

# **A12 Chelmsford to A120 widening scheme**

**TR010060**

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

Reg 8(1)(e)

Planning Act 2008  
Infrastructure Planning (Examination Procedure)  
Regulations 2010

Volume 8

April 2023

## Infrastructure Planning

### Planning Act 2008

### The Infrastructure Planning (Examination Procedure) Rules 2010

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

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

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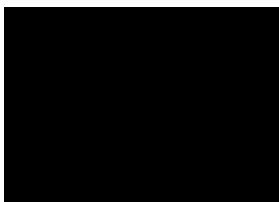
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| <b>Regulation Reference</b>                   | Reg 8(1)(e)                            |
| <b>Planning Inspectorate Scheme Reference</b> | TR010060                               |
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| <b>Author</b>                                 | A12 Project Team and National Highways |

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|----------------|---------------|--------------------------|
| P01.1          | February 2023 | Draft                    |
| P01.2          | 31.03. 2023   | Draft V1.2               |
| P01.3          | April 2023    | Draft for Deadline 4     |

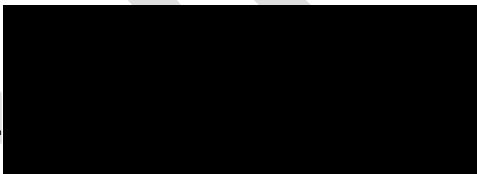
## STATEMENT OF COMMON GROUND

**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.*



**Philip Davie**  
**Project Director**  
**on behalf of National Highways**  
**Date: 3 April 2023**

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

**Simon Cairns**  
**Development Manager**  
**on behalf of Colchester City Council**  
**Date: 31/03/2023**

For this submission of the Statement of Common Ground for Deadline 4, between **National Highways** and **Colchester City Council**, updates have been made in the following sections of the document.

| <b>Location</b>         | <b>Update made</b>   |
|-------------------------|--|
| Record of Engagement    | One SOCG meeting held.   |
| Agreed issues           | Two topics (1.8 and 1.9) have been agreed.   |
| Issues under discussion | One topic (2.7) added to in discussion. Four topics (2.2, 2.3, 2.5 and 2.6) have been updated. |

DRAFT

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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**

| <b>Date</b>      | <b>Form of correspondence</b> | <b>Key Topic discussed and key outcomes (the topics should align with the Issues tables)</b>   |
|------------------|-------------------------------|--|
| 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.   |

| <b>Date</b>     | <b>Form of correspondence</b> | <b>Key Topic discussed and key outcomes (the topics should align with the Issues tables)</b>  |
|-----------------|-------------------------------|---|
| 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:<br>Scheme update<br>Forum format going forward<br>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   |
| 27 March 2023     | Online meeting         | Statement of Common Ground meeting – discussed landscaping/ecology and noise issues.   |

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 |
| 1.8 | Archaeology    | Assessment of archaeology               | Agreed  | 27/03/2022 |
| 1.9 | Archaeology    | Trial trenching                         | Agreed  | 27/03/2023 |

#### 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 | 20/03/2023 |
| 2.3 | Noise, landscape and biodiversity | Construction effects on Easthorpe                   | Under discussion | 28/03/2023 |
| 2.4 | Landscape impact                  | Visual impact during construction                   | Under discussion | 19/01/2023 |
| 2.5 | Hedgerows                         | Protected hedgerows                                 | Under discussion | 27/03/2023 |
| 2.6 | Air Quality                       | Air quality modelling                               | Under discussion | 20/03/2023 |
| 2.7 | Noise – junction 24               | Mitigation of noise impacts to receptors in Messing | Under discussion | 27/03/2023 |

## 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       |
|-----|-------|--|--|---|---------|------------|
|     |       |  | must identify any 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]<br><br>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.<br><br>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.<br><br>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.<br>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. |         |            |
| 1.8 | Historic environment - archaeology | Environmental Statement Chapter 7 Cultural Heritage [APP-074]<br>Environmental Statement Appendix 7.10 Archaeological Mitigation | 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  | Consultation with the various local authority archaeological advisors is ongoing but at an advanced stage. Once the detailed scope for all the affected sites has been agreed, Figure 7.10 of the Archaeological Mitigation Strategy [APP-118] will be updated and submitted for                             | Agreed. | 27/03/2023 |

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| Ref | Issue | Doc Reference  | Colchester City Council (CCC) Position  | National Highways Position   | Status | Date |
|-----|-------|--|---|--|--------|------|
|     |       | <p>Strategy [APP-118]</p> <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>supported with regard to these assessments and the 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</p> | <p>examination in due course.</p> <p>Following discussion between National Highways and Colchester City Council's archaeological advisor to set the detailed scope of mitigation, an area of detailed excavation has been agreed for Site 953. The Archaeological Mitigation Strategy [APP-118] will be updated to reflect this and submitted for examination in due course.</p> |        |      |

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| Ref | Issue          | Doc Reference  | Colchester City Council (CCC) Position  | National Highways Position  | Status | Date       |
|-----|----------------|--|---|---|--------|------------|
|     |                |  | proportionate mitigation for this site, and brings public and research benefit, as it would contribute greatly to regional archaeological research aims for the late Iron Age/Roman period.   |   |        |            |
| 1.9 | 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 | Following discussion between National Highways and Colchester City Council's archaeological advisor to set the detailed scope of mitigation, areas of strip map and sample excavation have been agreed for Sites 78, 80, 83 and 84. The Archaeological Mitigation Strategy [APP-118] will be updated to reflect this and submitted for examination in due course. | Agreed | 27/03/2023 |

| Ref | Issue | Doc Reference | Colchester City Council (CCC) Position  | National Highways Position | Status | Date |
|-----|-------|---------------|---|----------------------------|--------|------|
|     |       |               | require mitigation. If mitigation is not proposed appropriate justification should be given for this. |                            |        |      |

### 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] | 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.<br><br>The existing situation in Marks Tey would be | 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 | Under discussion | 19/01/2023 |



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| Ref | Issue          | Doc Reference  | Colchester City Council Position   | National Highways Position  | Status            | Date       |
|-----|----------------|--|--|---|-------------------|------------|
|     |                |  | reinforced by the new carriageway and detrunking.  | <p>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 and horse rider assessment as part of the Land Use and Accessibility assessment in Chapter 13.</p> |                   |            |
| 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- | Bespoke mitigation has been applied wherever practicable in order to reduce the significant setting impacts for the built heritage. This mitigation is detailed in  | Under discussion. | 20/03/2023 |

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| Ref | Issue | Doc Reference | Colchester City Council Position  | National Highways Position   | Status | Date |
|-----|-------|---------------|---|--|--------|------|
|     |       |               | <p>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 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</p> | <p>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.</p> <p>An updated comment regarding the Built Heritage impact assessment can be seen in National Highways' response to Colchester City Council's Local Impact Report [REP3-019], specifically page 22.</p> |        |      |

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| Ref | Issue                             | Doc Reference  | Colchester City Council Position   | National Highways Position   | Status            | Date       |
|-----|-----------------------------------|--|--|--|-------------------|------------|
|     |                                   |  | opinion have bespoke solutions identified to mitigate this material harm.  |  |                   |            |
| 2.3 | Noise, landscape and biodiversity | <p>Environmental Statement: Chapter 12: Noise and vibration [APP-079]</p> <p>Environmental Statement: Chapter 8: Landscape and visual [APP-075]</p> <p>Environmental Statement: Chapter 9: Biodiversity [APP-076]</p> <p>Figure 12.8 of the Environmental Statement [APP-235].</p> <p>Appendix 9.14 of the</p> | <p>As Easthorpe Road will be closed to construction traffic, closed as part of the proposed scheme, construction activity will be 500m from the closest property and the new road will have low noise surfacing, we agree with National Highways regarding noise impacts in Easthorpe.</p> <p>Substantial landscape mitigation should be provided to offset any visual impacts of the realigned road, especially from any night-time lighting. The consultation document could provide greater information on the landscape, green infrastructure or biodiversity features to be lost and how they will be mitigated and</p> | <p>During construction, Easthorpe Road will be designated an 'excluded road', which is one not to be used by construction traffic. This is shown on the figures within the Outline Construction Management Plan - Appendix B – Permitted and excluded routes for construction vehicles (plans) [REP2-004]. The actual construction activities for the new alignment are over 500m away from the closest property within Easthorpe and even further from the centre of the village. Noise from these works is not expected to cause</p> | Under discussion. | 28/03/2023 |

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| Ref | Issue | Doc Reference                     | Colchester City Council Position   | National Highways Position  | Status | Date |
|-----|-------|-----------------------------------|--|---|--------|------|
|     |       | Environmental Statement [APP-138] | 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>impacts at properties in Easthorpe.</p> <p>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 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</p> |        |      |

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| Ref | Issue | Doc Reference | Colchester City Council Position | National Highways Position   | Status | Date |
|-----|-------|---------------|----------------------------------|--|--------|------|
|     |       |               |                                  | <p>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 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</p> |        |      |

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| Ref | Issue            | Doc Reference   | Colchester City Council Position   | National Highways Position   | Status   | Date       |
|-----|------------------|---|--|--|--|------------|
|     |                  |   |  | area-based habitat units, 36% for hedgerow units and 157% for river units.   |  |            |
| 2.4 | Landscape impact | Environmental Statement, Chapter 8, Landscape and Visual [APP-075]<br><br>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 | 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.<br><br>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.<br><br>In accordance with DMRB LA 107, aesthetic and perceptual | Under discussion.<br><br>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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| Ref | Issue | Doc Reference | Colchester City Council Position   | National Highways Position   | Status | Date |
|-----|-------|---------------|--|--|--------|------|
|     |       |               | <p>construction of the new road would leave this strip of land of arguable remaining 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.</p> | <p>qualities, including effects on dark skies and tranquillity, are included within the assessment of landscape effects within Chapter 8 of the Environmental Statement [APP-075].</p> <p>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</p> |        |      |

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| Ref | Issue     | Doc Reference  | Colchester City Council Position  | National Highways Position   | Status  | Date       |
|-----|-----------|--|---|--|---|------------|
|     |           |  |   | Farmland Plateau would be moderate adverse.  |   |            |
| 2.5 | 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 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. | As per Chapter 9: Biodiversity, of the Environmental Statement [APP-076], construction of the Scheme would lead to the loss of 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.<br><br>Mitigation of hedgerows in general is provided through planting of new habitat at a ratio of close | Under discussion.<br><br>This was further discussed in a Statement of Common Ground meeting on Monday 27 March 2023. National Highways understands the points raised by Colchester City Council and is investigating whether hedgerow improvements can be secured through the REAC. | 27/03/2023 |



## Statement of Common Ground with Colchester City Council

| Ref | Issue | Doc Reference | Colchester City Council Position | National Highways Position   | Status | Date |
|-----|-------|---------------|----------------------------------|--|--------|------|
|     |       |               |                                  | <p>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 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</p> |        |      |

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|-----|-------|---------------|----------------------------------|--|--------|------|
|     |       |               |                                  | <p>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) 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].</p> <p>An updated comment regarding the hedgerow loss can be seen in the National Highways' response to Colchester City Council's Local Impact Report [REP3-</p> |        |      |

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|-----|-------------|---|---|--|------------------|------------|
|     |             |   |   | 019], specifically page 5 to 8.  |                  |            |
| 2.6 | 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 direct</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 the DM and in the DS scenario.</p> | Under discussion | 20/03/2023 |

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|-----|-------|---------------|--|--|--------|------|
|     |       |               | <p>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>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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|-----|---------------------|---------------|--|--|----------------|------------|
|     |                     |               |  | <p>will be in compliance in 2027.</p> <p>An updated comment regarding the Air Quality can be seen in National Highways' response to Colchester City Council's Local Impact Report [REP3-019], specifically page 21.</p>  |                |            |
| 2.7 | Noise – junction 24 |               | <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 60. This is our preferred</p> | <p>The NPSNN requires noise levels above SOAEL absolute levels to be avoided and noise levels below SOAEL to be mitigated and minimised. Although the position of Colchester City Council reduces the impacts for 71 properties which are forecast to be affected by a noticeable and significant change in noise, the absolute noise level at these</p> | In discussion. | 27/03/2023 |

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|-----|-------|---------------|---|--|--------|------|
|     |       |               | option, and we recommend that it is investigated further to see if mitigation can be achieved without increasing the number of properties above absolute SOAEL. It is acknowledged that increasing the noise level at properties above the absolute SOAEL conflicts with the NPSNN. | properties is below SOAEL. However, the consequence of this mitigation is an increase in noise level at 12 properties above the absolute SOAEL. This conflicts with the NPSNN.<br>The position of the proposed scheme is not in conflict with NPSNN. The impact on the 71 properties (falling between LOAEL and SOAEL) cannot be further mitigated, since further mitigation cannot reasonably be provided. It does not result in the 12 properties being subjected to an increase in noise above SOAEL. |        |      |

## 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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