

Date: 06/04/2023
Your Ref: TR010060
Our Ref: 6364E

DWD

6 New Bridge Street
London EC4V 6AB
T: 020 7489 0213
F: 020 7248 4743

The Planning Inspectorate
National Infrastructure Planning
Temple Quay House
2 The Square
Bristol
BS1 6PN

Dear Sir or Madam

PLANNING ACT 2008 – RESPONSE TO EXAMINING AUTHORITY QUESTIONS (EXQ2) (DEADLINE 4)
RE: A12 WIDENING SCHEME BETWEEN JUNCTIONS 19 (BOREHAM INTERCHANGE) AND 25 (MARKS TEY INTERCHANGE).

We act on behalf of Countryside Zest (Beaulieu Park) LLP 'CZ', a joint venture made up of Countryside Partnerships and L&Q, who are the landowner and developer of the Beaulieu Outline Planning Permission (OPP), which was granted in 2014 for 3,600 homes, new roads, schools, neighbourhood centre and business park (ref. 09/01314/EIA).

We note that question Q2.5.2 submitted as part of the Examining Authority Questions (ExQ2) has been included for CZ to address and provide a response. This question notes:

“Countryside Zest made further submission at REP2-046-001. The response at REP3-009 indicated that there were on-going discussions between the parties. What progress has been made with these?”

CZs written submission submitted at REP2-046-001 noted that *“While a number of these matters discussed in previous responses to the application have been agreed, there remain a number of areas of disagreement between both parties, CZ and National Highways. Discussions are ongoing in order to come to an agreement on these matters, particularly in regard the Landowner Option Agreement. The areas of disagreement...are summarised as follows:*

- *Green Area 2/15b - cuts through land zoned for employment use, temporary use timing to be agreed with CZ to ensure there is no impact on delivery of employment use, the location of the access to be adjusted to avoid the Railway Station car park land;*
- *Red Area 2/15a – permanent acquisition of this land with the current boundary cannot be granted as it is also required by CZ to deliver strategic cycleway link between train station, the business park and the allotments as well as public open space as shown on the enclosed approved Parameter Plans. Land boundary to be amended in consultation with CZ to ensure there are no conflicts. It is also noted that part of this land is required by Network Rail for the Railway Station car park delivery and there are several existing easements across this land;*
- *Green Area 2/15f – temporary access over the land can be granted for construction but CZ cannot grant permanent rights;*

- *Blue Area 2/15c – land boundary needs to be changed to avoid SuDS basin and other infrastructure. CZ can offer alternative access for both temporary and permanent access to avoid development infrastructure; and*
- *Blue Area 2/17j – land boundary needs to be changed to avoid development infrastructure. CZ can offer alternative access for both temporary and permanent access to avoid development infrastructure.”*

In response to the above, National Highways responded as part of Document 9.24 ‘Applicant’s comments at written representations’ at Deadline 3 (March 2023) that the “*Applicant notes the information provided by Countryside Zest. Applicant is committed to ongoing discussions with Countryside Zest regarding their concerns and is progressing an agreement to ensure both projects can be delivered as efficiently and effectively as practical*”.

Following the response from National Highways, CZs comments at REP2-046-001 still stand and should continue to be considered throughout the DCO process. We can confirm that discussions between the two parties are ongoing however, no final agreement has been reached. National Highways informed CZ that they are still awaiting to instruct a legal party who will draft and implement the anticipated landowner agreement that will be taken into consideration as part of the DCO.

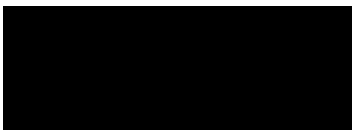
A comment that CZ would like to re-iterate the point that the current submitted drawings do not take into consideration the comments provided by CZ throughout the examination process. We request that the Examining Inspector confirms whether revised plans will be accepted at this stage of the process.

Conclusion

In summary, CZ continue to support the principle of the Proposed Development which includes the widening, where necessary, of the A12 between Chelmsford and the A120 from two lanes to three in each direction, as well as ancillary improvements to a number of junctions.

While discussions are still continuing between both CZ and National Highways regarding the matters outlined above, CZ maintain an objection to the submitted plans until the revised plans are agreed by both parties under the Landowner Option Agreement.

Yours faithfully,



Barry Murphy
Partner
DWD

 [@dwdlp.com](mailto: [redacted]@dwdlp.com)

