

A12 Chelmsford to A120 Widening Project

Deadline 4 submission

11 April 2023

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1. Reponse to ExQ2

On 20 March 2023 the Examining Authority published the Second Written Questions (ExQ2). Essex County Council’s response to the questions for which a response is requested from the council are set out below.

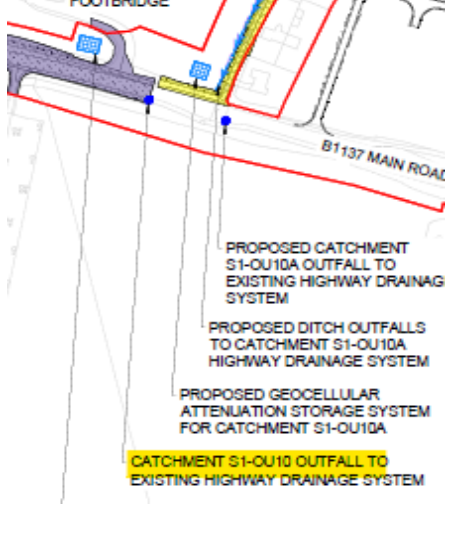
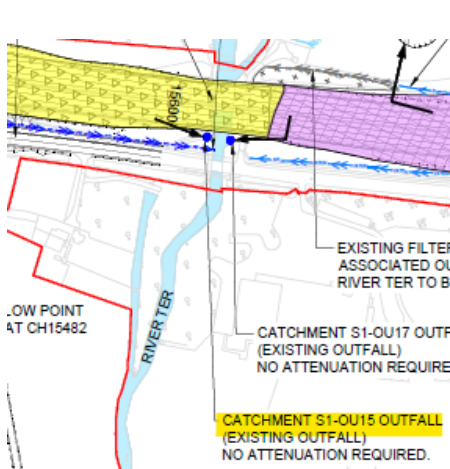
ExQ	Question to	Question	ECC response
5. Compulsory Acquisition, Temporary Possession and Other Land or Rights Considerations			
2.5.5	The Applicant Essex County Council	As outlined at the CAH1 meeting and also in their subsequent submission, Essex County Council as landowner is reserving their position whilst further discussions took place. It is to be hoped that an agreement is reached, is this the case yet?	The Valuation Office Agency have now been in contact with the council’s agents, and discussions are progressing. We are optimistic that that agreement will be reached on the land acquisition elements in due course.
2.5.8	The Applicant Braintree District Council Witham Town Council Essex County Council Anglia Water Services	Concerning Special Category Land, the Applicant reported that progress was being made with the discussions with the various Councils. It is to be hoped that sufficient progress is made before the next group of hearings at the end of April so that this does not need to become an issue for consideration at the hearings. Please update.	ECC has not had any further engagement with National Highways (NH) on Special Category Land since the February / March hearings.
13. Land Use			
2.13.4	Essex County Council	ECC raised a number of access concerns in their LIR at paragraph 8.3 REP2-055. The Applicant has provided a detailed response [REP3-021] and also in section 108 of REP3-012 and ECC is asked for an updated	For ease of reference the council has commented against each of the points made in section 108 of REP3-012 (shown in italics below. If the Examining Authority has further specific queries on which a response from ECC would be helpful please advise. Generally the council considers that National Highways have made some improvements to

ExQ	Question to	Question	ECC response
		<p>position in the context of the proposed public routes for walkers, cyclists and horse riders.</p>	<p>the provision for WCH users, but not all proposals are yet in accordance with relevant standards and guidance.</p> <p><i>Responses to Written Questions relating to Wood End Bridge have already been given [REP2-025].</i></p> <p>ECC response: The council is content with this.</p> <p><i>In respect of design structures safeguarding access for equestrians, the Applicant has taken a forward outlook of 120 years.</i></p> <p>ECC response: The council is content with this.</p> <p><i>Where connecting routes are bridleways the Applicant has reflected that and provided a design for all bridleway users. An example is the Paynes Lane bridge. Bridges crossing the A12 with no bridleway connection are not yet bridleways but are nonetheless all future-proofed for equestrian use (with a higher parapet) with the exception of the Marks Tey replacement bridge.</i></p> <p>ECC response: The council is content with this.</p> <p><i>The Applicant recognises the aspiration for many more WCH routes, but the proposals put forward already represent a substantial improvement and are therefore considered a reasonable provision. The Applicant has no power to designate wider routes beyond order limits as bridleway and responsibility for such improvements must remain with the County Council.</i></p> <p>ECC response: The council agrees that the scheme includes various improvements to the PROW network in several cases has been severed historically by the A12, particularly to the footpaths and for walkers. We ask that National Highways additionally seek to provide</p>

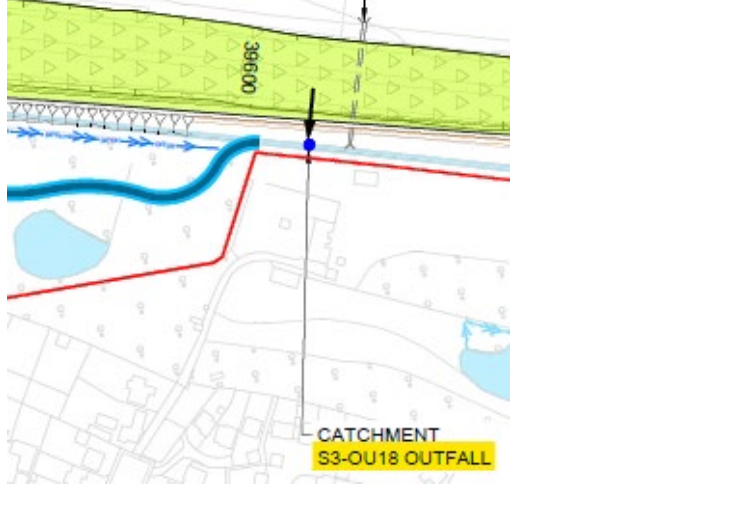
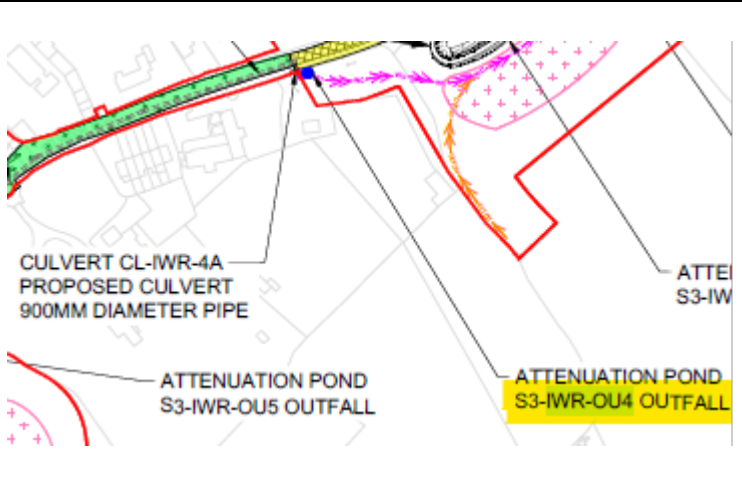
ExQ	Question to	Question	ECC response
			<p>improvements for horse riders through dedication of a bridleway over footpaths 30 (Kelvedon) and 19 (Great Braxted), a distance of <600m, and provision of a bridleway bridge (Ashman’s Farm footbridge) instead of replacing the current footbridge. This will connect our network of bridleways north to those south of Kelvedon. The scheme already requires that the footpath and footbridge are moved so upgrade to a bridleway is considered reasonable.</p> <p>Whilst it is appreciated that the Applicant is safeguarding the overbridges for possible future bridleway enhancements, the only tangible benefit within the scheme to horse riders currently is the Paynes Lane overbridge. There are not many obvious benefits that this scheme can offer to horse riders but this is certainly easy and relatively low cost to accommodate. The council as the Order making authority is willing to work closely with the applicant to secure this upgrade.</p> <p><i>Regarding comments about designation and zig-zag ramps, the Applicant’s firm position is that the proposals are compliant with LTN 1/20 and recognises that Essex CC has a differing interpretation of the application of this guidance. The applicant continues to work with Essex CC, and this communication is captured within a matrix which is contained within the emerging statement of common ground [REP2-018]. The Applicant considers that macro alignment is appropriate (rather than the micro alignment or minimum radii) and notes the different types of flow structures suggested by Essex CC. The applicant expects to make minor amendments to the minimum radii of these structures within requirement 10 of the DCO.</i></p>

ExQ	Question to	Question	ECC response
			<p>ECC response: LTN1/20 is very clear in its recommendations regarding minimum radii for cyclists. According to Table 5-7, 4m is the minimum actual turning radius that should be provided for cyclists on any cycle route. This applies to any turns on bridge structures (i.e. on the deck and on the approach ramps). NH has not provided evidence to confirm that 4m actual turning radii can be provided on the proposed overbridges – either for the lower flow bridges, where 4m radii could be provided in one direction only, or for the higher flow bridges where 4m radii should be provided in both directions. We are concerned that it may not be possible, within Requirement 10 of the DCO as currently drafted, to provide appropriate turning radii on the WCH overbridges.</p> <p><i>Gershwin Bridge will be opened as a footbridge, but ready for upgrade to a bridleway if required because the connecting path has become a bridleway.</i></p> <p>ECC response: The council is content with this response. See Section 4 for further information on the council’s position on Gershwin Bridge.</p>
18. Water Environment			
2.18.3	Host Authorities	<p>In their LIR [REP2-005] ECC referred to several catchments that would not be receiving any treatment prior to discharge.</p> <ul style="list-style-type: none"> • Please can ECC clarify where these locations are; and • Can the Applicant explain and justify their approach to these locations 	Please refer to the separate table below.

ECC response to ExQ2.18.3

Catchment	Catchment outfalls (extract from Drainage and Surface Water Plans – APP-033 and APP-034)	Description	SuDS features	Treatment
<p>Catchment S1-OU10</p> <p>Ref: 2.13 - DRAINAGE AND SURFACE WATER PLANS SHEET 2 OF 21</p>		<p>Outfall at existing manhole chamber on B1137 highway drainage system.</p> <p>Catchment plan do not show the filter drain location.</p>	<p>No SuDS features shown on the catchment plan</p>	<p>No treatment</p>
<p>Catchment S1-OU15</p> <p>Ref: 2.13 - DRAINAGE AND SURFACE WATER PLANS SHEET 5 OF 21</p>		<p>Drainage plan is high level, filter drain discharging to River Ter at outfall location, but this seems to be a separate drainage system from the Catchment S1-OU15 drainage</p>	<p>No SuDS features</p>	<p>No treatment</p>

Catchment	Catchment outfalls (extract from Drainage and Surface Water Plans – APP-033 and APP-034)	Description	SuDS features	Treatment
Catchment S1-OU17 and S1-OU18 Ref: 2.13 - DRAINAGE AND SURFACE WATER PLANS SHEET 5 OF 21		S1-OU17 (A12 northbound and southbound carriageways) Catchment SOU17 and SOU18 are colour coded (purple) and there is no split between these catchments to find out the areas draining to outfall S1-OU17 and outfall S1-OU18	Filter drains Only treat runoff from cutting slopes	Partial runoff treatment is provided
Catchment S1-OU10A Ref: 2.13 - DRAINAGE AND SURFACE WATER PLANS SHEET 2 OF 21		Catchment plan shows vegetative ditch which intercepts the surface water runoff from the external natural area northwest of Paynes Lane The runoff from catchment doesn't seem to be treated by proposed ditch	Vegetative ditch provided but not included in treatment train	No treatment

Catchment	Catchment outfalls (extract from Drainage and Surface Water Plans – APP-033 and APP-034)	Description	SuDS features	Treatment
Catchment S3-OU18 Ref: 2.13- DRAINAGE AND SURFACE WATER PLANS SHEET 19 OF 21		Catchment plan is very high level, can't assess any treatment provided prior to outfall	No SuDS features	No treatment
Catchment S3-IWR-OU4 Ref: 2.13- DRAINAGE AND SURFACE WATER PLANS SHEET 20 OF 21		High level catchment plan Unrestricted discharge to proposed culvert which discharges into diverted watercourse Plan says attenuation pond at outfall, but drainage strategy reports states that the runoff discharges into diverted watercourse via culvert	No SuDS features	No treatment

2. Speed Limit Review

In our REP3-035 submission [summary of oral representations made at hearings on 28 February and 1 March], we stated in Appendix C that ECC has or may have concerns with some of the changes to speed limits that National Highways are proposing to make to local roads, for which ECC is the highway authority.

The council is continuing to review the proposed speed limit changes. However, based on the available evidence, many of the proposed speed limits are lower than we would expect and do not comply with the council's Speed Management Strategy (SMS), or the Department for Transport's guidance Circular 01/2013 (Setting local speed limits).

As noted previously, the key principle of the SMS is to ensure that the speed for any road is in keeping with its environment. This is in line with paragraph 29 of Circular 01/2013 which states that a principal aim in determining appropriate speed limits should be "to provide a consistent message between speed limit and what the road looks like, and for changes in speed limit to be reflective of changes in the road layout and characteristics". The consequence of a speed limit which is not suited to the context of the road is that there could be poor compliance with the speed limit, which creates operational and road safety risks.

ECC's current concerns with the current approach, taking account of Circular 01/2013 as well as the SMS, can broadly be categorised as follows:

- New junctions being introduced on the A12 (junctions 21, 22 and 24), with much of the junction proposed to a speed limit of 40mph. The change in road layout does not objectively justify a 30mph drop in speed limit, and ECC is therefore concerned the drivers are unlikely to accept and expect lower speed limits on newly constructed roads with no obvious hazards such as accesses, properties etc.
- Significant speed limit reductions on the two stretches of the A12 which are planned to be de-trunked, without substantial changes in the road layout or characteristics of the road.
- Changes to roads which are rural in nature, which are designed to DMRB standards and a 40mph speed limit. While rural in nature, with limited accesses/frontages, the roads will be designed to higher standards than the existing adjoining network but with lower speed limits.

Specific concerns are summarised in the table below.

Road	Speed Limit Proposed by National Highways	Design Standard adopted by National Highways	ECC Comment
B1137 From Generals Farm Roundabout to Boreham village	Change from National Speed Limit (NSL) to 40mph	DMRB (2/18-2/20) remainder unaltered	<p>The 40mph for Boreham interchange has been extended to the east side of Boreham House due to sign clutter and Boreham House being listed, not for speed limit policy reasons.</p> <p>The remainder of Main Road to Boreham Village is physically unaltered yet there is a proposed reduction in the speed limit from NSL to 40mph. Without a change in the environment, there is a significant risk that speeds will remain above police intervention levels for 40mph.</p>
B1137 Boreham Village	Change from 40mph to 30mph	N/A	ECC is concerned that merely changing the speed limit will not be sufficient and the nature of the road is such that additional measures (including average speed cameras and traffic calming) are required to encourage compliance with the new speed limit.
B1137 Boreham Village to Hatfield Peverel	Change from NSL/50mph to 40mph	DMRB (4/3-5/1)	As above. It should be noted that the current 50mph stretch is in place because of a collision issue at Junction 20a. As this junction is being removed, the speed limit here could actually be increased to NSL. A 20mph reduction from NSL to 40mph represents a significant reduction without appropriate measures in place to support this. An inconsistent message to drivers & creates expectation elsewhere in the County of 20mph speed limit reductions with no apparent justification.
Link Road from Hatfield Peverel to J21	30mph Restricted Road	Manual for Streets (MfS)	Single access from junction with The Street (The Vineyards), nothing about the environment suggests 30mph is the appropriate speed limit. Change in environment is on the approach the The Street not at The Vineyards.
J21 Roundabouts	30pmh Restricted Road	MfS	Approaches from A12 are NSL, new junction with nothing to suggest that 30mph is appropriate.

Road	Speed Limit Proposed by National Highways	Design Standard adopted by National Highways	ECC Comment
Colchester Road, Witham from J21 northbound	40mph	DMRB	This is designed to DMRB, yet approaches a roundabout designed to MfS and links into Witham.
Realigned Kennel Access	30mph	MfS	An improved cul-de-sac with no accesses along it and some properties at the end. Not suitable for 30mph.
J22 & all non A12 approaches	40mph	DMRB	The northern side of this junction is the old A12 dual carriageway, whilst there is a new roundabout, the road remains straight & dual carriageway in part. It is unclear why the speed limit has been reduced by 30mph. The realigned section of Little Braxted Lane on the approach to J22 has been designated as 40mph. However, the physical nature of the road is an improvement over the rest of the existing road, which is NSL.
Braxted Road	30mph Restricted Road	Unclear	New road construction, realigned away from frontage development, NSL on approach to a short 40mph section that is no longer necessary (due to vastly reduced traffic flows on the side road), then 30mph the A12 overbridge. Not compliant with national guidance.
Detrunked A12 Rivenhall End	40mph	DMRB	Not compliant with national guidance, Remaining a dual carriageway with no new accesses/frontage development to indicate why the speed limit should be reduced to 40mph.
B1024 Link Road	40mph	DMRB	New construction with no accesses or frontages, not compliant with national guidance, little to suggest to drivers that 40mph is appropriate.
Link to Fire & Rescue Headquarters	30mph Restricted Road	MfS	Extends the current restricted road at Kelvedon to an area with no frontages or accesses currently the southbound on slip & A12 Southbound carriageway at NSL, no frontages or accesses, not compliant with Circular 01/2013.

Road	Speed Limit Proposed by National Highways	Design Standard adopted by National Highways	ECC Comment
J24 Roundabouts & Link to Inworth Road	40mph	DMRB	All approaches from the A12 are NSL, therefore no reason for junction or link road to be 40mph.
Realigned North Inworth Road	30mph	MfS	50mph between this section and the 30mph speed limit in Feering. Speeds currently in excess of 45mph.
B1023 Inworth Road to Brick Kiln Farm	Change from 50mph to 30mph	MfS	ECC is concerned that the rural nature of this road is such that a reduction to 30mph is not appropriate unless additional measures are implemented (including speed cameras) to encourage compliance with the new speed limit. Speed surveys indicate speeds well in excess of 40mph & non-compliance with existing 30mph (which is not intuitive). If this is "correct" to be 30mph then Inworth to Tiptree should be 30mph too, this does not meet the consistent messages suggested by Circular 01/2013.
Realigned Feering Road & Feering East Roundabout	30mph	MfS	Currently NSL, roundabout added, need detail to determine if 30mph is appropriate as no accesses or frontages.
Prested Hall/Threshelfords Access	NSL	MfS	These are realigned private accesses although proposed to be ECC unclassified roads, inconsistent with Fire & Rescue Access (restricted road) or Kennel access (30mph).
Detrunked A12	Change from NSL to 40mph then 50mph	DMRB	Dual carriageway retained, straight road with few accesses. Proposed speed limit change from NSL to 40mph then 50mph with no change in environment. This does not comply with Circular 01/2013.
Wishingwell Bridge +Easthorpe Farm Access	NSL	DMRB	These are realigned private accesses, although proposed to be ECC unclassified roads. Inconsistent with Fire & Rescue Access (restricted road) or Kennel access (30mph).

Road	Speed Limit Proposed by National Highways	Design Standard adopted by National Highways	ECC Comment
London Road Roundabout	30mph Restricted Road	DMRB	A12 NSL, detrunked A12 50mph, this roundabout is not the gateway to a built up area but to a number of signalised junctions & further roundabouts. Speed will be controlled by the signals/congestion the 30mph is not intuitive as it is a set of improvements.
New London Road	30mph Restricted Road	DMRB	Link between a roundabout & a signalised junction, no accesses or frontages, 30mph appears too low a speed limit.
Marks Tey Bridge	30mph Restricted Road	DMRB	Currently 40mph. No clear reason for speed limit reduction.

Proposed next steps

Noting the implications of inappropriate speed limits and/or design standards, the council considers that further justification is required from National Highways for each of the roads listed in the table above. This should include a rationale for each of the speed limits decided, information on the optioneering that has been undertaken and where appropriate details of aspects such as CD116 compliance, visibility splays and sight stopping distances. The council is happy to engage with National Highways directly on this in the form of a workshop, with suitable technical leads from both sides, and to jointly report back to the examination on the outcome.

In some cases, based on the information available to date we consider that some design changes are likely to be required. While a number of these design changes can potentially be progressed through the detailed design process, others could necessitate more fundamental changes including changes to the proposed Order limits. It is therefore essential in the council's opinion that appropriate and timely attention is given to this issue.

3. National Highway’s comments on ECC’s LIR

National Highways submitted a detailed response to the council’s Local Impact Report (LIR) [REP2-055] at Deadline 3 [REP3-022]. By exception the council wishes to raise several points on the response provided by National Highways that we would particularly like the Examining Authority to be aware of, as detailed in the table below. For the avoidance of doubt, the council has taken the view that responding to all aspects of the National Highways response is neither appropriate nor helpful (not least given the shared Statement of Common Ground between NH and ECC) and the lack of comment on any aspect should not be taken to mean that ECC is in agreement with the Applicant on said aspect. As a general point, should National Highways not agree to the further changes ECC is seeking and the Examining Authority take the view that some of these changes are best dealt with via requirements secured by the DCO, the council would be happy to suggest proposed wording and work with National Highways in an effort to agree such requirements.

LIR Ref	ECC position [REP2-055]	NH position [REP3-022]	ECC comment
Walking, cycling and horse-riding (WCH) – general			
8.2.10 to 8.2.19	... we are concerned that accordance with the DfT’s national guidance on cycle design (LTN 1/20) has not been demonstrated at numerous key locations along the length of the scheme; in particular at junctions and proposed pedestrian and cyclist crossing structures.	<p>The detailed design will seek to improve the coherence, directness, safety, convenience and attractiveness of all routes, especially at these particular junctions, in accordance with LTN 1/20 so far as feasible within the parameters of the consent</p> <p>It is the view of the Applicant that the design proposals in the DCO submission do comply with LTN 1/20. That document recognises that geometric and other constraints can limit the physical form of facilities, and gives both desirable and minimum criteria to reflect these</p>	<p>The council is concerned about the repeated use of the phrase 'so far as feasible within the parameters of the consent'. We need to be certain about the implications of this.</p> <p>Throughout the process, we have been concerned that amendments to the DCO scheme (to ensure that the proposed WCH facilities are in accordance with LTN1/20) might require more land than NH have allowed for within their red line boundary. Once the DCO is granted, any change to the WCH facilities that would have been possible with a slightly amended red line</p>

LIR Ref	ECC position [REP2-055]	NH position [REP3-022]	ECC comment
		<p>constraints. Examples of constraints are limited space (for example at J25 between A12 and A120) and environmental impact.</p>	<p>will no longer be possible. As a result, we consider it important to see drawings of anything that NH say they are working on, to ensure that it is possible 'within the parameters of the consent'.</p> <p>It won't help to have an agreement in writing that NH will 'seek to improve' the WCH facilities 'so far as feasible within the parameters of the consent', if the DCO consent will not actually allow the facilities to be improved.</p> <p>We have shown in our LIR that the preliminary design does not accord with LTN1/20 guidance in a number of important locations. NH have not provided the evidence to demonstrate that geometric or other constraints are, in fact, limiting the implementation of LTN1/20 in these locations; they have simply presented layouts that do not accord with LTN1/20 and stated that they will seek to improve these layouts in the detailed design stage. ECC has no guarantee that these WCH facilities will be improved in detailed design.</p>

LIR Ref	ECC position [REP2-055]	NH position [REP3-022]	ECC comment
			ECC would add that NH has stated that it expects to make minor amendments to design (for example the minimum radii of the new overbridges) within Requirement 10 of the DCO. ECC has already noted at the ISH2 on 1 March 2023 on the draft DCO that as currently drafted, ECC has no rights of approval over any of the detailed design that affects the local highway network and is merely a consultee.
Removal of junction 20a and 20b – impacts on Boreham village			
8.3.16 to 8.3.21	<p>... as a minimum, for the following measures to be included in scheme:</p> <ul style="list-style-type: none"> • 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 zebra or signalised pedestrian crossing with road narrowing in the vicinity of Boreham Co-op • Localised road narrowing at a number of locations, including the entrance to Boreham from the south and near to the pedestrian entrance to the recreation ground • Softer measures, such as place-making signs and safety signs designed by local children in appropriate locations along Main Road within the village of Boreham 	<p>... additional interventions are not required to ensure compliance with the proposed reduced speed limit within Boreham Village and between Main Road and Boreham Village.</p> <p>That said, the Applicant appreciates that the council and others would like to see additional measures. The Applicant has reviewed the proposals put forward by Essex County Council regarding additional intervention measures on the B1137 and will continue to engage in open discussions with Essex County Council on this matter during the detailed design stage</p>	<p>The council welcomes the ongoing discussions with NH regarding additional intervention measures for Main Road. However, NH have shown an unwillingness to consider providing average speed cameras. ECC (together with other stakeholders including Essex Police) considers average speed cameras to be the key element of the package of measures necessary to ensure better adherence to the proposed speed limit reductions. The road narrowings will be important visual reminders, but they are unlikely to bring about a consistent reduction in speed along the whole length of Main Road. This is why the average speed cameras are so important. All the measures proposed by ECC should be included in the DCO scheme.</p>

LIR Ref	ECC position [REP2-055]	NH position [REP3-022]	ECC comment
Removal of junction 20a and 20b – impacts on the B1137 between Boreham and Hatfield Peverel			
8.3.16 to 8.3.21	... additional measures are required to help ensure compliance. It should be noted there are few frontages along this stretch of the road and the likelihood of drivers exceeding the speed limit without further measures is considered high. (Average Speed Cameras required)	NH has not mentioned this section of the B1137 in its LIR response.	As per the comment above, ECC considers average speed cameras to be the key element of the package of measures necessary to ensure better adherence to the proposed speed limit reductions on the B1137. This is especially so between Boreham village and Hatfield Peverel. Average speed cameras should be included in the DCO scheme.
Junction 21 – design			
8.2.22 to 8.3.27	... the design of junction 21 should be amended to include both the widening of the on-slip embankments and the widening of the actual on-slip carriageways, in order to prevent unnecessary works to the junction in the future.	As the Applicant has confirmed to Essex County Council, most recently on 21 February 2023, no additional works to the slip road arrangements at Junction 21 are required as part of the proposed scheme and as such the Applicant does not intend to secure any additional works at Junction 21 through the DCO. However, the Applicant does recognise Essex County Council's historical and ongoing aspirations for a Maldon Link Road and will continue to engage with them on this matter.	ECC has noted at the ISH1 on 28 February 2023 that we understood that the design of junction 21 will be amended to ensure it is compatible with future plans, that we are keen to ensure that these amendments are appropriately secured and to that end are in discussion with National Highways on this matter. The Applicant's position as set out in REP3-022 is therefore disappointing, and we will raise this with the Applicant to better understand what works to the slip road arrangements are planned. If need be we will suggest a new Requirement that could potentially be added to the DCO as a means of ensuring the junction is compatible with other plans.
Gershwin Boulevard A12 overbridge			

LIR Ref	ECC position [REP2-055]	NH position [REP3-022]	ECC comment
8.3.28 to 8.3.33	<p>NH should:</p> <ul style="list-style-type: none"> Reduce the number of foldbacks on the ramps, where possible Provide evidence for discounting ramp layouts with fewer foldbacks that the current proposal, in the form of option drawings and explanations Ensure that all turns have a minimum external radius of 5m 	<p>NH is 'considering a minimum 5m external radius where ramp sections change directions on both the northern and southern ramps. The Applicant will consider this further during detailed design and ensure that the developed design complies with requirement 10 of the draft DCO'</p>	<p>We would be content for Gershwin Boulevard overbridge to be relocated, if this better enables good access for users, as long as it ties in with existing networks (as detailed in Section 4 of this submission).</p> <p>In order to accord with LTN1/20, Gershwin Boulevard overbridge (along with Little Braxted Lane, Snivellers Lane and Potts Green overbridges) should all be a minimum of 4m wide between parapets. In addition, their approach ramps should:</p> <ul style="list-style-type: none"> be a minimum of 4m wide between parapets have a reduced number of foldbacks, where possible have minimum 5m external radii at turns (providing a 4m actual turning radii in one direction) have a maximum gradient of 5% (with 30m max length of gradient)
De-trunked sections between junction 22 and Junction 25			
8.3.34 to 8.3.42 and	<p>The dual carriageway section between junction 22 and Rivenhall End Western Roundabout should be retained as dual carriageway but with one lane only on the eastbound carriageway. The remaining carriageway should be re-purposed with</p>	<p>The Applicant will be handing over a safe and serviceable road and it will be for Essex County Council to re-engineer the carriageway as it sees fit. The extent of the proposals from Essex County Council cannot be justified in terms of clear</p>	<p>National Highways' current plans to retain dual carriageways in these locations do not align with Essex County Council's placemaking agenda or wider Government policies, including the emerging updated National Policy Statement for National</p>

LIR Ref	ECC position [REP2-055]	NH position [REP3-022]	ECC comment
<p>8.3.77 to 8.3.80</p>	<p>good off-road provision for active modes together with re-greening to be achieved by breaking up redundant sections of the existing carriageway and burying with earth/topsoil.</p> <p>One side of the dual carriageway section between Rivenhall End West to Rivenhall End East (likely to be the current southbound carriageway) should be retained as single carriageway, with the other side re-purposed for green infrastructure and improved provision for pedestrians and cyclists.</p> <p>Between Feering and Marks Tey one side of the dual carriageway should be retained as single carriageway and the other carriageway repurposed by providing high quality off-road provision for active modes and 'regreening'. Simple T-junctions should be provided at New Lane, Wishing Well Farm and Easthorpe Road junctions, rather than roundabouts, which may provide some cost savings which in turn could go some way towards offsetting the costs of repurposing one of the carriageways.</p>	<p>demand nor purpose and they introduce significant engineering challenges due to existing level difference between the north and southbound carriageways in Rivenhall End.</p>	<p>Networks (NPSNN) which places significantly greater emphasis on sustainability, net zero and improved environmental outcomes. ECC's assessment of the draft revised NPSNN with particular regard to de-trunking is included in Appendix A of this submission.</p> <p>Forecast future traffic flows simply do not warrant dual carriageways and while it is proposed to introduce new lower speed limits on these sections, we and Essex Police strongly believe that retaining them in their current form would result in speed limit exceedances, anti-social driver behaviour and an increased risk of road traffic collisions, as has been seen elsewhere including at Copdock after this stretch of the A12 was de-trunked in the 1980s. Retention of the dual carriageways would also place an unnecessary, significant ongoing maintenance burden on the council.</p> <p>In line with local and national priorities, ECC's alternative proposals would encourage sustainable travel, provide green infrastructure to help offset the carbon impacts of this and other schemes,</p>

LIR Ref	ECC position [REP2-055]	NH position [REP3-022]	ECC comment
			<p>and offer considerable placemaking, biodiversity, and wider environmental benefits. There are lots of precedents of similar transformations where roads have been detrunked in the past, and we don't see why that shouldn't be the case here.</p> <p>As already set out, this is a key issue for ECC. National Highways has explained in response to recent correspondence on this issue (included for reference as Appendix B to this submission) that the scale of change proposed by the council cannot be easily accommodated as part of the scheme itself, that there are a number of technical complexities that would need to be worked through and that an assessment of environmental impacts and public consultation would be required. ECC does not dispute this and we acknowledge that the alternative proposals put forward require significant further work. That said, National Highways has known about the council's concerns with their approach to de-trunking for many months and could have resolved to make changes to the scheme to address these concerns before submission of the DCO application; therefore the point about difficulties in</p>

LIR Ref	ECC position [REP2-055]	NH position [REP3-022]	ECC comment
			<p>making a change at this late stage of the examination process does not, in ECC's view, have merit.</p> <p>Moreover, the council is not asking for all of this work to be completed now and for the change to be incorporated within the DCO should this be approved. Instead, as put forward by the council's Counsel at ISH2 on 1 March 2023 and detailed in REP3-035 (page 13), the council considers that a new requirement should be added to Schedule 2 of the DCO that provides for National Highways producing a de-trunking scheme for ECC's approval that National Highways should then be required to implement. This would give National Highways sufficient time to undertake the further work required, in consultation with stakeholders, and recognises that simply passing over de-trunked assets in a safe and serviceable state, seemingly without regard for the local context or future use of the road, is not appropriate nor in accordance with various policies including the NPSNN.</p>
Inworth Road roundabout (part of junction 24)			

LIR Ref	ECC position [REP2-055]	NH position [REP3-022]	ECC comment
8.3.65 to 8.3.71	As a minimum, we consider that the design should either be made fully consistent with DMRB requirements for a 50mph road, or the current speed limit should be reduced to 30mph on the approaches to the roundabout, and the proposed scheme should include the necessary measures to achieve this.	<p>The intention of the proposed Inworth Road roundabout is to signify the transition from the Strategic Road Network to the local road network and encourage drivers to behave in a manner that is appropriate to the network they are on. The approaches and exits of the proposed roundabout have been designed for a speed limit of 30mph in accordance with Manual for Streets which is the appropriate standard for local roads which are not solely focused on the conveyance of vehicular traffic.</p> <p>Designing the roundabout links for a speed limit of 50mph would give drivers the wrong impression about the local road nature of the B1023 and Kelvedon Road and could encourage drivers to accelerate as they approach the proposed roundabout</p>	<p>ECC as the local highway authority does not agree that Manual for Streets is the correct design standard for this roundabout, and despite several requests NH has not provided satisfactory detail on the optioneering that has been undertaken for this roundabout. The council is of the view that the roundabout has been designed to lower standards than would typically be expected in a location such as this because of the land-take constraints that exist in the vicinity of the proposed roundabout, namely residential uses to the immediate north and south. While the intent to minimise impacts on residential properties is understood, the implication is that a range of measures are in direct consequence required to help ensure that vehicles approach the roundabout at a safe and appropriate speed. As things stand National Highways has only agreed to some of the measures ECC considers are required (as set out in our LIR) and the council remains firmly of the view that further measures are necessary. Please also note Section 2 of this submission which relates to this issue.</p>
Measures to support increased traffic on the B1023 (Inworth Road)			

LIR Ref	ECC position [REP2-055]	NH position [REP3-022]	ECC comment
<p>8.3.65 to 8.3.71</p>	<p>Hinds Bridge should be widened so that it can accommodate two large vehicles passing in opposite directions</p> <p>measures for encouraging compliance with the proposed speed are expected to be required.</p> <p>further walking and cycling improvements should be included in the proposals to offset the impacts of increased traffic on this route on these users.</p>	<p>.... despite the small forecast increase in general traffic during peak hours in 2042, the proposed scheme's forecast traffic flows predict a reduction in the volume of heavy and wide vehicles using the bridge. As such, the Applicant is not proposing any interventions at this location</p> <p>The current average observed speed along the B1023 between the existing A12 and Inworth village is 30mph in the northbound direction and 31mph in the southbound direction in the interpeak hours (10:00 to 16:00). This is consistent with the approach speed designed for at the roundabout, and therefore additional engineering measures are not required to control drivers' speed</p> <p>Increases in traffic flow would increase the likely time to cross B1023 for example, but do not materially change the nature of the route, which is very unattractive for walking cycling or horse-riding. The aspiration for future provision of a dedicated facility for these (WCH) users from Tiptree to Kelvedon is noted, but widening the bridge beneath the A12 for this potential project is outside the scope of the proposed scheme. Essex County</p>	<p>ECC remains of the view that Hinds Bridge should be widened so that it can accommodate two large vehicles passing in opposite directions. By 2042 there is predicted to be an increase in peak hour traffic and incidents are most likely to occur at these busier times.</p> <p>We would challenge NH's comments on speed through Inworth Village. ECC's own records, based on a full year's data from Teletrac, show AM & PM peak period average speeds to be 35-40mph in both directions. 85th percentile speeds will be even higher.</p>

LIR Ref	ECC position [REP2-055]	NH position [REP3-022]	ECC comment
		Council will be involved in the detailed design of the scheme including where routes cross A12.	
Marks Tey A12 overbridge			
8.9.1 to 8.9.4	<p>the overbridge should be redesigned to:</p> <ul style="list-style-type: none"> • Reduce the number of ramp foldbacks to an absolute minimum - the aim should be to provide something similar to the Belfast example provided in LTN1/20 (which might include extending the bridge across the A120) • Have 4m minimum actual turning radii for cyclists in both directions i.e. both on the outside and inside of every bend • Be segregated, if possible, with an overall width of 5.5m on the bridge decks and approach ramps (2m footway, 3m cycle track, 0.5m clearance on one side), to ensure that they have adequate capacity for future growth in pedestrian and cycle usage <p>The council is also concerned that the appearance of the proposed Marks Tey overbridge is too utilitarian. The design of the structure does not currently result in an improved sense of place and fails to make the most of the opportunity to promote active travel. The council believes that the Design Principles document should be amended to include further detail on</p>	Turn radii of five metres will be investigated in the detailed design phase and provided where practicable on the northern ramp. The southern ramp consists of turn radii greater than 5m and does not include zig-zag ramps.	<p>Marks Tey overbridge is one of two key 'gateway' overbridges on the A12 widening scheme (the other being Paynes Lane overbridge), where future growth in pedestrian and cycle usage is particularly likely if it can be encouraged sufficiently. As such, the importance of providing a segregated walking/cycling bridge should not be underestimated.</p> <p>In order to ensure that both Marks Tey and Paynes Lane overbridges provide an attractive, pleasurable experience that will encourage future growth in active travel, they should be redesigned as segregated walking cycling bridges. As such, in order to fully accord with LTN1/20 guidance, the bridge decks should be 5.5m wide between parapets. In addition, the ramps should:</p> <ul style="list-style-type: none"> • be 5.5m wide between parapets • have 4m minimum actual turning radii for cyclists in both directions • have a maximum gradient of 5% (with 30m max length of gradient)

LIR Ref	ECC position [REP2-055]	NH position [REP3-022]	ECC comment
	<p>how structures will be designed to a high quality, and that this document should be certified by the DCO. The council has also requested to see evidence of a Design Council review of the bridge. However, this has not yet been provided.</p>		<ul style="list-style-type: none"> • have an absolute minimum number of foldbacks

4. Comments on Deadline 3 submissions

ECC would like to take the opportunity to comment on some of the Deadline 3 submissions made by other parties and the issues raised therein.

Gershwin bridge – mentioned in multiple submissions including REP3-011, REP3-038, REP3-046 and REP3-080

The council has no issue in principle with the bridge being constructed further to the west as has been requested by some stakeholders. In fact, we consider that there could be a small overall network benefit insofar as it could provide a more direct route for cyclists. If the location of the bridge was to change to the alternative location suggested, it would directly connect two highways so we would respectfully ask that:

- The bridge be designed for use by cyclists.
- A suitable at-grade crossing of Gershwin Boulevard from the bridge to the footway be provided to facilitate safe access to the bridge.
- The footpath links to the southern section of footpath 95 (Witham), indicated by pink dots in the plan extract below. A footpath link is created on the southern side of the A12 between the bridge/Howbridge Hall Road and the southern section of footpath 95. It is expected that the northern section of footpath 95 would be extinguished as it would no longer be necessary due to the new alignment.



Coleman's Cottage Fishery – mentioned in REP2-094 and REP3-079

The council has no objection to the path moving to the south side of the fishing lakes (not inside the red line boundary), but it should not be moved closer to the A12 as this would not create a pleasant environment for users of this path.

We understand an alternative suggestion is to create a path south instead, linking footpath 103 with footpath 121, a route that would follow alongside the A12 within the red line boundary (indicated by pink dots in the plan extract below). This would be our preferred outcome. We would be happy for these paths to follow vehicle access tracks / maintenance tracks once the build is complete.



Messing and Inworth Action Group – Comments on ECC LIR and Essex Highways Inworth, Messing and Tiptree technical note [REP3-058]

The council notes the points raised by the Messing and Inworth Action Group (MIAG) within the above submission [REP3-058] including concerns regarding the council's LIR [REP2-055] and the approach taken to junction 24.

ECC does not agree with some of the points made in the submission and considers that it includes some inaccuracies. For example, Essex Highways (EH) is a long-term delivery partnership created in 2012 that comprises both ECC and Ringway Jacobs staff; to all intents and purposes EH is part of ECC and it is not correct to infer that ECC has taken no note of EH observations. The council notes that the submission requests information and/or views from ECC, and we are happy to respond to specific requests if the Examining Authority would find it useful.

A key concern raised is that ECC has not adequately considered the 'main alternative' for junction 24, which MIAG consider will reduce the impacts of junction 24 on the communities of Inworth and Messing through the provision of a new bypass to discourage traffic from routing via Inworth and Messing to the junction. Several variants of the bypass have been

considered by NH in their 'Junction 24, Inworth Road and Community Bypass Technical Note' [APP-095], all of which provide a direct new highway link between the southern dumbbell roundabout of the junction and Inworth Road south of its junction with Windmill Hill. Option DS4 represented the 'main alternative', as it also included a link from the northern dumbbell roundabout to Inworth Road, north of the A12.

The council did not include reference to the bypass within our LIR on the basis that this is not proposed by NH; our LIR is based on the scheme put forward by NH and the changes that we think are required to this. The council has nonetheless considered the case for and against the bypass, and acknowledges the positive impact a bypass could have on reducing traffic flows through Inworth and Messing. Aside from the additional cost, land-take and environmental issues, based on the information available the council has however reached the conclusion that the disbenefits in traffic terms to the network in Tiptree and Kelvedon would outweigh the benefits seen elsewhere. The council consequently considers that the preferred approach is to ensure additional mitigation is provided to minimise the impacts on local communities, as set out in our LIR and submissions made to the examination hitherto.

Appendix A – ECC observations on draft revised NPSNN

The Department for Transport published the draft revised National Policy Statement for National Networks (NPSNN) for consultation on 14 March 2023. The consultation closes on 6 June 2023.

Within our Local Impact Report [REP2-055] the council stated that the current NPSNN, published in 2014, is deemed outdated in some areas. We understand it has been due an update for some time and together with many other bodies welcome the consultation. While the current NPSNN makes clear that mitigation measures for schemes should be proportionate and reasonable and focused on promoting sustainable development, which in the council’s views is for this scheme of direct relevance to de-trunking, the proposed update has a greater focus on sustainability, net zero and supporting improved environmental outcomes through the development of national networks. More specifically, the proposed update notes in paragraph 3.1.7 that *“Any national network NSIP should seek to improve and enhance the environment irrespective of the reasons of developing the scheme”* and adds that *“there may be instances where infrastructure interventions are required to bring about improvements to environmental outcomes”*.

The council’s view is that the revised draft NPSNN provides a clear direction of travel for national network NSIPs, that it supports the council’s alternative proposals for de-trunking on this scheme and that as a draft of the revised document is current undergoing consultation this is a material consideration in respect of this scheme and should be given appropriate weight by the Examining Authority.

Specific ECC observations on the draft revised NPSNN, with a focus on the implications for de-trunking, are set out below.

Current National Policy Statement for National Networks (2014)	Revised (draft) National Policy Statement for National Networks (2023)	ECC observations
The need for development of the national networks		
2.2 There is a critical need to improve the national networks to address road congestion and crowding on the railways to provide safe, expeditious and resilient networks that better support social and	The new document separates the challenges into more detailed subheadings before following the current document in setting out the need for development of the rail and road network.	Now more of a focus on net zero and climate resilience. Now it explicitly states that any NSIP should seek to improve and enhance the environment irrespective of the reasons for developing the scheme. There may be

Current National Policy Statement for National Networks (2014)	Revised (draft) National Policy Statement for National Networks (2023)	ECC observations
<p>economic activity; and to provide a transport network that is capable of stimulating and supporting economic growth. Improvements may also be required to address the impact of the national networks on quality of life and environmental factors.</p> <p>2.6 There is also a need for development on the national networks to support national and local economic growth and regeneration, particularly in the most disadvantaged areas. Improved and new transport links can facilitate economic growth by bringing businesses closer to their workers, their markets and each other. This can help rebalance the economy.</p> <p>2.7 In some cases there may be a need for development to improve resilience on the networks to adapt to climate change and extreme weather events rather than just tackling a congestion problem.</p> <p>2.9 Broader environment, safety and accessibility goals will also generate requirements for development. In particular, development will be needed to address safety problems, enhance the environment or enhance accessibility for non-motorised users. In their current state, without development, the national networks will act</p>	<p>The topic of resilience is in a greater detail in the new document (just some relevant paragraphs below):</p> <p>3.9 Resilience in the networks is about responding to risks and taking opportunities to enable transport networks to perform as expected. But importantly, resilience is also about ensuring the network remains fit for purpose, meeting the needs of the country for the movement of goods and people by anticipating, responding and being able to quickly adapt to those changing needs, and ensuring the network continues to evolve as technology advances.</p> <p>3.16 Network resilience also means optimising the outcomes of transport infrastructure delivery at a local, regional and national level, taking opportunities to improve connectivity and capitalising on all of the benefits infrastructure delivery brings.</p> <p>Supporting the Government’s environment and net zero priorities</p> <p>3.17 Any national network Nationally Significant Infrastructure Project (NSIP) should seek to improve and enhance the environment irrespective of the reasons for</p>	<p>instances where infrastructure interventions are required to bring about improvements to environmental outcomes. Such outcomes might include contributing to net zero target through, for example, delivering localised environmental improvements to cultural heritage, landscape, or biodiversity.</p>

Current National Policy Statement for National Networks (2014)	Revised (draft) National Policy Statement for National Networks (2023)	ECC observations
<p>as a constraint to sustainable economic growth, quality of life and wider environmental objectives.</p> <p>2.10 The Government has therefore concluded that at a strategic level there is a compelling need for development of the national networks – both as individual networks and as an integrated system. The Examining Authority and the Secretary of State should therefore start their assessment of applications for infrastructure covered by this NPS on that basis.</p> <p>The rest of the chapter outlines the need for development of the national road and rail networks</p>	<p>developing the scheme. However, there may be instances where infrastructure interventions are required to bring about improvements to environmental outcomes. Such outcomes might include contributing to net zero target through, for example, electrification of rail, improvements to air quality through reductions in congestion, or delivering localised environmental improvements to cultural heritage, landscape, or biodiversity.</p> <p>3.22 The government has, therefore, concluded that at a strategic level there is a compelling need for development of the national networks – both as individual networks and as a fully integrated system. The Examining Authority and the Secretary of State should, therefore, start their consideration of applications for development consent for the types of infrastructure covered by this National Policy Statement (NPS) on this basis. The Secretary of State should give substantial weight to considerations of need where these align with those set out in this NPS.</p>	
Generic impacts – impacts on transport networks		

Current National Policy Statement for National Networks (2014)	Revised (draft) National Policy Statement for National Networks (2023)	ECC observations
<p>Introduction: 5.202 – “Development of national networks can have a variety of impacts on the surrounding transport infrastructure including connecting transport networks. Impacts may include economic, social and environmental effects. The consideration and mitigation of transport impacts is an essential part of Government’s wider policy objectives for sustainable development.”</p>	<p>Introduction: 5.261 – “Government is committed to sustainable development through facilitating a modal shift to active travel and public transport, and reducing transport emissions including through delivering the infrastructure needed to support a transition to alternative fuels including electric vehicles. The impact of construction traffic on local networks needs to be minimised, the distance travelled by construction and goods vehicles needs to be reduced, and developments need to be accessible by various modes of transport.”</p>	<p>More of an explicitly stated focus on sustainability, talking about modal shift to active travel and public transport and reducing emissions. Additional point around the impact on construction traffic and how the developments need to be accessible by various modes of transport.</p>
<p>Applicants Assessment: 5.203- “Applicants should have regard to the policies set out in local plans, for example, policies on demand management being undertaken at the local level.”</p> <p>5.205- “Applicants should consider reasonable opportunities to support other transport modes in developing infrastructure. As part of this, the applicant should provide evidence that as part of the project they have used reasonable endeavours to address any existing severance issues that act as a barrier to non-motorised users.”</p>	<p>Applicants Assessment: 5.262- Applicants should consult the relevant highway authority, local planning authority, and Network Rail, as appropriate, on the assessment of transport impacts. This should include agreement on alignment to policies outlined in existing or emerging local plans and Local Transport Plans.</p> <p>5.263- “Different transport networks may need to share space within an area, even whilst serving different travel needs. For example, bus lanes, shared cycle lanes, green lanes, or bus and rail routes on the same corridor.</p>	<p>The current document briefly mentions how the applicants should look at opportunities to support other transport modes, but the new policy states in more detail how the transport network may need to share space within an area and states specific examples of infrastructure, which includes cycle lanes. It also states that applicants should offer an integrated transport outcome and consider opportunities to support other sustainable transport modes. Also stated is how local connectivity should be improved and vulnerable road users should be considered.</p>

Current National Policy Statement for National Networks (2014)	Revised (draft) National Policy Statement for National Networks (2023)	ECC observations
	<p>5.264 – “Applicants should seek to offer an integrated transport outcome, significantly considering opportunities to support other sustainable transport modes, as well as improving local connectivity and accessibility in developing infrastructure. The needs of pedestrian and other vulnerable road users should be considered, where appropriate, in line with the principles of the road user hierarchy.”</p> <p>5.265 – “The applicant should provide evidence that as part of the project they have addressed any new or existing severance issues and/or safety concerns that act as a barrier to non-motorised users, unless it is unsafe or unviable to do so.”</p>	<p>What has stayed consistent is the need to address severance and safety issues that act as a barrier to NMUs.</p>
<p>Decision Making: 5.211 “The Examining Authority and the Secretary of State should give due consideration to impacts on local transport networks and policies set out in local plans, for example, policies on demand management being undertaken at the local level.”</p> <p>5.212 “Schemes should be developed and options considered in the light of relevant local policies and local plans, taking into account local models where appropriate, however the scheme must be decided in</p>	<p>Decision Making: 5.277 “The Examining Authority and the Secretary of State should give due consideration to impacts on local transport networks and policies set out in existing and emerging local plans and Local Transport Plans, during both construction and operation. “</p> <p>5.278 “Consideration should also be given to whether the applicant has maximised opportunities to allow for journeys associated with the development to be undertaken via sustainable modes”.</p>	<p>The current document just states that considerations need to be made to impacts on local networks set out in local plans and policies, but the scheme must be decided in accordance with the NPS (except if 2 sub sections to the Planning Act apply). The new document also states how schemes should be developed in light of relevant local policies and plans, but also states that consideration should be given to whether the applicant has maximised opportunities to allow for journeys by sustainable mode.</p>

Current National Policy Statement for National Networks (2014)	Revised (draft) National Policy Statement for National Networks (2023)	ECC observations
<p>accordance with the NPS except to the extent that one or more of sub-sections 104(4) to 104(8) of the Planning Act 2008 applies.”</p>	<p>5.279 “Schemes should be developed, and options considered, in the light of relevant policies and plans, both national and local, taking into account local models where appropriate.”</p> <p>5.280 “Where a development negatively impacts on surrounding transport infrastructure including connecting transport networks, the Secretary of State should ensure that the applicant has taken reasonable steps to mitigate these impacts. This could include the applicant increasing the project’s scope to avoid impacts on surrounding transport infrastructure and providing resilience on the wider network. In particular, this should recognise the importance of providing adequate lorry parking facilities, taking into account any local shortages, to reduce the risk of parking in locations that lack proper facilities or could cause a nuisance. The applicant may increase the project’s scope to avoid impacts on the surrounding transport infrastructure and improve network resilience. Where the proposed mitigation measures are insufficient to reduce the impact on the transport infrastructure to acceptable levels, the Secretary of State should expect</p>	<p>The new document states that where a development negatively impacts on surrounding infrastructure, including connecting transport networks, the Secretary of State should ensure the applicant has taken reasonable steps to mitigate these impacts, this can include increasing the project’s scope to avoid impacts on the surrounding transport infrastructure to improve network resilience. Where these proposed mitigation measures are insufficient then obligations to fund infrastructure will be required. It states that provided the applicant commits to mitigating these impacts then development consent should not be withheld. The last two paragraphs in the new document were in the current document, but under “Strategic Rail Freight interchanges” only.</p>

Current National Policy Statement for National Networks (2014)	Revised (draft) National Policy Statement for National Networks (2023)	ECC observations
	<p>applicants to accept requirements and/or obligations to fund infrastructure or mitigate adverse impacts on transport networks.”</p> <p>5.281 “Provided that the applicant is willing to commit to transport planning obligations and to mitigate transport impacts identified in the Transport Appraisal Guidance Transport Assessment (including environment and social impacts), with attribution of costs calculated in accordance with the Department's guidance, then development consent should not be withheld. Where residual effects on the surrounding transport infrastructure remain, appropriately limited weight should be given.”</p>	
<p>Mitigation: 5.215 “Mitigation measures for schemes should be proportionate and reasonable, focussed on promoting sustainable development.”</p> <p>5.216 “Where development would worsen accessibility such impacts should be mitigated so far as reasonably possible. There is a very strong expectation that impacts on accessibility for non-motorised users should be mitigated.”</p> <p>5.217 “Mitigation measures may relate to the design, lay-out or operation of the scheme.”</p>	<p>Mitigation: 5.272 “Mitigation measures for schemes should be proportionate and reasonable, focussed on facilitating journeys by active travel, public transport, and cleaner fuels.”</p> <p>5.273 “Where development would worsen accessibility, there is a strong expectation that such impacts should be mitigated. Where impacts cannot be mitigated, the applicant is required to provide reasoning as to why impacts cannot be mitigated.”</p>	<p>The new document specifies that mitigation measures should be focused on facilitating journeys by active travel, public transport and cleaner fuels.</p> <p>In the new document the applicant is now required to provide reasoning as to why impacts cannot be mitigated and should provide evidence that development improves the network operation.</p>

Current National Policy Statement for National Networks (2014)	Revised (draft) National Policy Statement for National Networks (2023)	ECC observations
	5.274 “The applicant should provide evidence that the development improves the operation of the network and assists with capacity issues.”	

Appendix B – Recent correspondence between ECC and NH on de-trunking

ECC together with Braintree District Council and Colchester City Council wrote to National Highways on 21 March 2023 concerning the proposed approach to de-trunking. ECC considers that this letter and National Highways' response dated 28 March 2023 is of relevance to the examination and both are included herewith.

Essex County Council
Cabinet Office
County Hall
Chelmsford
Essex
CM1 1YS



Date: 21 March 2023

Dear Nick

A12 Chelmsford to A120 Widening Scheme: Detrunking proposals

As political representatives of Essex, we wish to highlight our significant concerns about the detrunking proposals put forward as part of the A12 Chelmsford to A120 Widening Scheme.

Although we are supportive of the scheme overall and recognise its importance in delivering much-needed improvements to this vital economic link between East Anglia and Greater London, we strenuously object to the current proposals for the two sections of the A12 which are planned to be detrunked and transferred to Essex County Council to maintain and operate as the local highway authority.

National Highways' current plans to retain dual carriageways in these locations do not align with Essex County Council's placemaking agenda or wider Government policies, including the emerging updated National Policy Statement for National Networks. Forecast future traffic flows simply do not warrant dual carriageways and while it is proposed to introduce new lower speed limits on these sections, we and Essex Police strongly believe that retaining them in their current form would result in speed limit exceedances, anti-social driver behaviour and an increased risk of road traffic collisions, as has been seen elsewhere including at Copdock after this stretch of the A12 was detrunked in the 1980s. Retention of the dual carriageways would also place an unnecessary, significant ongoing maintenance burden on the council.

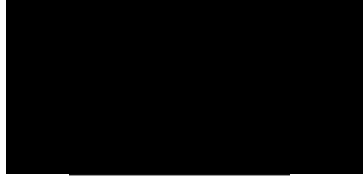
To be clear, we want the A12 Widening Scheme to go ahead and to that end the county council has done a lot of work looking at what we think is a better option for the detrunked sections (as set out at www.essexhighways.org/a12-detrunking). Notably, these proposals would reduce existing provision to a single carriageway, with one lane in each direction and an 'Active Travel Corridor' created in the redundant carriageway, providing good off-road provision for walking, cycling and horse-riding and opportunities for material environmental enhancements through planting and greening. In line with local and national priorities, these proposals would encourage sustainable travel, provide green infrastructure to help offset the carbon impacts of this and other schemes, and offer considerable placemaking, biodiversity, and wider environmental benefits. We would add that there are lots of precedents of similar transformations where roads have been detrunked in the past, and we don't see why that shouldn't be the case here.

We have recently submitted some detailed information on our proposals to the Development Consent Order (DCO) examination, it being unfortunate in our view that it has had to reach this stage. Ultimately, we are seeking a commitment from National Highways to work with the county council to develop this alternative proposal in

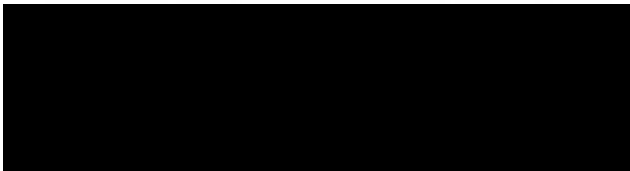
consultation with the public and to deliver it as part of the A12 scheme, and we strongly urge you not to miss this opportunity to create a lasting legacy for our local communities.

We would welcome the opportunity to discuss this matter with you in more detail and look forward to hearing back from you at your earliest convenience.

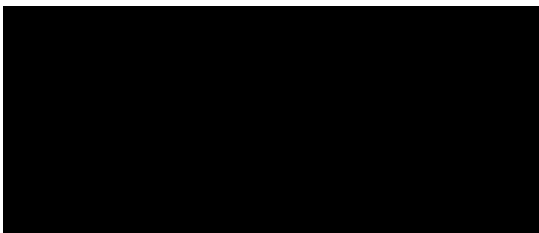
Yours Sincerely



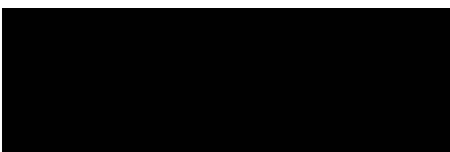
Cllr Kevin Bentley
Leader, Essex County Council



Cllr Lesley Wagland OBE, Cabinet Member for Economic Renewal, Infrastructure and Planning, Essex County Council



Cllr Graham Butland
Leader of Braintree District Council



Cllr David King
Leader of Colchester City Council

Cc.

Matt Stafford, National Highways Regional Delivery Director
Philip Davie, National Highways A12 Widening Scheme Project Director

Our ref: CEO 22610310
Your ref: A12 Chelmsford scheme

Cllr Kevin Bentley
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28 March 2023

Dear Cllr Kevin Bentley

A12 Chelmsford to A120 widening scheme –de-trunking proposals

Thank you for your letter dated 21 March 2023 to Nick Harris concerning the de-trunking proposals for the A12 Chelmsford to A120 widening scheme. I am replying to you as this issue falls within my area of responsibility.

I'm grateful for your support for the scheme expressed within your letter. As you rightly point out, the proposed scheme will provide much needed improvements to this vital economic link between East Anglia and Greater London. Turning to your specific comments on de-trunking, I'm aware there has been several meetings with the project team, as well as our Operations team, where the council's aspirations for the sections of the roads to be de-trunked have been discussed. You will be aware that the project team has also had several letter exchanges on this topic which have been captured within the Development Consent Order (DCO) examination documents.

I am conscious of any safety related concerns for the sections of the A12 to be de-trunked and, indeed, concerns the council has about maintenance liability. Please be assured that we're committed to working with the council to seek a mutually acceptable solution to address those concerns and ensure that any de-trunked roads are handed over to the council in a safe and serviceable condition. You will be aware that our Operations team has developed four principles for de-trunking which have been shared with the council. The project team and Operations will continue to work with the council to ensure an agreement can be reached which takes into account the particular requirements of the proposed sections for de-trunking.

I understand the aspirations of the council for the de-trunked sections of the A12 and appreciate the work that the council has undertaken on this. As you will be aware, the scale of the intervention sought by the council is not a change that can be easily accommodated as part of the scheme itself, especially at this late stage of the DCO examination process. In order to bring forward an intervention of this nature, there are a number of technical and engineering complexities to be worked through, including any

implications for the operational effectiveness of the scheme in respect of diversionary routing. Environmental impact assessment and public consultation for the specific and detailed intervention proposed would also be required.

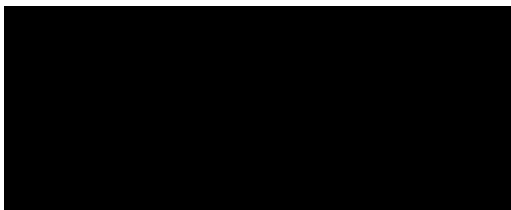
We are firmly of the view that it is not reasonable, or necessary, to deliver the scale of the intervention requested by the council as part of the scheme. Notwithstanding this, we will work with the council to consider the feasibility of future interventions of this nature that could be delivered alongside de-trunking. This work will need to be carried out separately to the proposed scheme. If a feasible scheme can be agreed, we're also willing to work with the council to identify and secure potential funding towards the delivery of such interventions.

I'm sure the council will appreciate the vital importance of bringing forward the A12 scheme, and its many related benefits, without any delay and at the earliest opportunity. Given this and our willingness to work with the council in relation to its de-trunking proposals, I do hope that the council is willing to seek a positive resolution to these matters in the way that I have suggested above.

I look forward to continuing to work positively with the council to deliver the many benefits of the A12 scheme.

I do hope this information is helpful. If your office would like any further information, please contact our Project Director, Philip Davie, who will be pleased to respond. Phil can be contacted by email at A12chelmsfordA120wide@nationalhighways.co.uk. Our Customer Contact Centre can also be contacted by email at info@nationalhighways.co.uk or by telephone on 0300 123 5000. Alternatively, contact me or Nick directly.

Yours sincerely



Nicola Bell MBE
Executive Director of Major Projects

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