

# **A12 Chelmsford to A120 widening scheme**

**TR010060**

## **8.9 Statement of Common Ground with Colchester City Council**

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

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**WORKING DRAFT as of 10.02.23**

**Statement of Common Ground with Colchester City Council**

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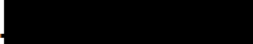
## STATEMENT OF COMMON GROUND

**This Statement of Common Ground has been prepared and agreed by (1) National Highways Limited and (2) Colchester City Council insofar as it is a working draft agreed by the portfolio holder for Planning and Infrastructure.**

*There has been extensive engagement on the draft Statement of Common Ground as captured in the Record of Engagement (Table 2.1) and below captures the status of these discussions between both parties. The SoCG will continue to be updated throughout the DCO examination period.*



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**Project Director**  
**on behalf of National Highways**  
**Date: 10/02/2023**

**Signed**..........

**Simon Cairns**  
**Development Manager**  
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**Date: 10/02/2023**

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# 1 Introduction

## 1.1 Purpose of this document

- 1.1.1 This Statement of Common Ground (SoCG) has been prepared in respect of the proposed A12 Chelmsford Widening (the Scheme). An application has been made by National Highways Limited (National Highways) to the Secretary of State for Transport (Secretary of State) for a Development Consent Order (the Order) under section 37 of the Planning Act 2008 (PA 2008).
- 1.1.2 The Order, if made, would authorise National Highways to widen the existing A12 to three lanes between junction 19 and 25 in each direction, where it is not already three lanes. This would mainly involve online widening of the carriageway, with offline bypasses created between junctions 22 and 23 (Rivenhall End Bypass) and between junctions 24 and 25 (Kelvedon to Marks Tey). This would be accompanied by junction improvements (junction 19 and 25), construction of new junctions catering for traffic movements both north and southbound (junctions 21, 22 and 24), and removal of existing junctions (junction 20a, 20b and 23).
- 1.1.3 This SoCG does not seek to replicate information which is available elsewhere within the application documents. All documents are available in the deposit locations and/or the Planning Inspectorate website.
- 1.1.4 The SoCG has been produced to confirm to the Examining Authority (ExA) where agreement has been reached between the parties to it, and where agreement has not (yet) been reached and still under discussion, and areas of disagreement. SoCGs are an established means in the planning process of allowing all parties to identify and so focus on specific issues that may need to be addressed during the examination.

## 1.2 Parties to this Statement of Common Ground

- 1.2.1 This SoCG has been prepared by (1) National Highways (formally known as Highways England) as the Applicant and (2) Colchester City Council.
- 1.2.2 National Highways became the Government-owned Strategic Highways Company on 1 April 2015. It is the highway authority in England for the strategic road network and has the necessary powers and duties to operate, manage, maintain and enhance the network. Regulatory powers remain with the Secretary of State. The legislation establishing National Highways made provision for all legal rights and obligations of the Highways Agency, including in respect of the Application, to be conferred upon or assumed by National Highways.
- 1.2.3 Colchester City Council is a prescribed consultee under Section 43 of the PA 2008 as a host local authority.

## 1.3 Terminology

- 1.3.1 In the tables in the Issues chapter of this SoCG, “Not Agreed” indicates a final position, and “Under discussion” where these points will be the subject of on-



going discussion wherever possible to resolve, or refine, the extent of disagreement between the parties. “Agreed” indicates where the issue has been resolved.

- 1.3.2 It can be taken that any matters not specifically referred to in the Issues chapter of this SoCGs are not of material interest or relevance to Colchester City Council and therefore have not been the subject of any discussion between the parties. As such, those matters can be read as agreed, only to the extent that they are either not of material interest or relevance to Colchester City Council.

## 2 Record of Engagement

- 2.1.1 A summary of the meetings and correspondence that has taken place between National Highways and **Colchester City Council** in relation to the Application is outlined in table [2.1].

**Table 2.1 Record of Engagement**

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
w/c 23 May 2016	Letter/Email	Contact MPs and Parish Councils to inform them of survey activity - To ensure that local political representatives are informed of activity and are aware of the significant and reason for that activity.
27 June 2016	Letter/Email	Introductory contact with key local authorities - Contact key local authorities to identify single point of contact and request a meeting.
July/August 2016	Meeting	Engage with identified officer-level contact for key local authorities to discuss programme for the project, communications and understand local plans and issues which might impact the development of options.
w/c 4 July 2016	Letter/Email	Issue forum invitations as applicable - Make initial contact with potential forum members. Introduction to the scheme and the purpose of the forums, request representation.
July 2016	Meetings	Engagement with statutory bodies - Engagement with relevant stakeholders to gather information to support development of drainage strategy
16 Sept 2016	Meeting	Members Forum - To inform forum members about the consultation and the principles of a good consultation, as well as providing a project update.

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
20 Sept 2016	Meeting	Colchester and Maldon Community Forum - To inform forum members about the consultation and the principles of a good consultation, as well as providing a project update.
8 Nov 2016	Meeting	NMU Workshop - Early engagement with technical stakeholders to get understanding of key issues.
10 Nov 2016	Meeting	Road Users workshop - Early engagement with technical stakeholders to get understanding of key issues.
25 Nov 2016	Meeting	Members Forum - Update on progress and the forthcoming consultation, preview of materials for consultation. Update on emerging options / preview options identified for engagement.
30 Nov 2016	Meeting	Colchester and Maldon Community Forum - Update on progress and the forthcoming consultation, preview of materials for consultation. Update on emerging options / preview options identified for engagement.
23 January 2017	Meeting	VIP event for launch of consultation - To announce route options for consultation and launch the consultation to local elected members and senior officers. The press will also be invited.
5 April 2017	Meeting	DCO Planning Workshop - To go through the DCO process with the local authority planning leads, and explain what their involvement will be in the process.
17 May 2017	Meeting	Consultation Response Meeting - To discuss their consultation response and answer any specific questions they may have.
23 May 2017	Meeting	Environment Workshops - Three workshops to provide the opportunity to discuss technical issues and to gather feedback for next steps.
7 July 2017	Meeting	Members Forum - To inform forum members about the consultation, as well as providing a project update.
3 August 2017	Meeting	Community Forum (West) - To inform forum members about the consultation, as well as providing a project update.

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
Jan 2018	Meeting	5 <sup>th</sup> round of forums - The purpose of this forum will be to maintain relationships. Topics to be covered include: Scheme update Forum format going forward Environmental Impact Assessments
May 2018	Email	Letter/email sent to stakeholders - The purpose of the letter is to flag up the update to the website and explain timescales where possible.
12 July 2019	Meeting	Members' Forum - Provide an overview of the A12 scheme, including work that has taken place to date and provide an update on the way forward for the scheme.
24 July 2019	Meeting	Community Forum - Provide an overview of the A12 scheme, including work that has taken place to date and provide an update on the way forward for the scheme.
3 October 2019	Meeting	Members forum - Provide an overview of the A12 scheme, including work that has taken place to date and provide an update on the way forward for the scheme, with a focus on the upcoming consultation.
14 October 2019	Meeting	Community forum - Provide an overview of the A12 scheme, including work that has taken place to date and provide an update on the way forward for the scheme, with a focus on the upcoming consultation.
19 February 2020	Meeting	Members Forum - To provide an overview of how the consultation went <ul style="list-style-type: none"> <li>• How many people attended events</li> <li>• Feedback on the door</li> <li>• Responses received to date (members' forum will be given indication on the most popular route)</li> </ul> Feedback on how we can improve future events
20 May 2020	Online Meeting	Meeting with traffic and planning to discuss modelling and local developments



Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
19 August 2020	Online meeting	Members' forum - To provide a scheme update: <ul style="list-style-type: none"> <li>• Project update</li> <li>• Overview of how the schemes will now be drawn back together</li> </ul> Overview of how, when a PRA is announced, it will be managed (publicity etc)
15 September 2020	Online workshop	Junction 24 workshop - To discuss the updates of designing junction 24.
1 October 2020	Online workshop	Junction 25 workshop - To discuss the updates of designing junction 24.
23 October 2020	Online workshop	Junction 19 workshop - To discuss the updates of designing junction 19.
24 November 2020	Online workshop	Local Roads workshop - To discuss the road strategy.
26 November 2020	Online meeting	Members' forum - To provide a scheme update: <ul style="list-style-type: none"> <li>• Project update</li> <li>• Design update</li> </ul>
4 December 2020	Online meeting	Meeting with LPAs to discuss SoCC draft - To get input on SoCC before we consult on it
26 February 2021	Online workshop	Junction 24 workshop - Provide an update on design fix 1 and get feedback.
26 February 2021	Online workshop	Junction 25 workshop - Provide an update on design fix 1 and get feedback.
4 March 2021	Online workshop	Local roads workshop (including junction 21) - Provide an update on design fix 1 and get feedback.
8 March 2021	Online workshop	Members forum - Provide an update on design fix 1 and get feedback.
18 May 2021	Online workshop	Junction 25 and junction 25 workshop - Provide an update on design fix 2 and get feedback.
24 May 2021	Online workshop	Detrunking workshop - Provide an update on design fix 2 and get feedback.
7 June 2021	Online workshop	Members' forum - Present design and arrangements for stat con

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
9 June 2021	Email	Send final SoCC and explaining any changes following consultation.
22 June 2021	Email and letters	Notify key stakeholders by letter or email
29 September 2021	Online meeting	A12 workshop - To discuss the next steps for the project, including further consultations
7 October 2021	Online workshop	Members Forum – to provide an update on the project
3 March 2022	Online workshop	Members Forum – to provide an update on the project
18 May 2022	Online meeting	Statement of Common Ground meeting – introduction to the process discussion on designated funds, noise mitigation, air quality and heritage.
22 July 2022	Online workshop	Members Forum – to provide an update on the project
12 August 2022	Online meeting	Statement of Common Ground meeting – discussed the EMP, discussed Chapter 13 of ES, discussed access to shared Teams space and sharing of DCO documents.
26 October 2022	Online meeting	Statement of Common Ground meeting – discussed J24, Messing and Tiptree in regard to traffic, noise and historic environment.
18 November 2022	Online meeting	Statement of Common Ground meeting – discussed highway issues and traffic figures for Tiptree.
13 December 2022	Online meeting	Statement of Common Ground meeting -

2.1.2 It is agreed that this is an accurate record of the key meetings and consultation undertaken between (1) National Highways and (2) **Colchester City Council** in relation to the issues addressed in this SoCG

### 3 Issues summary

#### 3.1 Summary of agreed issues

3.1.1 The below table [3.1] provides a summary of the issues which have been agreed by Colchester City Council and National Highways. The full table of issues agreed can be seen in table [4.1].

**Table 3.1 Summary of agreed issues between Colchester City Council and National Highways**

Ref	Topic	Issue	Status	Date
1.1	Built heritage	Assessment of impact	Agreed.	03/11/2022
1.2	Noise	Noise and vibration management plan	Agreed.	03/11/2022
1.3	Noise	Noise reduction	Agreed.	03/11/2022
1.4	Noise	Significant affects	Agreed.	03/11/2022
1.5	Traffic	Development logs	Agreed.	18/11/2022
1.6	Traffic	Traffic in Inworth, Messing and Tiptree	Noted.	03/11/2022
1.7	Visual impact	Visual impact on the landscape	Agreed.	19/01/2023

#### 3.2 Summary of issues under discussion

3.2.1 The below table [3.2] provides a summary of the issues currently under discussion between Colchester City Council and National Highways. The full table of issues under discussion can be seen in table [4.2].

**Table 3.2 Summary of issues under discussion between Colchester City Council and National Highways**

Ref	Topic	Issue	Status	Date
2.1	Social severance	Traffic flows	Under discussion	19/01/2023
2.2	Built heritage	Listed buildings	Under discussion	19/01/2023
2.3	Noise, landscape and biodiversity	Construction effects on Easthorpe	Under discussion	19/01/2023
2.4	Archaeology	Assessment of archaeology	Under discussion	19/01/2022
2.5	Archaeology	Trial trenching	Under discussion	19/01/2023
2.6	Landscape impact	Visual impact during construction	Under discussion	19/01/2023
2.7	Hedgerows	Protected hedgerows	Under discussion	19/01/2023
2.8	Air Quality	Air quality modelling	Under discussion	19/01/2023

## 4 Issues

4.1.1 The below tables set out the issues in discussion between Colchester City Council and National Highways. These tables have been split into issues agreed and issues under discussion.

### 4.2 Issues agreed

4.2.1 The below table [4.1] details the issues agreed between Colchester City Council and National Highways. This includes any reference to relevant documents, the current Colchester City Council position and the National Highways position.

Table 4.1 Issues agreed.

Ref	Issue	Doc Reference	Colchester City Council (CCC) Position	National Highways Position	Status	Date
1.1	Built heritage	Environmental Statement, Chapter 7 Cultural Heritage [APP-074]	<p>Whilst there are no conservation area designations affected by the project, there are some 26 listed buildings within a 200m catchment zone of the proposed carriageway.</p> <p>The methodology employed in the assessment of impact is acknowledged as appropriate.</p>	National Highways agrees with this statement. The methodology is considered suitable and has followed DMRB standards and best practice guidance for assessing impacts on the historic environment and has been discussed with stakeholders.	Agreed.	03/11/2022
1.2	Noise	Environmental Statement, Chapter 12, Noise and Vibration [APP-079]	The Council welcomes the noise and Vibration Management Plan (NVMP) contained within the Construction Phase within the Environmental Management Plan (EMP) and the proposed mitigation measures to reduce the impacts from noise and vibration. Where predicted significant adverse impacts cannot be removed, then the Principal Contractor (PC)	As described within paragraph 12.10.11 (last bullet point) of Chapter 12 of the Environmental Statement [APP-079], where it is not practicable to mitigate airborne noise, a framework to determine eligibility for noise insulation and temporary re-housing will be developed.	Noted.	03/11/2022



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Ref	Issue	Doc Reference	Colchester City Council (CCC) Position	National Highways Position	Status	Date
			bespoke mitigation must identify and dwellings eligible for noise insulation or residents eligible for temporary re-housing.			
1.3	Noise	Environmental Statement, Chapter 12, Noise and Vibration [APP-079]	<p>On a positive note, the new alignment between junctions 24 and 25 will reduce noise for a large number of receptors close to the A12 in Marks Tey, some of which currently experience very high noise levels. Within the Borough approximately 323 dwellings are predicted to benefit from a significant beneficial effect of a noise reduction of more than 3db(A).</p> <p>The proposed earth bunding will also reduce noise on the offline section of the A12 within the Borough at dwellings located at Easthorpe Green, Little Domsey Cottages, Doggett's Lane and Hall Chase</p>	National Highways agrees with this comment.	Agreed.	03/11/2022

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Ref	Issue	Doc Reference	Colchester City Council (CCC) Position	National Highways Position	Status	Date
			Farmhouse. This is to be welcomed.			
1.4	Noise	<p>Environmental Statement, Chapter 12, Noise and Vibration [APP-079]</p> <p>Environmental Statement - Appendix 3.3: Junction 24, Inworth Road and Community Bypass Technical Report [PP-095]</p>	<p>89 dwellings and four other receptors are predicted to experience significant adverse effects. 13 dwellings are predicted to experience an increase above SOAEL during the day and one at night, which is a concern. For these 14 receptors minor increases in noise (&lt;2db(A)) have caused them to exceed the threshold.</p> <p>If traffic mitigation could be introduced to benefit the roads impacted by Junction 24, as outlined in Section 7.3 of the Junction 24 Inworth Road and Community Bypass Technical Report, receptors around Messing experiencing a significant adverse effect (71) would be removed but around 10 added to Tiptree and two in Inworth, resulting in a reduction of approximately</p>	<p>Design interventions were considered and assessed within the Environmental Statement - Appendix 3.3: Junction 24, Inworth Road and Community Bypass Technical Report [APP-095]). This included an option for closing Kelvedon Road. From a noise perspective, would remove the predicted significant adverse effects within Messing.</p> <p>However, the increase in traffic through Tiptree would cause around 60 significant adverse effects at dwellings along Oak Road and five along Kelvedon Road in Tiptree. Of these dwellings along Oak Road and Kelvedon Road, eight would have</p>	Noted.	03/11/2022

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Ref	Issue	Doc Reference	Colchester City Council (CCC) Position	National Highways Position	Status	Date
			60. National Highways should explore this option further.	<p>an overall noise above the significant observable adverse effect level (SOAEL).</p> <p>In addition, there would be two additional significant adverse effects within Inworth. A further option was looked at which closed Kelvedon Road and had design interventions that would prevent through traffic through oak Road. However, this would increase traffic through Tiptree which would cause significant adverse effects at 10 dwellings along Kelvedon Road in Tiptree. Some of these dwellings would have an overall noise above the SOAEL. In addition, there would be two additional significant adverse effects within Inworth. The current</p>		

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Ref	Issue	Doc Reference	Colchester City Council (CCC) Position	National Highways Position	Status	Date
				design results in the least number of receptors above the SOAEL, which is in line with the policy in the Noise Policy Statement of England.		
1.5	Traffic	<p>Transport Assessment [APP-253]</p> <p>Environmental Statement - Chapter 16: Cumulative Effects Assessment [APP-083]</p>	<p>Colchester is one of the most dynamic areas for growth in England and the emerging local plan 2017-2033 is adopted and up to date. The Council needs confirmation that traffic modelling has captured the quantum and spatial patterns of growth that will affect future traffic flows to ensure that congestion is alleviated by this substantial public investment and that the proposed junction designs have adequate capacity to accommodate these predicted flows.</p> <p>The adopted Colchester LDF (2010, 2014) together with the emerging Colchester Local Plan 2017-2033</p>	<p>A meeting took place in September 2021 with the Council to run through the uncertainty log. The information gathered at that meeting where appropriate was incorporated into the traffic model.</p> <p>The traffic model specifically incorporates future housing and employment developments which are considered to be certain enough to happen. This means developments which have submitted planning applications.</p> <p>Developments which are in the emerging Local Plans but do not have</p>	Agreed.	18/11/2022

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Ref	Issue	Doc Reference	Colchester City Council (CCC) Position	National Highways Position	Status	Date
			together set the key principles and spatial strategy for development within Colchester and identifies the key areas of growth. In particular, we wish to highlight the need to ensure there is good access for Tiptree recognising the planned growth for the settlement is significant.	submitted planning applications are not specifically included in the core traffic model scenario. However, the overall growth in car trips in Colchester City Council is based on standard predictions set out in the government's National Trip End Model (NTEM). Any remaining growth in trips which is predicted in NTEM but not captured via specific local developments has instead been applied as background growth. This background growth is spread across existing housing/employment developments in the borough.		
1.6	Highway network matters	Environmental Statement, Appendix 3.3: Junction 24, Inworth Road	The Council defers to the opinion of Essex County as the highway authority with regard to technical design matters. We share their	A detailed report on Junction 24, Inworth Road and Community Bypass has been shared and discussed with both	Noted.	03/11/2022



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Ref	Issue	Doc Reference	Colchester City Council (CCC) Position	National Highways Position	Status	Date
		and Community Bypass Technical Report [APP-095]  Annex N of Consultation Report [APP-062]	concerns expressed about the proposed Junction 24 and the need for further design development of the proposed new Inworth Road roundabout. In addition, detailed consideration is required to ensure that the B1023 is able to accommodate the expected increase in traffic through Inworth (including the widening of Hinds Bridge pinch point) and measures are required to reduce the potential for rat-running on local roads. We have concerns about the potential for increased traffic flows through Church Road and the heart of Tiptree village.	Colchester Borough Council, and Essex County Council, as the highway authority.  The project will continue to keep Colchester City Council updated on developments on Junction 24 and Inworth Road throughout the detailed design stage.		
1.7	Visual impact	Environmental Statement, Chapter 8, Landscape and Visual [APP-075]	The theoretical visibility of HGV, lighting column and gantry target points extends over a wide area, this is shown to have a major visual impact on the landscape in the short to medium term but	National Highways agree with this statement.  Note that the effects of new lighting have been incorporated within the assessment of landscape and visual effects	Agreed.	19/01/2023

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Ref	Issue	Doc Reference	Colchester City Council (CCC) Position	National Highways Position	Status	Date
			will, for the most part, be adequately mitigated against in the long-term through effective screen planting belts and the reinstatement and reinforcement of landscape structure and character. It is anticipated the visual impact on the landscape at night through light spill and ambient glow will be major in the short to medium term, however this reducing to moderate once effective screen planting mitigation matures.	reported within Chapter 8 of the Environmental Statement [APP-075] during construction and operation. The overall long-term magnitude and residual significance of effect of the Scheme on local landscape character and visual amenity is considered to be moderate adverse and, therefore, significant.		

### 4.3 Issues under discussion

4.3.1 The below table [4.2] details the issues under discussion between Colchester City Council and National Highways. This includes any reference to relevant documents, the current Colchester City Council position and the National Highways position.

Table 4.2 Issues under discussion.

Ref	Issue	Doc Reference	Colchester City Council Position	National Highways Position	Status	Date
2.1	Social severance	Environmental Statement: Chapter 13: Population and human health [APP-080]	<p>While baseline traffic flows on the B1023 are already relatively high, this major increase in flows will further increase severance, both actual and perceived within Inworth, which will result in reduced social interaction within the village.</p> <p>The existing situation in Marks Tey would be reinforced by the new carriageway and detrunking.</p>	<p>Impacts on the wider determinant community severance and social networks have been assessed in the human health assessment in Chapter 13: Population and human health, of the Environmental Statement [APP-080]. The assessment considers the effects on this determinant on a community-by-community basis. For Inworth, it was concluded that there would be a negative, but not significant, effect from community severance.</p> <p>In addition, impacts on rights of way (including beneficial impacts from addressing past severance) are assessed in the walking, cycling</p>	Under discussion	19/01/2023

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Ref	Issue	Doc Reference	Colchester City Council Position	National Highways Position	Status	Date
				and horse rider assessment as part of the Land Use and Accessibility assessment in Chapter 13.		
2.2	Built heritage	Environmental Statement, Chapter 7 Cultural Heritage [APP-074]	The most notable affected listed buildings being the Parish Church of All Saints, Inworth (Grade I) and the important group of listed buildings that comprise Marks Tey Hall (Grades II-II). The Marks Tey Hall complex becomes extremely close to the proposed new junction. Whilst it is accepted that in an ancient landscape of settled character, potential impacts on the wider setting of listed buildings is inevitable, it is consequently essential that the scheme makes provision for effective and bespoke mitigation of the adverse impacts identified to ensure that the long term future of these designated heritage assets is	Bespoke mitigation has been applied wherever practicable in order to reduce the significant setting impacts for the built heritage. This mitigation is detailed in Table 7.14 of the Chapter 7: Cultural heritage, of the Environmental Statement [APP-074] and has included the use of landscape mitigation, such as tree planting and visual bunds, as well as noise mitigation such as acoustic bunds and low noise road surfaces.	Under discussion.	19/01/2023

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Ref	Issue	Doc Reference	Colchester City Council Position	National Highways Position	Status	Date
			not prejudiced. The use of embedded design mitigation as the foundation approach is valid but will inevitably require additional asset specific mitigation to address residual impacts. In particular, to address effects upon those assets identified as having a moderate adverse impact must in our opinion have bespoke solutions identified to mitigate this material harm.			
2.3	Noise, landscape and biodiversity	Environmental Statement: Chapter 12: Noise and vibration [APP-079] Environmental Statement: Chapter 8: Landscape and visual [APP-075] Environmental Statement:	There will be likely noise and disturbance impacts on Easthorpe as a community, both during construction and once the road is operational. Substantial landscape mitigation should be provided to offset this disturbance and any visual impacts of the realigned road, especially from any night-time lighting. The consultation document could provide greater information on the	Since statutory consultation, changes in designs now see Easthorpe Road closed as part of the proposed scheme. As part of the proposals the project will also be installing low noise surfacing on the approach to junction 25. As a result of this, noise levels are expected to decrease along Easthorpe Road, as	Under discussion.	19/01/2023



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Ref	Issue	Doc Reference	Colchester City Council Position	National Highways Position	Status	Date
		<p>Chapter 9: Biodiversity [APP-076]</p> <p>Figure 12.8 of the Environmental Statement [APP-235].</p> <p>Appendix 9.14 of the Environmental Statement [APP-138]</p>	<p>landscape, green infrastructure or biodiversity features to be lost and how they will be mitigated and compensated for including net gain. The government confirmed in June 2021 that: 'New Nationally Significant Infrastructure Projects in England, such as future transport and energy projects, will ... need to provide a net gain in biodiversity and habitats for wildlife – through an amendment to be made to the Environment Bill'.</p>	<p>shown on Figure 12.8 of the Environmental Statement [APP-235].</p> <p>Extensive landscape planting has been embedded into the design to integrate the Scheme into the surrounding landscape and mitigate visual impacts. Planting is shown on the Environmental Masterplan (Figure 2.1 of the Environmental Statement [APP-086/088]).</p> <p>There is no legal or policy requirement for biodiversity net gain provision for the proposed scheme. However, National Highways has sought to provide biodiversity enhancement. Net loss or gain figures have been calculated using Natural</p>		

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Ref	Issue	Doc Reference	Colchester City Council Position	National Highways Position	Status	Date
				England 3.0 metrics and are summarised within Section 9.12 of Chapter 9: Biodiversity of the Environmental Statement [APP-076]. Appendix 9.14 [APP-138] demonstrates that the proposed scheme would achieve a net gain of around 25% for area-based habitat units, 36% for hedgerow units and 157% for river units.		
2.4	Historic environment - archaeology	Environmental Statement Chapter 7 Cultural Heritage [APP-074] Environmental Statement Appendix 7.10 Archaeological Mitigation Strategy [APP-118]	The approach taken to assess and mitigate archaeological impact is satisfactory, as detailed in Chapter 7 and Appendix 7.10 of the Environmental Statement (ES), and in Appendices A and B of the (6.5) First Iteration Environmental Management Plan. On a site-by-site basis, the conclusions drawn are supported with regard to these assessments and the	Where a significant effect has been assessed, the intent is to apply mitigation measures to the extent of the effected part of each asset as shown on the figures supporting Chapter 7: Cultural heritage, of the Environmental Statement [APP-074]. In several cases, however, consultation to agree the extent of mitigation is	Under discussion.	19/01/2023

## Statement of Common Ground with Colchester City Council

Ref	Issue	Doc Reference	Colchester City Council Position	National Highways Position	Status	Date
		<p>First Iteration Environmental Management Plan – Appendix A, Register of Environmental Actions and Commitments [APP-185]</p> <p>First Iteration Environmental Management Plan – Appendix B, Archaeological Management Plan [APP-186]</p>	<p>proposed mitigation measures. However, there is a lack of clarity in the figures attached to the Archaeological Mitigation Strategy (Fig 7.10) regarding the extent and location of each site.</p> <p>It should, however, be possible to successfully mitigate the impact of the development on all non-designated heritage assets identified. A Significant Moderate Adverse effect is identified post mitigation for site 953 (south and east of Potts Green; para 7.11.15 and Table 7.14 of the ES). We believe that full and comprehensive archaeological excavation, including a programme of public outreach and publication of results, is appropriate and proportionate mitigation for this site, and brings public</p>	<p>ongoing and therefore this information was not available at the time of publication of the mitigation strategy.</p> <p>A precautionary approach to the assessment of impact on more complex archaeological sites was taken. This meant that in some cases even though a comprehensive record of a site could be made, the data analysed, and the results made available to increase knowledge and contribute to regional research aims, the loss of the physical site would not be fully offset. This is reflected in the residual significance of effect presented for some assets.</p>		

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			and research benefit, as it would contribute greatly to regional archaeological research aims for the late Iron Age/Roman period.			
2.5	Archaeological	Environmental Statement Appendix 7.10 Archaeological Mitigation Strategy [APP-118]	There are several further sites identified in the trial trenching that suggested needed mitigation that have not been included. Four additional sites with potentially significant archaeological features were identified in the evaluation and mentioned as potentially needing mitigation. These are concentrations of archaeology within sites 78, 80, 83 and 84, specifically trenches 2397, 2443, 2274, 2276, 2326, 2328 and 2329 in the trial trenching evaluation report. We suggest that these areas include archaeological remains of sufficient value to require mitigation. If mitigation is not proposed	<p>These sites were identified in the trial trenching report and considered to provide insufficient evidence to justify mitigation.</p> <p>The examples given are also mostly close or adjacent to sites where the trial trenching results were conclusive, and therefore mitigation proposed. On the basis of the available evidence, the selection of sites for mitigation is considered appropriate.</p>	Under discussion	19/01/2023



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			appropriate justification should be given for this.			
2.6	Landscape impact	Environmental Statement, Chapter 8, Landscape and Visual [APP-075]  Appendix 8.2 of the Environmental Statement [APP-120]	The physical impact on landscape character during construction will be considerable, this is not mitigatable against within the new carriageway area itself and its related infrastructure, but the post-construction reinstatement and landscape and ecological improvement proposals to working areas outside the main carriageway area and to the wider margins within the red line area appear effective in relation to reinstating and improving the character of this landscape. It should be noted that the effectiveness of any reinstatement to the narrow strip of land between new and old roads will need to be tempered, as construction of the new road would leave this strip of land of arguable remaining	The planting proposals seeks to balance essential screening of highway infrastructure with maintaining some open views from residential properties between the existing A12 and proposed bypass.  Grassland planting is also proposed in areas between the new and old A12 which is of higher ecological value than the existing habitats, and therefore contributes to a scheme wide biodiversity net gain.  In accordance with DMRB LA 107, aesthetic and perceptual qualities, including effects on dark skies and tranquillity, are included within the assessment of landscape	Under discussion.  The Council acknowledge that there will be residual adverse impacts but note that the A12 project have taken steps to look at mitigation. The council is encouraged by the projects approach to deliver net gain.	19/01/2023



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			agricultural value, however this would be effectively mitigated against through strengthening landscape and ecological structure. There would be an adverse impact on landscape tranquillity resulting from the introduction of the new road within the Easthorpe Farmland Plateau outside of the linear settlement corridor. This cannot be mitigated against to any degree in landscape terms but given the proximity of the new road to the existing A12 the net magnitude of change overall may be limited.	effects within Chapter 8 of the Environmental Statement [APP-075].  Appendix 8.2 of the Environmental Statement [APP-120] considers the landscape effects on B2 Easthorpe Farmland Plateau. In year 1, the significance of effect on B2 Easthorpe Farmland Plateau would be large adverse. In year 15, mitigation planting would have established to help integrate the Scheme into the surrounding landscape and the significance of effect on B2 Easthorpe Farmland Plateau would be moderate adverse.		
2.7	Hedgerows	Environmental Statement, Chapter 9, Biodiversity [APP-076]	The potential loss of protected hedgerows is of concern and whilst this can be mitigated against to a certain extent where such hedgerows are simply	As per Chapter 9: Biodiversity, of the Environmental Statement [APP-076], construction of the Scheme would lead to the loss of	Under discussion.  The Council acknowledges	19/01/2023

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			<p>identified as protected through the reinforcement of the existing hedgerow framework within the red line area (as is being proposed) but cannot be mitigated against where they are classified as 'important' in such cases it is not just a case of the hedges loss as a physical feature providing structures within the landscape that degrades environmental quality, but these may also have ecological, archaeological and/or historical implications.</p>	<p>10.76km of important hedgerows which we agree has multi-dimensional implications, of which ecology is just one. The ecological value of a hedgerow relates to its botanical diversity, the fact that it provides connectivity across landscapes, and those hedgerows provide habitat for many species, for example birds, and amphibians.</p> <p>Mitigation of hedgerows in general is provided through planting of new habitat at a ratio of close to 4:1 (42.15km of new hedgerow compared to the total loss of 15.81km (including the 10.76 km of important hedgerows)). It is acknowledged that initially the new hedgerow would not be a</p>	the impacts and welcome proposals for mitigation.	

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				<p>like for like replacement for mature or important hedgerows, however, in the long term, when assessed using the Natural England 3.0 biodiversity net gain calculator which takes into account the condition of hedgerows, it is assessed that overall, there would be a net gain of 36.06%.</p> <p>The ecology team have worked closely with the landscape team to ensure the locations of hedgerows has been optimised to maximise the connectivity of habitats across the landscape.</p> <p>Hedgerows are not considered to be heritage assets in their own right but do contribute to the understanding of historic landscape types (HLTs)</p>		

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				through their historic use as land parcel boundaries. No significant effects were identified on HLTs, in relation to hedgerow loss, in Chapter 7: Cultural heritage, of the Environmental Statement [APP-076].		
2.8	Air Quality	Environmental Statement, Chapter 6, Air Quality [APP-073]	<p>The Council is concerned about the modelled results from table 6.1.5, specifically:</p> <ul style="list-style-type: none"> <li>- R189 (AQMA4) 2.2% increase which based on IAQM planning guidance is defined as a moderate AQ impact</li> <li>- R193 (Halstead Road) 2.2% increase which based on IAQM planning guidance is defined as a moderate AQ impact.</li> </ul> <p>Whilst it is acknowledged that these areas are in areas outside of the scheme, the</p>	<p>The magnitude of change at receptors R189 and R193 owing to the proposed scheme was predicted to be small in accordance with thresholds defined by DMRB (e.g. <math>&gt;0.4\mu\text{g}/\text{m}^3</math> and <math>&lt;2\mu\text{g}/\text{m}^3</math> annual mean <math>\text{NO}_2</math>).</p> <p>An exceedance at both receptors was predicted in both the Do Minimum (DM) and Do Something (DS) scenarios. The modelling indicated a single property within the AQMA is exceeding in</p>	Under discussion	19/01/2023

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			<p>direct consequence of the scheme will be increased traffic flows which could directly affect Colchester City Council AQMA4 (R189). From monitoring data, it had been hoped that air quality compliance at AQMA could be achieved soon. In addition, it could also cause an AQMQ to be declared at the location of the Halstead Road exceedance (R193).</p>	<p>the DM and in the DS scenario.</p> <p>In line with DMRB guidance, the number of properties predicted to be in exceedance of air quality objectives were below the threshold informing the judgement of significant air quality effects. As a result, there was no justification to provide a Project Air Quality Action Plan to mitigate the impact on human health receptors.</p> <p>It is worth noting that a conservative assumption has been applied to the final results to account for overly optimistic trends inherent in Defra's modelling tool set (e.g. projected forecasts of zero emission vehicles). On this basis, it is more likely that the properties</p>		



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				will be in compliance in 2027.		

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## Acronyms

Abbreviation	Term
CCC	Colchester City Council
DCO	Development Consent Order
DfT	Department for Transport
DMRB	Design Manual for Roads and Bridges
ECC	Essex County Council
EMP	Environmental Management Plan
ExA	Examining Authority
LEMP	Landscape and Ecology Management Plan
LOAEL	Lowest Observed Adverse Effect Level
LPAs	Local Planning Authorities
NNNPS	National Policy Statement for National Networks
PA 2008	Planning Act 2008
PEIR	Preliminary Environmental Information Report
PRA	Preferred Route Announcement
REAC	Register of Environmental Actions and Commitments
SOAEL	Significant Observed Adverse Effect Level
SoCC	Statement of Community Consultation
SoCG	Statement of Common Ground

## Glossary

Term	Definition
Members Forum	Forum with elected Councillors in Essex, including County, District, City and Borough Councillors.
Host Authority	Local authorities in which the proposed scheme passes through.

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