

A12 Chelmsford – A120 Widening Scheme Development Consent Order

Interested Party reference number: 20033066

March 2023

Written summary of oral representations made to Issue Specific Hearing 1 (ISH) from Ruth Mabbutt on behalf of Chelmsford City Council

Traffic

Chelmsford City Council's concerns regarding traffic are set out within its Local Impact Report REP2 – 107 – LIR.

As shown by National Highways modelling, the closure of Junction 20A and replacement with junction 21 (Witham) would lead to a sizeable increase in traffic along the B1137 (Main Road) through the settlement of Boreham in the peak hours, which will harmfully affect the amenities of Boreham Village.

To make the route less attractive and discourage users from travelling southbound to Junction 19 from Hatfield Peverel, National Highways proposes to reduce the speed limit from 40mph to 30mph through Boreham village and from 60mph to 40mph between Boreham and Hatfield Peverel. At present, National Highways proposes only to update speed limit signs in connection with the speed limit reductions.

The City Council considers that this measure alone is insufficient and is not enough to make the route less attractive to road users, particularly if the speed limits are ignored. There needs to be a mechanism to enforce lower speeds and reduce traffic flows.

Chelmsford City Council, together with Essex County Council, Braintree District Council plus other interested stakeholders propose the following measures that could help to ensure that National Highways proposed speed limit reductions are adhered to, once the A12 DCO scheme is in place. These are:

- Average speed cameras covering the section of Main Road from the southern end of Boreham village to the existing A12 J20a on-slip
- A new signalised pedestrian crossing with road narrowing in the vicinity of Boreham Co-op.
- Road narrowing at: Location 1 (Boreham village entrance for SW traffic), Location 2 (outside Orchard cottages) and Location 3 (pedestrian entrance to recreation ground).
- Softer measures at: Location 1 (outside of Orchard Cottages) and location 2 (just before the recreation ground) and location 3 (outside of the Little Hedgehogs Day nursery).

The measures should be included within the proposal as mitigation for the predicted increases in traffic in Boreham, and to help ensure that the reduced speed limits proposed by National Highways are adhered to.

Although the City Council supports the principle of the A12 Widening proposal, the proposal will lead to a change in the living and working environment of Boreham village harmfully affecting Boreham Village.

The proposed mitigation as it stands (speed reduction) is not enough to manage and mitigate against the harm to Boreham village.

The measures proposed by the City Council, Essex County Council, Braintree District Council and other Interested Parties should be considered by National Highways / the Examining Authority and should be incorporated into the proposal.

The City Council is willing to work with National Highways and other Interested Parties regarding how the mitigation can be secured and adopted.

Air Quality

Chelmsford City Council's concerns regarding air quality are set out within its Local Impact Report REP2 – 107 – LIR.

The proposal identifies a number of receptors within Boreham that are expected to be affected by high air quality emissions as they will experience higher levels of Nitrogen Dioxide than they are used to.

National Highways consider the effect not to be significant due to the small number of properties to be affected. Yet Chelmsford City Council consider this position to be unacceptable.

The change in air quality and increase in Nitrogen Dioxide levels experienced by the affected receptors would not be considered insignificant and National Highways should ensure that all affected properties receive appropriate mitigation. Harm is still harm irrespective of the number of affected receptors.

The Environmental Statement identifies that the modelled effect of the proposed scheme would lead to an increase in nitrogen dioxide (NO₂) concentrations at receptor R225, located between B1137 Main Road in Boreham and the A12 carriageway.

Air quality modelling undertaken by Chelmsford City Council for the Local Plan submission, did not identify an exceedance of the air quality objectives at R225. Chelmsford City Council is the air quality authority and the exceedance of the annual mean air quality objective for nitrogen dioxide (NO₂) and would result in Chelmsford City Council having to declare an AQMA (Air Quality Management Area) and develop an air quality action plan for that, and any other affected receptors.

The Environmental Statement provides no commentary of an AQMA being required at R225, nor does it provide appropriate air quality mitigations.

It is common practice that planning and environmental health legislation procedures do not duplicate themselves. Regardless of the Environmental Statement, LAQM policy guidance (PG22) identifies National Highways as a relevant public authority and, should an AQMA be declared, requires that National Highways work with Chelmsford City Council as the relevant Authority to undertake monitoring, dispersion modelling and provide air quality mitigations.

It has been indicated by National Highways that there may be scope to introduce diffusion tube monitoring which is welcomed, yet currently there is no mechanism for this.

The proposal will expose receptors / Boreham village to higher levels of particulates than they are used to and this must be mitigated.

Mitigation needs to have a threefold approach through:

- the reduction in traffic along Main Road by implementation of the traffic measures previously mentioned,
- the introduction of monitoring to establish whether an AQMA will be declared and what measures and form this will have
- the introduction of physical barriers next to affected receptors / along the northern boundary of the A12 alongside Boreham village. This could take the form of natural and main made (fencing) measures to mitigate and lower air quality.

The City Council is willing to work with National Highways and other Interested Parties regarding how the mitigation can be secured and adopted to ensure that air quality emissions are managed, mitigated and lowered.

Noise

Chelmsford City Council's concerns regarding noise are set out within its Local Impact Report REP2 – 107 – LIR.

To mitigate against the impacts of noise from the A12, Standard Mitigation is proposed, together with additional mitigation in the form of Additional Mitigation Surfacing (AMS) between Junction 19 and existing Junction 20a on the southbound carriageway of the A12 only.

In a presentation of slides presented by National Highways to the OFH (1), Additional Mitigation Surfacing was shown to be applied to both sides of the A12 carriageway (north and south) close to Colchester. The reason for the AMS was to reduce noise levels at receptors at locations that appeared to be shown on the slides to be further away from the A12 than Boreham village. The National Highways modelling showed that there would be a benefit and reduction in noise levels as a result of applying the AMS to both sides of the carriageway.

Chelmsford City Council does not understand why additional mitigation surfacing cannot be applied to both sides of the A12 carriageway between Junctions 19 and 20A at Boreham when it is clear from the National Highways submission at OFH (1) that there will be an overall net benefit and reduction in noise levels to affected receptors / villages.

Whilst the City Council welcomes the introduction of Standard Mitigation within Boreham, there would be an increase in noise levels above the Significant Observed Adverse Effect Level (SOAEL).

There would be 28 dwellings along Main Road where there would be a minor increase in noise where National Highways state that it would not be possible to mitigate against significant adverse effects.

The City Councils understanding is that mitigation can be provided in the form of noise barriers and vegetation planting; in addition to the installation of an AMS surface to the A12.

Consideration was given to the use of noise barriers alongside the A12 in Boreham, but this was ruled out by National Highways because their installation would likely create adverse environmental effects on landscape visual and biodiversity as they would require large amounts of vegetation.

The management of the mitigation to achieve noise reduction, whilst not causing harmful environmental impacts is a sensitive balancing act. Chelmsford City Council considers that this balancing exercise should be undertaken by the Local Planning Authorities / Examining Authority and not by National Highways.

There is nothing within the Development Consent Order (DCO) submission that allows the balancing exercise to be undertaken. There are no submissions showing the introduction of noise barriers and / vegetation along the roadside. This is unhelpful and prevents the balancing exercise to be undertaken. It may be that the need for noise mitigation outweighs any landscape, visual/biodiversity harm. There needs to be an opportunity within the DCO examination for this assessment to take place. Subsequent to this, it may be necessary to update the Requirements as set out in the DCO to enable the additional mitigation to be provided.

Further, as with Air Quality, the effect of the proposal is to turn Boreham village into an 'island', exposed to higher levels of noise and vibration than it currently used to and would negatively affect quality of life

In summary, Chelmsford City Council does not agree with the proposal to only surface the southern side of the A12. Given that the introduction of an AMS to both sides of the A12 at Boreham and the introduction of additional noise barriers and planting would reduce noise levels, particularly along the A12 roadside and at affected receptors. Chelmsford City Council considers that the introduction of further mitigation is not unreasonable, and this should be formally considered within the DCO examination.

The City Council is willing to work with National Highways and other Interested Parties regarding how the mitigation can be secured and adopted to ensure that noise levels are managed, mitigated and lowered.

Cultural Heritage

Chelmsford City Council's full response to cultural heritage is set out within its Local Impact Report REP2 – 107 – LIR.

Boreham House is a Grade I listed house and has grade II listed grounds registered on the Register of Parks and Gardens. It is located within the vicinity of Junction 19 and the house and garden are of high level of significance/setting.

The proposals indicate the realignment of Main Road; which would include removal of the trees and vegetation to the east and west the entrance to Boreham House and trees 'at risk', including those on the north side of Main Road. Replacement planting would be provided but there is inconsistency within the Environmental Statement. The landscaping plan indicates no replacement planting, but the heritage assessment notes new planting will be provided. The inconsistency must be corrected and clarified with the corrected submission being submitted to as part of the DCO.

The combination of widening the road, taking part of the lawned verge within the RPG, earthworks and removal of large areas of screening, would lead to a notable change to the setting of Boreham House and would open up the site to the visually intrusive highway paraphernalia at Boreham Interchange and also the site to the north (Lorry park and Premier Inn).

There is disagreement between National Highways and Chelmsford City Council regarding the environmental impact of the proposal to Boreham House and its registered garden. The

City Council consider the change to be minor to an asset of high value (based on the EIA criteria), resulting an impact of moderate magnitude (significant for EIA purposes), rather than slight as indicated in National Highways assessment. The magnitude of impact could be reduced if a comprehensive landscaping scheme were provided.

The DCO submission currently contains insufficient information to understand the impact upon Boreham House and its setting. Large scale plans should be provided to show the works at the entrance to Boreham House and adjacent The Generals. A landscaping scheme taking in the frontages should also be proposed.

Given the high significance of the setting to Boreham House and its Registered Park and Garden it is essential that there is sufficient detail at this stage to be able to fully consider the impacts and the mitigation required.

Further, there is a brick culvert which runs under Main Road, from the pond to the north and into Boreham Houses lake. The culvert is not currently shown on the constraints plans and it is requested that this is identified, retained and protected during the works. The culvert is important because it feeds the lake from a natural spring to the north. There have been issues over the last few years due to the feeder not providing water to the lake. The lake is an important part of the designed landscape and a defining feature of the setting to the house.

Further technical information should be provided to ensure the situation with the feeder is no worse than at present as a result of the proposed works. It is also desirable to explore if the dried up pond on the north side of Main Road (within the copse east of The Generals) could be utilised for surface water attenuation, thereby improving the feed to the lake and offsetting the identified harm to the designated heritage assets resulting from the scheme.

The City Council is willing to work with National Highways and other Interested Parties to fully understand and / or mitigate against the level of harm on Boreham House and its registered garden. To do this, the details requested above need to be provided.