

A12 Chelmsford to A120 widening scheme

TR010060

8.15 Statement of Common Ground with Boreham Parish Council

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A12 Chelmsford to A120 widening scheme
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Statement of Common Ground with Boreham Parish 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) Boreham Parish Council.

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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) made by National Highways Company 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 granted, 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) Boreham Parish 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 Boreham Parish Council is a prescribed consultee under Section 43 of the PA 2008.

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 SoGS are not of material interest or relevance to Boreham Parish 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 Boreham Parish Council.

2 Record of Engagement

- 2.1.1 A summary of the meetings that has taken place between National Highways and **Boreham Parish 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)
4 February 2017	Public information event	To gather feedback from the consultation to shape the designs and to identify potential opportunities to meet Key Performance Indicators and wider targets
30 January 2018	Meeting	East Community Forum The purpose of this forum is to maintain relationships. Topics to be covered included scheme update, forum format going forward and Environmental Impact Assessments
1 February 2018	Email	Email from Boreham Parish Council regarding sharing information requested at East Community Forum. Confirmation from the Applicant
14 October 2019	Meeting	West 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.
15 November 2019	Public information event	To gather feedback from the consultation to shape the designs and to identify potential opportunities to meet Key Performance Indicators and wider targets.
12 March 2020	Meeting	Following the Preferred Route Announcement, discuss the plan forward.

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
28 August 2020	Email	Email from the Applicant announcing preferred route for junction 23 to junction 25.
17 December 2020	Online meeting	To discuss the updates of the scheme and get feedback.
1 April 2021	Online meeting	Discuss the updates at junction 19
6 August 2021	Engagement van event	To explain the scheme
21 October 2021	Online meeting	Discuss consultation feedback, provide a project update and discuss the supplementary consultation
10 February 2022	Email	Email from the Applicant regarding targeted noise consultation
21 February 2022	Public information event	Explain the scheme with focus on the noise effects of targeted consultees
28 September 2022	Email	Email from the Applicant regarding the event on 10 October 2022
10 October 2022	Public information event	Public event to discuss Main Road, traffic enforcement measures and relevant representations.
11 October 2022	Meeting	Met to provide Parishes with a project update. Focusing on advanced work and relevant representations.

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) **Boreham Parish Council** in relation to the issues addressed in this SoCG.

3 Issues summary

3.1 Summary of issues agreed

3.1.1 At this stage, there are currently no issues agreed.

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 Boreham Parish Council and National Highways. The full table of issues under discussion can be seen in table [4.2].

Table 3.1 Summary of issues under discussion.

Ref No.	Topic	Issue	Status	Date
1.1	Closure of junction 20a	Decision to close junction 20a as part of the scheme	Under discussion	06/02/2023
1.2	Noise reducing surfacing	Decision to not use noise reducing surfacing on both sides of carriageway	Under discussion	06/02/2023
1.3	Traffic modelling	Traffic figures for Boreham village	Under discussion	06/02/2023
1.4	Air Quality	Air quality at Main Road, Boreham	Under discussion	06/02/2023
1.5	Noise	Noise at Main Road, Boreham	Under discussion	06/02/2023

4 Issues

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

4.1 Issues agreed

4.1.1 At this stage, there are currently no issues agreed.

4.2 Issues under discussion

4.2.1 The below table [4.1] details the issues under discussion between Boreham Parish Council and National Highways. This includes any reference to relevant documents, the current Boreham Parish Council position and the National Highways position.

Table 4.1 Issues under discussion.

Ref	Issue	Doc Reference	Boreham Parish Council Position	National Highways Position	Status	Date
1.1	Closure of junction 20a	Annex N of the Consultation Report [APP-062]	Boreham Parish Council recognises the benefit of widening the A12 and agrees that it would make the road safer. However, the proposed approach will have a negative impact on the village of Boreham. This is recognised by the developers in their submittal. We believe that the impact, largely due to additional traffic through Boreham village, will be	The decision not to re-open junction 20a was revisited following feedback from the Statutory Consultation. The Applicant's response to the feedback received at 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. In light of further comments received during Relevant Representations, including from Boreham Parish Council regarding traffic in Boreham during peak hours and the alternative proposal from Boreham Conservation Society, a	Under discussion	06/02/23

Ref	Issue	Doc Reference	Boreham Parish Council Position	National Highways Position	Status	Date
			<p>greater than the developer has predicted.</p> <p>It will make Main Road (B1137), Boreham more dangerous for pedestrians and other road users and will (as also recognised by the developer) increase noise and air pollution in the village. We believe that many of these detrimental effects could be avoided if Junction 20a was retained and we further believe this could be accommodated alongside the A12 widening if Junction 20a was relocated slightly. This has been demonstrated in the alternative plan submitted by Boreham Conservation Society. We appreciate that there would be some added cost associated with this revision but it would be safer for our</p>	<p>detailed technical note has been produced to assess the possibility of reinstating junction 20a. This can be found in the Junction 20A Southbound Merge Assessment of Alternatives Report in Appendix B of this document [PDA-004]. While reinstating the on slip may reduce the traffic on Main Road in Boreham, the technical note found that the significant impacts on road user safety, natural and built environment, walking, cycling and horse riding connectivity, cost and carbon increases, construction and drainage challenges and increased land take required to construct a compliant junction outweighs these benefits.</p>		

Ref	Issue	Doc Reference	Boreham Parish Council Position	National Highways Position	Status	Date
			community and would reduce the amount of traffic on our local roads.			
1.2	Noise reducing surfacing		We also ask that the developer reconsiders the decision not to use a noise reducing surface on both carriageways of the A12 as it passes through Boreham. This would benefit houses close to the road by mitigating the additional noise pollution resulting from the A12 widening	<p>Without mitigation, significant adverse effects were identified at 222 dwellings alongside the A12 at Boreham. These significant adverse effects were primarily caused by a predicted increase in traffic speed on the A12, but also an increase in vehicle flow. The increases in noise at dwellings were between 1 and 1.2 dB(A), but with the absolute noise being above the Significant Observed Adverse Effect Level (SOAEL), these were deemed likely significant adverse effects in accordance with Table 3.60 of DMRB LA 111.</p> <p>When significant effects are identified, the first mitigation measures examined are to reduce the noise at source. The path of the noise is then next considered, followed by measures at the receiver. This mitigation hierarchy is described in paragraphs 12.10.1 to 12.10.4 of Chapter 12: Noise and vibration-, of</p>	Under discussion	06/02/2023

Ref	Issue	Doc Reference	Boreham Parish Council Position	National Highways Position	Status	Date
				<p>the Environmental Statement [APP-079].</p> <p>Removing the significant adverse effects through surfacing was therefore considered first. The surface of the A12 alongside Boreham is already a low noise surface, and so following the guidelines in DMRB LA 111 for noise modelling, no benefit in noise terms could be gained through re-surfacing with a conventional low noise surface. Using a surface with better noise reducing properties than a conventional low noise surface was therefore considered. Re-surfacing just one carriageway was first examined in order to retain as much of the relatively new existing surface as possible, and this was found to be sufficient to remove the significant adverse effect at the dwellings, with changes in noise varying between negligible increase and negligible decreases (+/- 0 – 1dB(A)) with the surface with better noise reducing properties than a conventional low noise surface in place on one carriageway. Since this is predicted to</p>		

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Ref	Issue	Doc Reference	Boreham Parish Council Position	National Highways Position	Status	Date
				<p>reduce the noise level to the level it would be without the scheme, this option was therefore taken forward by the Applicant.</p> <p>The provision of the surface with better noise reducing properties than a conventional low noise surface on both carriageways would deliver minor reductions in noise of between 1.8 and 2 dB(A) at those dwellings alongside the A12. Therefore, the provision of the surface on both carriageways would deliver a minor benefit (which is classed as a noise reduction between 1.0 to 2.9 dB(A)) compared with the identified mitigation which would have delivered negligible changes in noise. With the identified mitigation, all of the identified significant adverse effects would be removed, and this would be the same if both carriageways were resurfaced. The scheme would therefore meet the first aim of paragraph 5.195 within the National Networks -National Policy Statement by avoiding significant adverse impacts on health and quality of life</p>		

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Ref	Issue	Doc Reference	Boreham Parish Council Position	National Highways Position	Status	Date
				from noise as a result of the new development.		
1.3	Traffic modelling	Transport Assessment Appendix C: Traffic Flow Diagrams – Communities and A12 Mainline [APP-256]	In our view, if Junction 20a is closed, a significant amount traffic from Maldon and from the northern end of Hatfield Peverel will travel south on the B1137 to gain access to the A12 at Junction 19 rather than travelling north as proposed by the developer to gain access to the southbound carriageway via Junction 21. This will create significant congestion through Boreham and cause backlogs on the side roads (Church Road, Plantation Road and Waltham Road) particularly during the rush hour.	The Applicant has developed a traffic model to support the design of the scheme and understand its impacts. A summary of the predicted traffic flow changes in Boreham are provided in the Transport Assessment Appendix C: Traffic Flow Diagrams – Communities and A12 Mainline [APP-256]]. The Annual Average Daily Traffic (AADT) on Main Road in Boreham is expected to increase by 19% by 2027 which is considered to be within the capacity of the road. On Church Road, the daily traffic flow is predicted to increase by 2% (100 vehicles per day). On Plantation Road, the daily traffic flow is predicted to increase by 17% (590 vehicles per day). The level of predicted traffic is still within the theoretical capacity of Plantation Road and Church Road, even during peak hours. These are changes predicted for 2027, comparing the traffic predicted without the scheme against traffic predicted	Under discussion	06/02/2023

Ref	Issue	Doc Reference	Boreham Parish Council Position	National Highways Position	Status	Date
				<p>with the scheme. The traffic model also predicts which routes drivers would take, taking into account both travel time and distance. The travel times estimated by the model include delays caused at busy junctions. The traffic model predicts that, of traffic on the B1019 Maldon Road heading towards either Chelmsford or the A12 southbound towards London, 87% would turn right at the Duke of Wellington mini-roundabout and join the A12 at the proposed new junction 21. Only 13% would travel through Boreham to junction 19. Even though the route via junction 21 is a longer distance than via Boreham, it is predicted to be over one minute quicker.</p> <p>National Highways has been in discussion with Essex County Council, as the highway authority, on this issue. The latest letter to Essex County Council, dated 1 December 2022, from National Highways can be seen in Appendix A.</p>		

Ref	Issue	Doc Reference	Boreham Parish Council Position	National Highways Position	Status	Date
1.4	Air quality	Chapter 6 Air Quality of the Environmental Statement [APP-073]	It will make Main Road (B1137), Boreham more dangerous for pedestrians and other road users and will (as also recognised by the developer) increase noise and air pollution in the village.	<p>In regard to air pollution related to increases in traffic through the village of Boreham, it is important to initially state how the quality of air is determined. The UK Air Quality Planning Inspectorate Scheme Ref: TR010060 Application Document Ref: TR010060/EXAM/9.3 Page 231 Standards are a range of pollutant concentrations recorded over a given time period, which are considered to be acceptable in terms of what is scientifically known about the effects of each pollutant on health and on the environment. Predicted pollutant concentrations are compared against the Standards.</p> <p>The air quality assessment outlined in Chapter 6 Air Quality of the Environmental Statement [APP-073] considered all changes in emissions with respect to the predicted total concentrations. Modelling predictions have indicated areas where pollutant concentrations across the scheme study area have increased owing to the construction and operational phases. However, areas are also</p>	Under discussion	06/02/2023

Ref	Issue	Doc Reference	Boreham Parish Council Position	National Highways Position	Status	Date
				<p>predicted to experience decreases in concentrations and subsequent improvements in air quality.</p> <p>Of the sensitive receptors considered along Main Road Boreham and Plantation Road, only one receptor (R225) located approximately 10m from the A12 was predicted to exceed the UK Air Quality Standards annual mean NO₂ as a result of increased traffic flows and changes in speed characteristics on the A12 and Main Road. The predicted total was 40.3µg/m³ with an increase of 4.0µg/m³. Nearby properties (Receptors R30 and R224) did not experience the same magnitudes of increase, nor exceed the UK Standard of 40µg/m³. Predicted concentrations of particulates were within the UK Air Quality Standards at all locations here. Please refer to the results presented in Appendix 6.5 [APP-104] and Figures 6.9 and 6.10 of Appendix 6.2 [APP-213/APP-214 respectively].</p>		

Ref	Issue	Doc Reference	Boreham Parish Council Position	National Highways Position	Status	Date
				<p>The assessment was undertaken conservatively ie through the application of long-term trends which addresses uncertainty in vehicle emissions performance, and whilst an exceedance was predicted, it was within the criteria set for the determination of significant effects in accordance with the Design Manual for Roads and Bridges (DMRB) LA 105 and the relevant provisions set out in the National Networks National Policy Statement (NNNPS). NNNPS policies relevant to the air quality assessment are reported in table 6.4 of Chapter 6 Air Quality of the Environmental Statement [APP-073].</p> <p>The assessment concluded there would be no significant effects to human health during the construction and operation of the scheme.</p>		
1.5	Noise	Chapter 12 Noise and Vibration of the Environmental	It will make Main Road (B1137), Boreham more dangerous for pedestrians and other road users and will (as also recognised by the developer) increase	The predicted increase in noise reported in Chapter 12 Noise and Vibration of the Environmental Statement [APP-079] is due to a predicted increase in traffic along Main Road, as is reported in	Under discussion	06/02/2023

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Ref	Issue	Doc Reference	Boreham Parish Council Position	National Highways Position	Status	Date
		Statement [APP-079]	noise and air pollution in the village.	<p>paragraph 12.11.31 of Chapter 12 [APP-079].</p> <p>This increase in noise has been mitigated where possible by the reduction in speed limit along Main Road from 40 to 30mph. The predicted increases in noise reported along Main Road are between 1 and 3 dB(A). This increase in noise would generally be considered as not noticeable. However, due to the close proximity of some sensitive receptors to Main Road, the absolute noise level with the scheme is above the Significant Observed Adverse Effect Level (SOAEL).</p> <p>For circumstances where the absolute noise level is above the SOAEL and there is an increase in noise of more than 1 dB(A), DMRB LA 111 Noise and Vibration instructs these receptors to be classed as experiencing a likely significant adverse effect. As is reported in paragraph 12.11.31 of Chapter 12 Noise and Vibration of the Environmental Statement [APP-079],</p>		

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				<p>there are 28 such receptors within Boreham. It should be noted that the character of this noise will not change (ie it will still be noise from road traffic) and the location will not change (it will be on the same façade of the receptor as at present). The Applicant does not consider this small increase in noise would lead to any change in sleep disturbance.</p> <p>Further mitigation is not feasible as is explained within paragraph 12.11.31 of Chapter 12 Noise and Vibration of the Environmental Statement [APP-079]. The Applicant considers this is in accordance with the National Networks National Policy Statement (NNNPS), in that all that is possible has been undertaken to avoid the likely significant adverse effects, but the identified 28 will remain.</p>		

Acronyms

Abbreviation	Term
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
MDC	Maldon District Council
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