

A12 Chelmsford to A120 widening scheme

TR010060

8.16 Statement of Common Ground with Witham Town Council

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A12 Chelmsford to A120 widening scheme
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Statement of Common Ground with Witham Town Council

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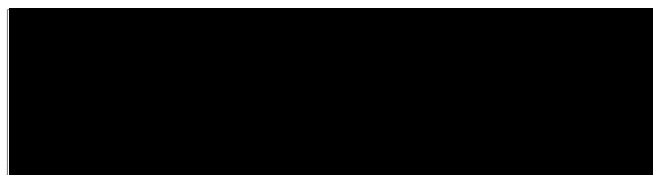
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STATEMENT OF COMMON GROUND

This Statement of Common Ground has been prepared and agreed by (1) National Highways Limited and (2) Witham Town Council.



Phil Davie
Project Director
on behalf of National Highways
Date: 13/02/2023



Nikki Smith
Town Clerk and Proper Officer
on behalf of Witham Town Council
Date: 13/02/2023

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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) 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 (formerly known as Highways England) as the Applicant and (2) Witham Town 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 Witham Town 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, “In disagreement” 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 SoCG are not of material interest or relevance to Witham Town 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 Witham Town Council.

2 Record of Engagement

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

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Table 2.1 Record of Engagement

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Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
11 August 2016	Meeting	Braintree and Chelmsford Community Forum Introduced the A12 widening scheme
26 September 2016	Meeting	Braintree and Chelmsford Community Forum To inform forum members about the consultation and the principles of a good consultation, as well as providing a project update.
11 February 2017	Public Information Event	Gather feedback from the consultation to shape the designs and to identify potential opportunities to meet Key Performance Indicators and wider targets
3 August 2017	Meeting	Braintree and Chelmsford Community Forum To inform forum members about the consultation, as well as providing a project update.
24 July 2019	Meeting	East and 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.
2 March 2020	Meeting	Following the PRA, discuss the next steps.
24 August 2020	Online Meeting	East Community Forum To provide a project update, an overview of how the schemes will now be drawn back together and an overview of how when a PRA is announced it will be managed.
25 August 2020	Online Meeting	West Community Forum To provide a project update, an overview of how the schemes will now be drawn back together and an overview of how when a PRA is announced it will be managed.
18 November 2020	Online meeting	To discuss the updates to the scheme and get feedback
18 March 2021	Online meeting	To provide an update on design fix 1 and get feedback

15 June 2021	Online meeting	East Community Forum Present arrangements for statutory consultation
10 July 2021	Public Information Event	To explain the proposed scheme under the statutory consultation.
23 September 2021	Meeting and site visit	To discuss impacts of scheme to Whetmead LNR Followed by a joint site visit to Whetmead LNR
26 November 2021	Public Information Event	To explain the proposed scheme under the supplementary consultation.
9 March 2022	Meeting	Provide a project update, discuss the biodiversity mitigation, replacement land and designated funds
6 June 2022	Meeting	Replacement Land Meeting To discuss the replacement land proposals for Witham Town Council
15 June 2022	Site visit	Walk around the slow moving vehicles diversion route with Councillors.
4 October 2022	Meeting	To discuss consultation responses, designated funds, WCH designs and advanced works.
24 January 2023	Hybrid Meeting	Replacement Land Meeting Joint meeting with Essex County Council, Witham Town Council and Braintree District Council regarding replacement land proposals in the Witham area.

- 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) Witham Town Council in relation to the issues addressed in this SOCG. Additional correspondence has also taken place with a view to finalising the SoCG.
- 2.1.3 The issues and matters highlighted in Section 3 of this SoCG summarise the key issues that have been identified in relation to a number of key areas of the DCO application.

3 Issues

3.1 Introduction

3.1.1 This section summarises the key issues explored by Witham Town Council (WTC) and National Highways.

3.2 Summary of issues in discussion

Table 3.1 Summary of issues in discussion between Witham Town Council and National Highways

1	Loss of Land	Loss of Land at Whetmead Nature Reserve	In discussion	27/01/2023
2	Replacement Land	Proposed Replacement Land is Inadequate for a Nature Reserve	In discussion	27/01/2023
3	Slow Moving Vehicles	Slow Moving Vehicles banned on the A12 and the alternative route through Witham Town Centre	In discussion	27/01/2023
4	Traffic	Traffic impacts during the A12 construction period	In discussion	27/01/2023
5	Operational noise	Impact of road noise on the Witham area	In discussion	27/01/2023
6	Construction noise	Impact of noise during the construction period	In discussion	27/01/2023
7	Landscape	Loss of mature Trees and Shrubs	In discussion	27/01/2023
8	Access	Loss of Access to Local Nature Reserve during construction period	In discussion	27/01/2023
9	Ground Investigations	LNR is a Historic Landfill site	In discussion	27/01/2023
10	Wheatmead as translocation zone	Translocation of reptiles within Whetmead LNR and the surrounding area	In discussion	27/01/2023

3.3 Issues in discussion

Table 3.2 Table 3.4 Issues in discussion.

Ref	Issue	Doc Reference	Witham Town Council Position	National Highways Position	Status	Date
1	Loss of Land at Whetmead Nature Reserve		<i>Loss of land at Whetmead Nature Reserve.</i>	<p>Please see response to Relevant Representation, RR-084-002.</p> <p>Is accepted that a narrow strip of land from the Whetmead LNR, adjacent to the A12 needs to be acquired for the widening of the A12.</p> <p>Adjacent to this land is required temporarily for modifications to utilities crossing or adjacent to the A12. Permanent rights need to be acquired over this land for the utility companies.</p>	In discussion	27/01/2023
2	Proposed Replacement Land is Inadequate for a Nature Reserve	<p>Environmental Statement, Chapter 9, Biodiversity [APP-076]</p> <p>Environmental Statement, Figure 2.1 Environmental Masterplan</p>	<i>Proposed replacement land is inadequate for a nature reserve. Concerns include required access and maintenance to make the areas enjoyable to the public.</i>	<p>Please see response to Relevant Representation, RR-084-002.</p> <p>National Highways has sought to provide replacement land as close to the loss of the existing open space as is practicable. The parcels identified are both currently woodland adjacent to the existing A12 and would replace the existing woodland strip adjacent to the A12 in the Whetmead Nature Reserve. The plots identified as replacement</p>	In discussion	27/01/2023

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Ref	Issue	Doc Reference	Witham Town Council Position	National Highways Position	Status	Date
		Part 1 [APP-086]		<p>land for Witham Town Council either border the existing Whetmead Nature Reserve or connect with an existing Public Right of Way (PRoW).</p> <p>National Highways will work with Witham Town Council to develop a suitable landscaping design and access design.</p>		
3	Slow Moving Vehicles banned on the A12 and the alternative route through Witham Town Centre		<i>Understanding that agricultural traffic will not be permitted on the A12 and the implications this will have on Witham town centre traffic</i>	<p>Please see response to Relevant Representation, RR-084-003.</p> <p>National Highways does not believe the volume of Slow Moving Vehicles (SMVs) is such that it is inappropriate for use around the current route around Witham without current weight restraints.</p> <p>National Highways does not believe it proportionate to amend the existing weight restriction through the Town Centre. But will work with Witham Town Council and Essex County Council, as the Highways Authority, should they wish to amend the existing orders.</p>	In discussion	27/01/2023
4	Traffic during the A12 Construction	Outline Construction Traffic Management	<i>Overall traffic issues for Witham during the course of construction</i>	Please see response to Relevant Representation, RR-084-004.	In discussion	27/01/2023

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Ref	Issue	Doc Reference	Witham Town Council Position	National Highways Position	Status	Date
		<p>Plan (OCTMP) [APP-272]</p> <p>OCTMP, Appendix A: Proposed Diversion Routes Part 2 [APP-274]</p> <p>OCTMP, Appendix B: Permitted and Excluded Routes for Construction Vehicles (plans) [APP-275].</p>		<p>The traffic management philosophy of the proposed scheme, as set out in Section 1.1 - Purpose and Objectives of the Outline Construction Traffic Management Plan (OCTMP) [APP-272], is to minimise disruption to all road users, business and communities. This is delivered through developing traffic management designs based on strategies to keep as much traffic as is practical on the existing A12, to avoid the desire for road users to divert onto local roads such as through Witham, and through proactive communication with local authorities, communities and wider road user groups.</p> <p>Witham Town Council will be invited as a local authority to the Local Area Traffic Management Forum where communication, input into and review of plans, restrictions and closures affecting local communities will be discussed.</p>		
5	Operational noise	Environmental Statement, Chapter 12,	<i>Road noise from operation of A12</i>	Please see response to Relevant Representation, RR-084-005.	In discussion	27/01/2023

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Ref	Issue	Doc Reference	Witham Town Council Position	National Highways Position	Status	Date
		Noise and vibration [APP-079] Environmental Statement, Figure 12.8 Noise Change Contour Map Sheets 4 and 5 [APP-235]		The extent of enhanced low noise surfacing goes from east of junction 21 past junction 22, ensuring the benefits of the enhanced low noise surfacing to the community of Witham.		
6	Construction noise		<i>Noise during the construction period.</i>	National Highways continues to investigate the construction methodology for the retaining walls on the north side of the A12 by Market Lane. National Highways will, if practicable, aim to maintain the existing noise barrier during the construction works.	In discussion	27/01/2023
7	Loss of mature Trees and Shrubs	Environmental Statement, Chapter 9, Biodiversity [APP-076] Retained and Removed	<i>Loss of mature trees and shrubs</i>	Please see response to Relevant Representation, RR-084-006. The Applicant acknowledges that construction of the proposed scheme would result in adverse impacts to Whetmead Local Nature Reserve and Local Wildlife Site through the permanent loss of	In discussion	27/01/2023

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Ref	Issue	Doc Reference	Witham Town Council Position	National Highways Position	Status	Date
		<p>Vegetation Plans, Part 1 [APP-035] and Part 2 [AS-017]</p> <p>Environmental Statement, Chapter 3, Assessment of Alternatives [APP-070]</p> <p>First iteration Environmental Management Plan (EMP) Appendix A: Register of Environmental Actions and Commitments (REAC) [APP-185]</p> <p>Environmental Statement, Figure 2.1, Environmental</p>		<p>0.89ha of semi-natural broadleaved woodland habitats adjacent to the A12 on the western boundary of the nature reserve. This loss would occur during site clearance to enable widening of the existing A12 carriageway and construction of a retaining wall. This would be mitigated through provision of approximately 2ha of new habitats in an area immediately south of and outside the site as detailed in Section 9.10 of Chapter 9: Biodiversity, of the Environmental Statement, [APP-076].</p> <p>For the wider proposed scheme, it is acknowledged there would be a loss of mature trees and shrubs including woodland and five potential veteran trees. Vegetation loss and retention is illustrated on the Retained and Removed Vegetation Plans [APP-035 and AS-017].</p> <p>A landscape design is proposed to mitigate the effects of lost vegetation and screening.</p>		

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Ref	Issue	Doc Reference	Witham Town Council Position	National Highways Position	Status	Date
		Masterplan [APP-086, APP-087 and APP-088]				
8	Loss of Access to Local Nature Reserve during construction		<i>Loss of access to nature reserve during construction</i>	Please see response to Relevant Representation, RR-084-007. National Highways has confirmed to Witham Town Council that its representatives, subject to suitable Health and Safety and any practical requirements, would be permitted access to Whetmead LNR in order to carry out ongoing maintenance activities.	In discussion	27/01/2023
9	LNR is a Historic Landfill site	Environmental Statement, Chapter 10 Geology and Soils [APP-077] First iteration Environmental Management Plan (EMP) Appendix A: Register of Environmental Actions and	<i>Sharing of ground investigation information from Whetmead LNR</i>	Further ground investigation has been undertaken in the Whetmead historic landfill area. Results will be share with Witham Town Council when available.	In discussion	27/01/2023

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Ref	Issue	Doc Reference	Witham Town Council Position	National Highways Position	Status	Date
		Commitments (REAC) [APP-185] First Iteration Environmental Management Plan, Appendix D: Land Contamination Management Plan [APP-188]				
10	Wheatmead as translocation zone	Environmental Statement, Figure 2.1, Environmental Masterplan [APP-086]	<i>Whetmead was used as a translocation zone</i>	Please see response to Relevant Representation, RR-084-008. National Highways welcomes discussions with the interested party regarding the creation of ecological and other environmental enhancements where appropriate by agreement within the existing nature reserve, such as hibernacula and log piles to increase carrying capacity for reptiles.	In discussion	27/01/2023

Acronyms

Abbreviation	Term
ECC	Essex County Council
WTC	Witham Town Council
SoCG	Statement of Common Ground

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Glossary

Term	Definition

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