applicant has sent out ecologists to survey bats and owls – they come during the day so they are not seeing the ecology. The Applicant is ignoring the fact that the nest is in a tree 10 feet</p>	-	<p>National Highways conducted a daytime assessment of the buildings along Inworth Road including this property. Five buildings were identified within this land parcel (see Sheet 37 of 54 of Figure 3 within Appendix 9.4 Bat Survey Report [APP-128]. Three of the buildings (a shed, a stable, and an office) were assessed as of negligible potential for bats (building references B3693, B3696 and B3700 respectively), the house (B3688) was assessed as of low potential for bats and a second larger stable was assessed as of moderate potential for bats (B3697). Due to their negligible potential for bats, buildings B3693, B3696 and B3700 were scoped out of further assessment. Building</p>

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		away from the road and is only looking at trees on our land.		<p>B3688 and B3697 were also scoped out of assessment due to the predicted level of impact from the proposed scheme in this location, particularly given the stable is 50m from the proposed junction. The buildings would not be directly impacted by the proposed scheme and as there would be baseline noise from existing traffic on Inworth Road, the construction of the new junction and use of the road and junction after opening of the proposed scheme is unlikely to lead to significant effects should bats be present. The land parcel was surveyed for barn owls. No potential roosts were identified within the property although two potential features were identified close by (BOF58 and BOF59, see Sheet 11 of 16 of Figure 1, Appendix 9.3 Barn Owl Survey Report [APP-127] – note this report is marked CONFIDENTIAL so is not available to the public). Both of these features lacked any evidence of use by barn owl on close inspection by a licensed ecologist. Barn owls primarily nest within buildings, so it is possible this is used by another bird species. As there would be no direct impacts, the risk of potential effects is limited. However, the Applicant has committed to measures to mitigate impacts to birds including commitment</p>

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				BI9 (in the Register of Environmental Actions and Commitments [APP-185]) in relation to buffer zones during construction and BI38 in relation to provision of bird boxes.
56.	Anne Green	<p>Mrs Green said that her and her husband started renovating their house 4 years ago as a part of their pension They need to sell the house but are unable to do so.</p> <p>Mrs Green and her husband approached the Applicant and asked them to purchase the house, but the Applicant refused.</p> <p>A local parish councillor has sold to the Applicant along with the house opposite, despite being less effected.</p>	-	<p>The statutory blight provisions in the Town and Country Planning Act 1990 and the Compensation Code are adhered to by the Applicant in considering any claims for Statutory Blight.</p> <p>In addition the Applicant operates a discretionary purchase scheme, details of which may be found at: https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&ved=2ahUKEwjlnsLzjs38AhUSbsAKHVJPBeAQFnoECA0QAQ&url=https%3A%2F%2Fnationalhighways.co.uk%2Fmedia%2Fouwd2a10%2Fyour-property-and-our-road-proposals.pdf&usg=AOvVaw2608GMq7G8jJurP-tK5i9R</p>
57.	Anne Green	<p>Mrs Green is concerned that construction will impact her house, as will an increase in traffic. After construction the house will be little more than rubble. Mrs Green is also</p>	-	<p>As demonstrated in the flood risk assessment [APP-162], the proposed scheme ensures no adverse impact on flood risk as a result of the scheme. The proposals for the B1023 include flood mitigation measures that would reduce the present degree of flood risk to the B1023.</p>

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		concerned about the increased chance of flooding.		
58.	Anne Green	Mrs Green suffers from asthmas and the increased traffic and construction will be bad for her breathing.	-	Anne Green's property is adjacent to the B1023 between Gore Pit Junction and the proposed Inworth Road roundabout. The total level of daily traffic (AADT) along this length is predicted to reduce by 8% in the opening year. Further information on the forecasted traffic volumes is available in the Transport Assessment [APP-253] specifically Appendix C: Traffic Flow Diagrams – Communities and A12 Mainline [APP-256]
59.	Anne Green	Mrs Green stated that she has not seen a proper map and has only seen a redline. There will be a bridleway outside Mrs Green's house – she is concerned that she won't be able to get her car out.	-	In June 2021, the statutory consultation ran for eight weeks and included six public events, as well as six webinars and a virtual exhibition available 24 hours a day during the consultation period. An extensive letter drop took place, advertising the consultation to over 33,000 households in the area, including those living on Inworth Road. General arrangement drawings were made available. In November 2021, a supplementary consultation was held for a duration of six weeks and included three public events, one of

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				<p>which was held in Messing. An extensive letter drop took place, which again included residents on Inworth Road, three webinars were held and a virtual exhibition was made available 24 hours a day during the consultation period. General arrangement drawings were made available.</p> <p>For further information on the Statement of Community Consultation, see Chapter 4 of the Consultation Report [APP-045].</p> <p>Furthermore, on Friday 21 October 2022, a public information event was held at Messing Village Hall. This event was advertised via letter drop with all residents of Messing and Inworth.</p> <p>The existing B1023 adjacent to Anne Green's property is proposed to be converted to a cycle track as shown in the Streets, Rights of Way and Access Plans [AS-028]. This is proposed to negate the need for walkers and cyclists to interact with the new Inworth Road roundabout, which is proposed to be constructed offline from the B1023. This facility is not proposed to be dedicated as a bridleway.</p>

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				As described in Ref:58 response above, the forecasted traffic is reduced to Anne Green's property and therefore the Applicant doesn't expect the scheme will make it any more difficult to access her property.
60.	Anne Green	Permission should not be granted for this junction. Mrs Green requested that ExA consider that the Applicant should purchase her house for the full market value.	-	Please see the Applicant's response at line 56 above.
61.	Anne Green	The Paris Climate Change Agreement in 2015 recognised the need for immediate action to cut carbon emissions. Climate change is humanity's greatest threat. Local carbon emissions will be increased and push them further up the road. Mrs Green said that the Applicant will argue that there will be reduced emissions but there will be embodied carbon in the concrete used to build the road. Furthermore, the Applicant is not	-	<p>The Government has adopted UK carbon budgets over five-year periods in order to meet the goals of the 2015 Paris Agreement and to reduce carbon emissions to 'net zero' by 2050.</p> <p>As set out in paragraph 15.11.8 of Chapter 15: Climate, of the Environmental Statement [APP-082], the assessment makes a comparison with national carbon budgets and shows that the construction of the proposed scheme (including embodied carbon) is estimated to contribute approximately 0.022% of the fourth carbon</p>

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		<p>thinking of the full A12 only 15 miles of it.</p>		<p>budget. Operation of the proposed scheme is estimated to contribute approximately 0.002% of the fourth carbon budget, 0.009% of the fifth carbon budget and 0.015% of the sixth carbon budget. It is considered that this magnitude of emissions from the proposed scheme would not have a material impact on the ability of the UK Government to meet its carbon budgets, and therefore is not anticipated to give rise to a significant effect on climate, in line with the position set out within paragraph 5.18 of the National Networks National Policy Statement (NNNPS).</p> <p>The spatial extent over which road user greenhouse gas (GHG) emissions have been assessed, which covers a large part of the county of Essex, is shown on Figure 15.1 of the Environmental Statement [APP-245]. There is, however, no reasonable basis upon which National Highways can assess the significance of the GHG emissions impact of a scheme at a local or regional level, nor is it required to do so by law or by the NNNPS. Estimated changes in GHG emissions have accordingly been compared to relevant UK carbon budgets in</p>

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				<p>line with the Design Manual for Roads and Bridges LA 114 (as described above).</p> <p>Furthermore, additional measures (which have not been accounted for within the assessment) are being considered as part of the ongoing detailed design process in order to further avoid or reduce GHG emissions associated with the consumption of raw materials, where practicable and cost effective, including:</p> <ul style="list-style-type: none"> • The design specification, which will be developed as part of the detailed design, would aim to reduce or avoid, where practicable, the use of carbon intensive materials (e.g. concrete and cement). Where this is not practicable, material volumes or processes would be substituted with lower intensity replacements where practicable and if achievable within the bounds of the design standards for safety and quality. In order to help guide this process, a voluntary 30% carbon reduction target has been set for the embodied carbon associated with the proposed scheme, progress against which would be determined

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				and assessed with reference to PAS:2080 (the British Standard for managing carbon in infrastructure).
62.	Anne Green	Mrs Green said that the scheme is an insulting waste of public money during the cost of living crisis.	-	The Applicant's Case for the Scheme [APP-249] provides the justification for the proposed scheme.
63.	Anne Green	Mrs Green is concerned that the scheme will open up the local area for more unsustainable development.	-	Development control decisions are a matter of the local planning authority, in accordance with the Town and Country Planning act 1990 and subsequent relevant legislation.
	Roger Wacey			
64.	Roger Wacey	Mr Wacey and his son own Wishingwell Farm, off the A12. It is a third of a mile from existing A12 but there are 22 meters from edge of the proposed road to closest building (the recording studio). Mr Wacey said that he is trying to gain understanding for his son who is on the autistic spectrum and has asthma, a protected characteristic – this should have had some consideration and greater	-	<p>The Applicant continues to liaise with the Wacey's and will review the additional information when received from Mr Wacey. The 22 meters stated on the drawing which was sent directly to Mr Wacey has been annotated as the proposed noise barrier/highway boundary of the proposed A12 to the property boundary of Wishingwell Farm.</p> <p>The Applicant has made reasonable provision to reflect the protected</p>

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		<p>understanding from the Applicant.</p> <p>Mr Wacey said he has raised many issues and complaints with no meaningful response from the Applicant. Mr Wacey received an inadequate response 2 days ago details of which can be found on the PINS website. Mr Wacey will submit far more information before future deadlines.</p>		<p>characteristics referred to by Mr Wacey and will continue to do so.</p>
65.	Roger Wacey	<p>Mr Wacey accepts the A12 has to be upgraded, but not at the cost of local residents.</p> <p>Mr Wacey's son's recording studio and his wife's wedding photography business were detrimentally affected during surveys and drilling.</p> <p>Mr Wacey believes that his family needs to move to survive what has been a devastating experience so far and will only get worse as the location listed for 24 hour working during construction.</p>	-	<p>The Applicant has received claims for statutory blight in relation to Wishingwell Farm and is processing this.</p>

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66.	Roger Wacey	<p>On 9 September 2022, the Applicant accepted that there would be a significant impact on the quality of life. Night-time Significant Observed Adverse Effect Level is exceeded. Decibels and increase in vibrations will have an impact on the two businesses.</p> <p>Concrete piling will be undertaken both day and night.</p>	-	<p>Piling is proposed in the immediate vicinity of Wishingwell Farm for the installation of a gantry. Any piling in the vicinity would be day-time only.</p> <p>The Applicant acknowledges that there are likely significant adverse noise effects at Wishingwell Farm and the recording studio. The absolute noise level at Wishingwell Farm at night is predicted to be 0.4 dB(A) above the SOAEL.</p>
67.	Roger Wacey	<p>Mr Wacey said that his property is blighted and his family have been exposed to severe harmful mental effects. The Applicant recommended in September 2022 that the Waceys put in a discretionary purchase application. In October they then said that the Waceys could be put in a blight application, which might not be accepted. It has to be two separate applications – one for the house and one for the home office despite both being registered under the same title.</p>	-	<p>The Applicant has received claims for statutory blight in relation to Wishingwell Farm and is processing the details submitted.</p>

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		This is a common theme in how the Applicant is treating residents.		
	Mark East			
68.	Mark East	<p>Mr East is a resident of Hatfield Peverel and is a retired group control director.</p> <p>Mr East does not oppose the basic objective of the project, but he has a serious concern regarding the scheme at a local level.</p> <p>Mr East stated that it is crass to conclude that there will be no unacceptable impact on health and wellbeing for residents of Hatfield Peverel.</p> <p>The World Health Organisation says there are no safe limits of PM2.5. It recognises the need for reduction in the number of people exposed to PM2.5.</p>	-	The Applicant is grateful for the recognition of the need for improvements to the A12.

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		DEFRA has recently issued a new legal limit on PM2.5 as of December 2022. No comfort from the documents submitted that this critical target can be reached by [2040]		
69.	Mark East	<p>The intent of the scheme is to increase the volume of traffic along the A12. Hatfield Peverel straddles the A12. None of the 23 sensitive receptor points identified by the Applicant indicate an improvement in air quality and all bar one will be above the new legal limit.</p> <p>A significant component of PM2.5 is the break-up of tyres on road surfaces. Not just looking at NOx but also need to look at PM2.5. The Applicant's calculations indicate there is a swing of 9.2% which is considered small. [LPA] has questioned the accuracy of the modelling based on insufficient consideration of the development in the area. There is</p>	-	<p>Most worst-case receptors, assessed in Chapter 6: Air Quality, of the Environmental Statement [APP-073], are showing an impact in annual mean PM_{2.5} from the proposed scheme ranging from - 0.4 µg/m³ to 1.2 µg/m³, which is significantly below the current PM_{2.5} standards and the new draft target level that Mr East referred to in his representation and which is addressed below.</p> <p>PM₁₀ modelling was also undertaken of all properties within 200m of affected roads (or roads which triggered air quality criteria in the DMRB). This was modelled to provide results for the WebTAG distributional analysis. In total, and including the 23 worst case receptors, 837 properties were modelled for the distributional analysis in and around</p>

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		<p>as much as a 30% variance between the Applicant's calculations on PM_{2.5} and other developers' calculations in recent applications.</p>		<p>Hatfield Peverel. Of these, 97 were showing a slight improvement in particulate air quality. This was mainly due to a reduction in the traffic on The Street. The maximum reduction in PM₁₀ for Hatfield Peverel was 1 µg/m³ (R1581). PM_{2.5} concentrations were not modelled for the distributional analysis owing to there being no emission factors associated with National Highways tools.</p> <p>The 'new legal limit' that Mr East refers to is the 'target' threshold being proposed in the draft Environmental Targets (Fine Particulate Matter) (England) Regulations 2022. However, this target is still in draft and would require the support of a raft of policies before it could be adopted. According to the Chief Medical Officer's Annual Report 2022 Air Pollution it was illustrated that PM_{2.5} concentrations at any given location are dominated by background sources (approximately 75% in 2030). Predicted annual mean PM_{2.5} concentrations is being exceeded at the draft target value at worst-case receptors with and without the proposed scheme. The background concentration for these</p>

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				<p>receptors range from 9.1 to 9.8 $\mu\text{g}/\text{m}^3$ (i.e. very close to the target value). Hence, emissions from the existing traffic are contributing to annual mean $\text{PM}_{2.5}$ concentrations which hover about the target proposed in the draft regulations. While the annual mean $\text{PM}_{2.5}$ concentration is above the target now, there is every likelihood that it will not be in 2040 (i.e. the proposed compliance year). Evidence from the Chief Medical Officer's Annual Report 2022 Air Pollution suggests that with existing policies in place, the target threshold is likely to be met in 2030 across typical urban centres of England. Given the transboundary nature of particulates in the atmosphere, meeting target thresholds are more likely to be achieved through strategic policy rather than at the local level.</p> <p>The Applicant is unable to comment on comparisons between changes in $\text{PM}_{2.5}$ emissions for the proposed A12 and those individual developments suggested by Mr East. The air quality assessment was undertaken in accordance with relevant guidance as outlined in Chapter 6: Air</p>

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				<p>Quality of the Environmental Statement [APP-073]. The modelled traffic data used for the air quality assessment included committed developments and future growth to represent the opening year. It must also be emphasised that the assessment was undertaken on the basis of a pessimistic assumption in relation to the uptake of electric vehicles and therefore the emissions stated are likely to be a worst case.</p>
70.	Mark East	<p>Experts in human health, WHO and Royal College of Physicians have set out impacts of air quality on human health. The Applicant say there will be no impact. The impacts are deemed to be, at worst, modest, but that is not the point that must be considered.</p> <p>The relevant point for Hatfield Peverel is that the air pollution is already poor and by the Applicant's own calculations will worse but the Government's advisors are saying we must make improvements. This seems</p>	-	<p>Chapter 6: Air quality, of the Environmental Statement [APP-073] does not suggest there would be no impact from particulate emissions. It states that for worst case receptors, there would be no exceedance of the current PM_{2.5} and PM₁₀ standards. On this basis, there were no reportable significant effects. Equally, a 'modest' conclusion was not reported.</p>

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		imbalanced. Mr East refers to the reports contained within his statement which he states are incredibly relevant as they are from the Government's own health advisors.		
71.	Mark East	Mitigation, such as a contribution to the NHS, is not acceptable. There is a financial burden to NHS from air quality which is already alarming. Chris Whitty has reminded the nation that air pollution is everyone's problem and is related to asthma, cancer, heart attacks, still births and miscarriages, stroke and suicide.	-	Evidence on the population health impact of air pollution is presented in Appendix 13.1: Human Health Literature Review and Evidence, of the Environmental Statement [APP-153]. The chapter concluded the impact of NO ₂ and particulate matter on population health outcomes was neutral.
72.	Mark East	Mr East requested that the ExA consider PM2.5 and stated that it might be prudent to seek the views of the Government's health advisors as to the impacts on health	-	Appendix 13.1: Human Health Literature Review and Evidence, of the Environmental Statement [APP-153] presents the evidence for health effects associated with air pollution. Section 4.2 of the document presents evidence for particulate matter and health. Section 4.5 sets out how this evidence is interpreted for the purposes of considering significance. Paragraph 4.5.3 notes that ' <i>Any increase in</i>

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				<p><i>exposure to air pollution is negative for population health, while any decrease in exposure to air pollution is positive for population health</i>. However, the determination of significance takes account of the considerations listed in paragraph 13.12.39 of Chapter 13: Population and Human Health, of the Environmental Statement [APP-080]. The argument on the effects of particulate exposure and health is not in question. Expert evidence points to there being no 'safe' level of air pollution below which no health effects can be observed in a population. The air quality assessment for the worst-case receptors were assessed against the current applicable standard for PM_{2.5} of 20µg/m³. Judgement of significance was not required as no exceedance of the current standard was reported (see Chapter 6: Air Quality of the Environmental Statement [APP-073]). Until otherwise directed, the assessment undertaken is deemed to be appropriate and in line with current guidance.</p>
	ExA	The ExA asked Mr East to highlight the exact parts of the	-	-

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		reports he would like them to consider.		
	Councillor Keven Bentley			
73.	Councillor Keven Bentley	Councillor Bentley is the Colchester City Councillor for Messing and Inworth. He is concerned about Junction 24 and Junction 25. Councillor Bentley is also the leader of Essex County Council, but he isn't appearing in that capacity.	-	The Applicant notes the capacity in which Councillor Bentley made his representations.
74.	Councillor Keven Bentley	The vast majority of people are in favour of expansion of the A12. Essex is a fast expanding county and proper infrastructure is required to keep pace with the growth. However, Councillor Bentley is concerned regarding effects on local road network and lives of local residents. A great deal of work has been undertaken, but local knowledge, understanding and evidence is also very important.	-	<p>The Applicant welcomes Councillor Bentley's comments regarding the need for improvements to the A12.</p> <p>The applicant has sought to engage with local communities and local authorities and will continue to do so. The Applicant had considered fully the effects on the local road network and on local residents and believes its proposed scheme is appropriate and justified as a compromise between the needs for the improvement of the A12 and its impacts on local communities.</p>

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75.	Councillor Keven Bentley	Junction 24 in the current proposals will have a terrible effect on the wellbeing, health and safety of residents. Councillor Bentley supports the Main Alternative which he assisted in preparing. Proposed mitigation plans are not enough. Proposals for travelling down existing Inworth Road are not viable as it was designed as a country route and not a main road. The road is not safe to walk down. Many garden gates are on the road side, there will be more traffic and be more dangerous.	-	At present, at pinch points vehicles are likely to overrun the footway which is a serious hazard for pedestrians. The proposed easing of pinch points as part of the A12 scheme will minimise this potential hazard. Any additional measures are beyond the scope of the scheme.
76.	Councillor Keven Bentley	Hinds bridge is old and has had to be closed for repairs, causing tailbacks and delays. Councillor Bentley questioned whether it cope with increased traffic and asked about what happens if it fails again. Councillor Bentley stated that the Main Alternative should be considered further.	-	The Applicant has engaged with the Local Highway Authority on this matter. Reference RR-025-010 of Annex A of Applicant's Response to Relevant Representations [PDA-004] presents correspondence between the Applicant and Essex County Council. The applicant has considered the "Main Alternative" in the Junction 24, Inworth Road and Community Bypass Technical Report [APP-095].

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77.	Councillor Keven Bentley	With regards to Junction 25, still awaiting Department for Transport to announce new A120 scheme. If it doesn't go ahead then the scheme will put pressure on already busy A120, London Road and local railway station,	-	The traffic modelling work used to inform the assessment of the proposed A12 Chelmsford to A120 widening scheme assumes that the A120 improvement scheme is not built. This is because the A120 scheme is not sufficiently committed based on Department for Transport traffic modelling guidance. This ensures that the proposed A12 scheme is not dependent on a potential future A120 improvement scheme.
78.	Councillor Keven Bentley	Councillor Bentley stated that further work should be done to look at impact on Messing and Inworth.	-	The Applicant believes its Environmental Statement deals with the likely significant effects, including at these locations.
	Mary Lindsay			
79.	Mary Lindsay	Ms Lindsay is an Inworth resident living close to Park Bridge. Ms Lindsay requested an accompanied sit visit of the location of her 250 year old cottage. Ms Lindsay is very concerned about the impacts of the road		National Highways understands that this is an emotive matter for those individuals who are most affected by the proposals and recognises the proximity of the Interested Party to the proposed scheme, and its construction. The project has met with the Interested Party to discuss the concerns she has, mostly recently in August last year, as well as exchanging many had numerous correspondence.

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		<p>during construction. Ms Lindsay stated that she can't put her house on the market as it would not achieve the appropriate value. Ms Lindsay feels constrained and trapped because her property is outside the red line boundary and therefore doesn't qualify for discretionary purchase. Ms Lindsay requested that the Applicant consider discretionary purchase as she is in an untenable situation.</p>		<p>It is estimated that works in the vicinity would last approximately three years, while works to Park Bridge would be approximately 12 months. However a detailed construction programme has not yet been prepared. There may be situations where owners have a pressing need to sell their property and are unable to do so without a significant loss as a result of the proposed scheme. While the Applicant is under no obligation to purchase these properties, Parliament has given the Applicant the ability to purchase properties using discretionary powers. Discretionary Purchase applications can be submitted to National Highways from when the scheme is proposed through to the first year after it has opened to traffic.</p> <p>Discretionary Purchase was discussed with Mr and Mrs Lindsay in a meeting held 18 March 2021 and following the hearing on 16 January 2023. National Highways Discretionary Purchase brochure was emailed to Mary Lindsay.</p> <p>It would not be possible for the Panel or decision maker to instruct National Highways to offer a discretionary purchase but the</p>

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				Applicant will seek to meet with the owners to discuss their situation. Under Part I of the Land Compensation Act 1973 ('the Act'), compensation can be claimed by people who own and also occupy property that has been reduced in value by physical factors caused by the use of a new or altered road.
	ExA	The ExA noted Ms Lindsay's request for a site visit.		
	Mark Tonge			
80.	Mark Tonge	Mr Tonge is a resident of Messing village and is also a Board Director for MIAG. MIAG has 100s of members who have signed a petition against the development of the scheme against Junction 24. Mr Tonge is appearing in his personal capacity as a resident.	-	-
81.	Mark Tonge	The stretch of the A12 between the new proposed Junction 24 and Junction 25 is planned to be repositioned in a southerly direction. This was influenced by		Messing is approximately 1.5km from the proposed scheme at the nearest point. The landscape and visual assessment reported in Chapter 8 of the Environmental Statement [APP-075] includes five additional longer

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		<p>the land and connectivity needs of the new West Tey garden development which failed to get permission and has been scrapped. This position will bring the A12 closer to Messing, just a couple of fields away.</p> <p>Mr Tonge is concerned about the visual and noise impact, as well as air pollution.</p> <p>Mr Tonge said that the residents of Messing and Inworth are not 'NIMBYs'. They understand that the A12 widening would be an overall improvement for the community overall, but the issue is with Junction 24.</p>		<p>distance illustrative viewpoints in excess of 1km from the Order Limits to demonstrate that visual effects beyond 1km are unlikely to be significant due to distance and intervening screening features.</p> <p>Paragraph 12.11.47 of Chapter 12 Noise and Vibration discusses predicted road traffic noise changes around Messing. There are 71 dwellings and three other sensitive receptors along the route from Inworth Road to the B1022 (via Kelvedon Road, through Messing and then Harborough Road) where a significant adverse effect is predicted. The increases in road traffic noise include a moderate (3–5dB(A)) increase in noise at 16 dwellings and a major (+5dB(A)) increase at 55 dwellings. The increase in noise would be caused by an increase in traffic volume along this route, although it should be noted that over the 18-hour period considered for a daytime noise assessment, this would equate to around two vehicles every five minutes without the proposed scheme and six vehicles every five minutes with the proposed scheme. The daytime absolute noise level at those dwellings closest to (e.g. within 10m of) Kelvedon Road/The Street</p>

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				<p>would be between 58 and 62dB(A), which is below the SOAEL. Further from these roads the noise levels would be lower. The acoustic character and context of the noise is not expected to change with the proposed scheme, as the noise would still be from road traffic on the same façade of a sensitive receptor as before.</p> <p>Air quality modelling for specific receptors is undertaken in accordance with traffic criteria in DMRB LA105. None of the residences in Messing met the criteria for modelling in DMRB LA105 and therefore air quality issues are not anticipated in this area. The nearest road link which met the modelling criteria and was therefore, included in the modelling assessment is approximately 1.8km away from Messing. The highest annual mean NO₂ concentration upwind of Messing was 15.7 µg/m³ (Receptor R122). It is suspected that the concentration in Messing would be close to the background concentration of 8.9 µg/m³. These concentrations are well below the annual mean standard for NO₂ of 40 µg/m³.</p>

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82.	Mark Tonge	<p>Mr Tonge asked why the repositioning now required when the West Tey project is not proceeding. The capacity is no longer needed. Why in these straightened economic times, is the Department for Transport and the Chancellor not ensuring best value for money by widening the A12 in its existing location would be the cheaper option.</p> <p>Mr Tonge asked if the Applicant is actually being penny wise and pound foolish in not being willing to properly consider the Main Alternative which is supported by Priti Patel, the Parish Council and MIAG.</p>	-	<p>As outlined in the Case for the Scheme [APP-249], the proposed scheme has an adjusted BCR of 1.7 (which means that for £1 spent on the proposed scheme there will be a £1.70 return to society in benefits). The proposed scheme is considered to represent medium value for money.</p> <p>The location of junction 24 is not related to the previously proposed Colchester Braintree Borders Garden Community. In the Preferred Route Announcement for junction 23 to 25 the Applicant confirmed that as stated in the 2019 consultation, if the proposed garden community did not go ahead, the preferred route would be based on the 2017 consultation. Therefore, the preferred route announced was based on the Applicant's 2017 consultation.</p>
83.	Mark Tonge	The Main Alternative would prevent gridlock on the B1023 and the blighting of the village of Inworth. A walking visit by the ExA through the entire villages of Messing and Inworth would be appropriate.	-	The assessment by the Applicant found that, while the Main Alternative bypass option with a southern and northern link could reduce traffic in Inworth Village and Messing, it would increase traffic in Tiptree, Feering and the B1023 to the north of junction 24. A bypass does reduce traffic in

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				<p>some locations, but it will create the issues in other locations.</p> <p>A bypass would add an additional approximate cost of £10million to the proposed scheme and require approximately 40% more land to construct the bypass that is required for the improvements proposed to the B1023.</p> <p>See appendix to Chapter 3 of the Environmental Statement [APP 095]</p>
84.	Mark Tonge	<p>The roundabout design of Junction 24, its connectivity to the local road network, the capability of the local road network and the impact on the local area must be considered.</p> <p>The design of the roundabout is technically flawed and is a bastardisation of multiple design standards. The design lacks local knowledge and insight. Hinds Bridge is a very narrow pinch point – two cars can pass each</p>	-	<p>The Applicant has considered the design report commissioned on behalf of the Messing and Inworth Action Group (dated 4th August 2022) and maintains that it is appropriate to design the B1023 and Kelvedon Road approaches in accordance with the relevant local road standards (Manual for Streets), and the roundabout itself and the Inworth Road Link to the Design Manual for Roads and Bridges (CD116 and CD109 respectively). The use of the Design Manual for Roads and Bridges is appropriate on the Inworth Link Road which is proposed to be a National Highways asset due to the fact it provides</p>

Ref:	Comment/ Representation by:	Questions/Issues Raised at OFH1	Applicant's Response at the OFH1	Applicant's Written Response
		<p>other, anything larger cannot, but it is dangerous due to potholes. The Applicant has dismissed Hinds Bridge as being Essex County Council's problem. Yet this pinch point is incapable of absorbing the traffic that will have to pass over it to access Junction 24. Essex County Council has claimed it does not have the funding to widen or maintain Hinds Bridge.</p> <p>The ExA must visit Hinds Bridge.</p>		<p>access to the trunk road network only. Essex Highways has no specific standard more appropriate than the Design Manual for Roads and Bridges for roundabout design and therefore the Applicant must design to the highest appropriate standard.</p> <p>The Applicant has engaged with the Local Highway Authority on the matter of Hinds Bridge. Reference RR-025-010 of Annex A of Applicant's Response to Relevant Representations [PDA-004] presents correspondence between the Applicant and Essex County Council.</p>
85.	Mark Tonge	<p>Kelvedon Road is an unmarked and unlit road with few passing places. This Junction 24 access will make Messing a rat-run as people seek to shorten their access between Junction 24 and B1022.</p> <p>It is imperative that the ExA conduct site visits along the</p>		<p>The Applicant has undertaken extensive traffic modelling to understand the impact of the proposed scheme on the strategic and local road network. Details and the methodologies for these assessments can be found in the Transport Assessment [APP-253]</p> <p>With regard to the village of Messing, the proposed scheme's traffic model predicts a</p>

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		<p>entire length of the new proposed Junction 24, Inworth and the centre of Messing.</p>		<p>small increase in traffic flow that equates to two vehicles per minute through Messing during the highest peak hour. As this is well within the capacity of the local road network, the Applicant is not proposing any further interventions beyond those proposed for the B1023.</p>
86.	Mark Tonge	<p>Mr Tonge stated that, so far, the Applicant has not acquitted itself well. It has failed to communicate and to consult properly. It has not been consistent in its supporting data and modelling, which has been self-serving. It has not produced a design for Junction 24 that abides by its design standards. Its contractors are doing its bidding for it. The local community has no confidence or trust in the Applicant regarding Junction 24. As a local community we want to pursue the Main Alternative while the Applicant has dismissed it.</p>	<p>With regard to the concerns expressed by Mr Tonge about Junction 24 – the ExA will see the extent to which the Applicant has taken into account the views of local communities about Junction 24. Including the 73 page report that is at APP-095</p>	<p>The Applicant believes it has discharged its consultation duties fully prior to the submission of the application for development consent.</p>

Ref:	Comment/ Representation by:	Questions/Issues Raised at OFH1	Applicant's Response at the OFH1	Applicant's Written Response
87.	Mark Tonge	The Applicant has recent bad form – the failure to adequately consider alternatives re the A303 Stonehenge case. That resulted in a Judicial Review that found against the Applicant and the Department for Transport. It is already concerning that the local community has found it necessary to form an Action Group and appoint a legal representative.	The A303 case requires some careful reading regarding alternatives, as it is not correct to assert that the court found that National Highways did not appraise alternatives correctly. The Court found that the Secretary of State did not consider alternatives in his decision letter. There was no criticism of National Highways' alternatives process.	The Applicant relies on its oral submissions.
	Mark Cathcart			

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88.	Mark Cathcart	<p>Mr Cathcart is a resident of Blue Mills, adjacent to the 11 acre nature reserve. Mr Cathcart is concerned about the Cadent gas pipe diversion and how it will cut across the Blue Mills nature reserve, an area of exceptional ecological interest. There are 2 female black poplars – there are only 600 in the country, only 2 in Essex, and both of those trees are on the Blue Mills nature reserve, one of which is an otter holt. There are also 9 ancient oaks, which is a home for a breeding pair of kites. There are also inland reed beds which are some of the rarest form of countryside within Essex.</p> <p>The pipeline will result in the dislocation of habitat for a number of protected species.</p>	-	<p>The Applicant notes the descriptions of flora and fauna provided by Mr Cathcart. The Applicant will work with Cadent to look to minimise impacts on habitats and species where practicable.</p>
89.	Mark Cathcart	<p>There will also be damage to amenity value to local community, as the footpath looks directly on a magnificent line of ancient oaks,</p>		<p>Visual effects are assessed within Appendix 8.3 Visual effects schedule of the Environmental Statement [APP-121]. The assessment in year one of operation from</p>

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		which will be replaced with a view to the A12.		representative viewpoint 35, from public right of way (PRoW) 268_23, acknowledges that loss of vegetation would open up views across the Blackwater River Valley towards the A12. The assessment concludes that there would be a significant effect (moderate adverse) for users of the PRoW in year one of operation. In year 15 of operation, the assessment notes that establishment of mitigation planting within the gas main diversion easement would help to reinstate the character of the view of the Blackwater River Valley from the footpath and concludes that there would be no significant visual effects.
90.	Mark Cathcart	Mr Cathcart believes that the route has been chosen without proper understanding of ecological value of the site and before any surveys were conducted by the Applicant. Subsequent to the application, the nature reserve has been granted a Tree Preservation Order which		Mr Cathcart did not grant permission for surveys until July 2022. Ecological surveys were then undertaken in late summer / early autumn. To accommodate the early status of the design and the ecological value of the land, the Applicant took a precautionary approach and drew the Order limits for the proposed corridor for the Cadent gas pipeline in this location at

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		<p>was confirmed this week. The site has also been recommended for designation as a Local Wildlife Site.</p>		<p>100m width, to allow for flexibility and fine tuning of the final route corridor.</p> <p>The Applicant is liaising with Maldon Borough Council to obtain more information about this designation, which has not yet been posted on the Council's website.</p>
91.	Mark Cathcart	<p>Mr Cathcart has not seen any tree survey conducted by the Applicant despite requests for them to do so. Nor any habitat classification carried out. Mr Cathcart believes an accompanied site visit of the site is needed. It is not accessible to the public.</p>		<p>Arboricultural surveys were undertaken in 2020 and 2021 at a time when access was not granted to the land referred to by Mr Cathcart. The Arboricultural Impact Assessment [APP-122] includes some of the trees within the route of the gas main diversion, but does not include the trees where access was not granted.</p> <p>The Applicant is in the process of arranging an arboriculture survey of areas of land along the gas main diversion which have not previously been surveyed.</p> <p>A UK Habitats Classification survey was undertaken as part of a suite of ecological surveys on Mr Cathcart's land in 2022. National Highways is finalising the report</p>

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				and will make this available to the Interested Party in due course.
92.	Mark Cathcart	Mr Cathcart recommended that the gas pipe bypass to the north of the nature reserve where there are no ancient or veteran trees. Cadent has said trenching will be avoided. Cadent therefore must employ tunnelling, giving sufficient clearance to the roots of historic trees including the female black poplar.		The Applicant will consider the suggestion and liaise with Cadent Gas for the route of the gas pipeline and location of the crossing under the Blackwater River.
	ExA	The ExA asked who is responsible for the nature reserve. Mr Cathcart confirmed that him and his wife privately manage it and ensure minimum intrusion on the site. They did a lot of work to put it together 20 years ago and were awarded a commendation by Maldon District Council.		-
	ExA	The ExA asked if there is no footpath across the nature reserve and if not, how close was the nearest footpath.		-

Ref:	Comment/ Representation by:	Questions/Issues Raised at OFH1	Applicant's Response at the OFH1	Applicant's Written Response
		Mr Cathcart stated that the closest footpath to the nature reserve is within 20-30 metres.		
	ExA	The ExA requested that the Applicant note the various locations mentioned for site visits and check these against the Applicant's proposals.	-	The Applicant will provide a suggested itinerary for ASI at Deadline 1

2 Hearing Action Points arising from Open Floor Hearing 1 held virtually and in person on 12 January 2023 at 2pm

Action	Description	Action by	When	Applicant's Response
1	The ExA requested that Messing Cum Inworth Parish Council file their written submission by 30 January 2023.	Messing Cum Inworth Parish Council	30 January 2023.	-
2	The ExA requested that when Tiptree Parish Council makes its submission, it makes it clear where Braxted Park Road is.	Tiptree Parish Council	30 January 2023	-
3	The ExA requested that the plans Mr Mahoney has are submitted at Deadline 1.	Ian Mahoney	30 January 2023	-
4	The ramifications of the new legal limits for PM2.5 must be considered by the Applicant.	The Applicant	30 January 2023	See responses to Mark East for OFH1
5	The ExA asked Mr East to major in on the exact parts of the reports he has included in his submissions that he would like them to consider.	Mark East	-	-
6	The ExA requested that the Applicant note the various locations mentioned for site visits and check these against the Applicant's proposals.	The Applicant	30 January 2023	See Applicant's suggested itinerary for Accompanied site visits

Appendix OFH1A – Explanation of Traffic Model Changes

A12 Chelmsford to A120 widening scheme

TR010060

Explanation of Traffic Model Changes

Rule 8(1)(k)

Planning Act 2008
Infrastructure Planning (Examination Procedure)
Regulations 2010

Appendix OFH1A - 9.10 Applicant's Response to
Open Floor Hearing 1

January 2023

Infrastructure Planning

Planning Act 2008

The Infrastructure Planning
(Examination Procedure) Rules 2010

A12 Chelmsford to A120 widening scheme
Development Consent Order 202[]

Explanation of Traffic Model Changes

Regulation Number	Rule 8(1)(k)
Planning Inspectorate Scheme Reference	TR010060
Application Document Reference	TR010060/EXAM/9.10 – Appendix OFH1A
Author	A12 Project Team and National Highways

Version	Date	Status of Version
Rev 1	30 January 2023	Final for Deadline 1

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1 Introduction

1.1.1 During the Open Floor Hearings, some Interested Parties questioned why the predicted traffic flow information presented has changed during the scheme development and consultation process.

1.1.2 This technical note provides a summary of the traffic models used to support the proposed scheme's development, and why the traffic flows presented may have changed. It also provides detailed specific information about the traffic flow changes on the B1023 through Inworth and the reasons for those.

2 Overall Reasons for Changes

2.1 Overall Reasons for Changes in Traffic Flows

2.1.1 A strategic traffic model has been used to inform the proposed scheme's development, consultation and assessment. It is used to predict future traffic flows and journey times in the absence of the proposed scheme, and how they would change if the proposed scheme was built. As part of building these future-year traffic models a base year model is developed first, which represents existing traffic conditions. A process known as validation is used to show that the base year model accurately reflects observed traffic counts and journey time surveys. Traffic growth factors and information about future housing and employment developments are then taken into account to produce future-year traffic models. This approach is consistent with Department for Transport (DfT) national modelling guidance.

2.1.2 The development of major highway improvement schemes typically takes place over several years. It is common for the traffic model to be refined over the course of this scheme development, as background traffic assumptions change over time and as more detailed traffic information is required during later stages of scheme assessment (e.g. to inform the Environmental Statement).

2.1.3 On the A12 Chelmsford to A120 widening scheme, three major versions of the traffic model have been used:

- **PCF Stage 2 model.** This was used during the early stages of the scheme development, to inform the development of the scheme leading to Preferred Route Announcements in 2019 and 2020.
- **Stat Con model.** This was used to refine the proposed scheme during its preliminary design process, and informed the Statutory Consultation in summer 2021.
- **DCO model.** This was developed during 2021, and was used to inform the application for development consent (including the Environmental Statement). It was also used to inform any engagement with stakeholders after the Statutory Consultation, including the Supplementary Consultation in November 2021.

2.1.4 Further information is provided below on the difference between the Stat Con and DCO models.

2.2 Differences between the Stat Con and DCO traffic models

2.2.1 As described above, two versions of the traffic model were used during the two rounds of the scheme's consultation process in 2021. The Stat Con model was used to inform the Statutory Consultation during summer 2021. This model was then updated to produce the DCO model. Results from the DCO model were used to inform the Supplementary Consultation in November 2021.

2.2.2 The main reason for this two-phase modelling approach was the impact of Covid-19. A new set of traffic counts was arranged for March 2020 to allow the development of a new base year model representing 2020, to replace the PCF Stage 2 model. However, this data collection exercise was cancelled due to Covid-19. Instead, a two-phase modelling approach was adopted:

- To inform Statutory Consultation, the Stat Con model would be developed with a base year of 2016, using traffic counts from 2016 which were already available.
- Separately, any available traffic data from 2019 would be sourced from third parties such as Essex County Council. This data would then be used to build the DCO model with a base year of 2019.

2.2.3 After the Stat Con model (base year 2016) was completed, it was updated to the DCO model (base year 2019) by incorporating more recent traffic data into the model wherever possible. When updating the base year traffic model to incorporate more traffic counts from 2019. This had the effect of changing trip patterns across the model, even in places where no new traffic count data was incorporated. The list of future housing and employment developments used in the model was also updated to incorporate more recent planning assumptions, which changes future year traffic patterns. A small number of localised updates were also made to the coding of roads and junctions in the model, to improve the validation against 2019 traffic surveys or to better reflect the design of the proposed scheme.

2.2.4 This two-phase modelling approach meant that two sets of traffic data were shared with stakeholders during 2021. However, this was done in a consistent manner: The initial (Stat Con) model used for information released before November 2021. The second (DCO) model was used for information released after November 2021. This change in the traffic model used was explained when releasing traffic data, for example in the Supplementary Consultation brochure (Annex J2 [APP-057]) and in meetings with local authorities and Parish Councils.

2.3 Different ways in which traffic data could be presented

2.3.1 The Applicant has presented traffic data in as consistent manner. However, due to the complex nature of the data, there could potentially be differences in presentation of data, often at the request of a stakeholder.

- Traffic data has generally been presented for the scheme opening year of 2027, but sometimes has been presented for 2042 where requested or where it was more appropriate (e.g. discussions on whether junctions have enough capacity to handle predicted future traffic levels)
- Traffic data has generally been presented for two scenarios: with and without the proposed scheme. The difference between these scenarios (i.e. the impact of the proposed scheme) is usually shown as both absolute change in the number of vehicles and as a percentage change. For example, as shown in Transport Assessment - Appendix C: Traffic Flow Diagrams – Communities and A12 Mainline [APP-256]. However, at times this data may have been presented differently for simplicity – e.g. to show the only the change in traffic and not the with/without scheme traffic flows.
- Traffic data has usually been presented as vehicles per hour in the AM and PM peak. Sometimes additional traffic data representing total daily traffic (AADT) has been provided.
- Traffic data has usually been presented as ‘total vehicles’ (i.e. all cars, vans, HGVs combined). Occasionally requests were received to break this down further by vehicle type. This data was provided where requested.
- In the DCO application, traffic flows were presented for the locations shown in Transport Assessment Appendix C. Occasionally requests were received for traffic data in other locations, and this was provided. This was particularly the case during discussions with Parish Councils, who may have specific requests for roads relevant to them that were not presented in the Transport Assessment. The traffic model can sometimes predict different traffic flows at different points on one road, even within the same town.
- Traffic was usually presented as two-way traffic. Occasionally traffic data was presented in other formats where appropriate, e.g. one-way traffic flows on arms entering a junction.

2.3.2 Where traffic data was different to information previously provided or presented in a different format, the Applicant has explained why that is the case.

3 Summary of Changes on B1023 Between Stat Con and DCO Models

- 3.1.1 As described above, changes were made between the Stat Con and DCO models. Although these changes were generally made model-wide rather than focussing on specific locations, the scale of the resultant traffic flow change between Stat Con and DCO models varies by location.
- 3.1.2 A summary of the traffic model flows on the B1023 through Inworth is provided in the table below. This compares two-way traffic flow in 2027 between the Stat Con and DCO model. Traffic numbers are provided in vehicles per hour in the AM and PM peak.

	Stat Con Model		DCO Model	
	AM	PM	AM	PM
Without scheme	729	862	784	846
With scheme	1,403	1,358	1,111	1,132

- 3.1.3 This shows that the 'with scheme' flows are approximately 20% lower in the DCO model. As well as the general changes in traffic patterns described above, this reflects changes to the way that the B1023 through Inworth is coded in the updated model. The DCO model's base year model was developed to reflect 2019 conditions instead of 2016. To validate the traffic model under these conditions, changes were made to the speeds and capacities on the B1023.
- 3.1.4 In line with standard traffic modelling practice, each road in the traffic model is assigned a 'speed-flow curve'. This defines how fast traffic will travel in the model when the road is quiet, and how traffic speed will reduce as the road gets busier. The speed-flow curve for each road is assigned based on observations of the road conditions and on traffic flow/speed data collected as part of the model development. Speed-flow curves are assigned to the thousands of links within the traffic model, based on a library of available speed-flow curves.
- 3.1.5 For the B1023, the speed-flow curves were updated as part of the DCO model refresh. This was based on improved knowledge of the road's physical constraints, and to better reflect the sign-posted speed limit. For example, the speed-flow curve was changed for the section of the road through Inworth from "Village Single Carriageway B Road, 40mph" to "Village Single Carriageway B Road, 30mph".
- 3.1.6 When carried through to the future year traffic models with the proposed scheme in place, this makes the B1023 slightly slower and less attractive than in the Stat Con model. The level of traffic predicted on the route is therefore lower.
- 3.1.7 On the section of B1023 on Hinds Bridge, north of the proposed location for junction 24, the two-way traffic model flows in 2027 from the Stat Con and DCO

models are summarised in the table below. Traffic numbers are provided in vehicles per hour in the AM and PM peak.

	Stat Con Model		DCO Model	
	AM	PM	AM	PM
Without scheme	745	881	822	892
With scheme	851	785	779	900

- 3.1.8 In both traffic models, changes in traffic flow due to the proposed scheme are modest, with a mixture of increases and decreases in traffic across different peak hours. In both models, there is predicted to be an overall reduction in traffic on Hinds Bridge across a full day.

4 Summary of Changes in Boreham Between Stat Con and DCO Models

- 4.1.1 As well as the model-wide changes to the traffic model made between the Stat Con and DCO models as described in chapter 2 of this appendix, traffic numbers in Boreham were also affected by changes to the design of the proposed scheme between the June 2021 Statutory Consultation and the November 2021 Supplementary Consultation. The proposed layout of junction 21 was changed so that access between Hatfield Peverel and junction 21 would be via an improved Wellington Bridge and a northern link road, rather than via a southern link road joining the eastern end of The Street. Maps showing these changes are provided on page 13 of the Supplementary Consultation brochure (Annex J2 [APP-057]). Newly proposed lower speed limits along the B1137 were also included as part of the proposed scheme.
- 4.1.2 Overall, the combinations of all these impacts meant that the predicted traffic changes on B1137 Main Road were similar between the Statutory Consultation and Supplementary consultation. In the morning peak, traffic was predicted to increase by 173 vehicles per hour (vph) in the Statutory Consultation and by 184 vph in the Supplementary Consultation. In the evening peak, traffic was predicted to decrease by 7 vph in the Statutory Consultation, and by 93 vph in the Supplementary Consultation.
- 4.1.3 In their Open Floor Hearing submission, Boreham Conservation Society queried why the predicted traffic numbers for Plantation Road within Boreham have changed dramatically but without affecting numbers on the B1137 Main Road. Although traffic information on Plantation Road was not released as part of the Statutory Consultation brochure, the total daily traffic increase remained the same between the Stat Con model and the DCO model at 590 additional vehicles per day. Because of changes in the predicted background level of traffic on the road without the proposed scheme in place, in percentage terms this increase changed from a 25% increase to 17%