

# **A12 Chelmsford to A120 widening scheme**

**TR010060**

## **8.11 Statement of Common Ground with Maldon District Council**

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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 Maldon District Council**

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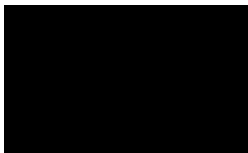
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P01.1	February 2023	Draft V1.5
P01.2	April 2023	Draft V1.6 for Deadline 4


## STATEMENT OF COMMON GROUND

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

*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.*



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**Project Director**  
**on behalf of National Highways**  
**Date: 24.04.2023**

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**on behalf of Maldon District Council**  
**Date: 03.04.2023**

For the submission of the Statement of Common Ground for Deadline 4, between **National Highways** and **Maldon District Council**, updates have been made in the following sections of the document:

<b>Location</b>	<b>Update made</b>
Record of engagement	Updated between February 2023 and April 2023.
Agreed issues	Two topics (1.12 and 2.8) have been agreed
Issues under discussion	Issue 2.4 has been merged with issue 2.2 Issue 2.7 has been merged with 2.12
Issues in disagreement	One topic (1.2) has been moved to issues in disagreement. One new topic (3.9) has been added to issues in disagreement. Issue 3.5 has been merged with issue 3.2 Issue 3.4 has been merged with issue 3.3

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# 1 Introduction

## 1.1 Purpose of this document

- 1.1.1 This Statement of Common Ground (SoCG) has been prepared in respect of the proposed A12 Chelmsford Widening (the Scheme) made by National Highways Company Limited (National Highways) to the Secretary of State for Transport (Secretary of State) for a Development Consent Order (the Order) under section 37 of the Planning Act 2008 (PA 2008).
- 1.1.2 The Order, if granted, would authorise National Highways to widen the existing A12 to three lanes between junction 19 and 25 in each direction, where it is not already three lanes. This would mainly involve online widening of the carriageway, with offline bypasses created between junctions 22 and 23 (Rivenhall End Bypass) and between junctions 24 and 25 (Kelvedon to Marks Tey). This would be accompanied by junction improvements (junction 19 and 25), construction of new junctions catering for traffic movements both north and southbound (junctions 21, 22 and 24), and removal of existing junctions (junction 20a, 20b and 23).
- 1.1.3 This SoCG does not seek to replicate information which is available elsewhere within the application documents. All documents are available in the deposit locations and/or the Planning Inspectorate website.
- 1.1.4 The SoCG has been produced to confirm to the Examining Authority (ExA) where agreement has been reached between the parties to it, and where agreement has not (yet) been reached and still under discussion, and areas of disagreement. SoCGs are an established means in the planning process of allowing all parties to identify and so focus on specific issues that may need to be addressed during the examination.

## 1.2 Parties to this Statement of Common Ground

- 1.2.1 This SoCG has been prepared by (1) National Highways (formally known as Highways England) as the Applicant and (2) Maldon District 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 Maldon District Council is a prescribed consultee under Section 43 of the PA 2008 as a host 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 SoCG are not of material interest or relevance to Maldon District 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 Maldon District Council.

## 2 Record of Engagement

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

**Table 2.1 Record of Engagement**

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
w/c 23 May 2016	Email	Contact MPs and Parish Councils to inform them of survey activity
27 June 2016	Letter/Email	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.
July 2016	Meetings	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.
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	Non Motorised User Workshop - Early engagement with technical stakeholders to get understanding of key issues.

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
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.
18 Jan 2017	Meeting	Pre-consultation 1-2-1 meeting - Provide early sight of consultation materials and exhibition
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.
23 May 2017	Meeting	Environment Workshops - Three workshops to provide the opportunity to discuss technical issues and to gather feedback for next steps.
30 May 2017	Meeting	Consultation Response Meeting - To discuss their consultation response and answer any specific questions they may have.
7 July 2017	Meeting	Members Forum - To inform forum members about the consultation, as well as providing a project update.
1 August 2017	Meeting	Community Forum (East) - To inform forum members about the consultation, as well as providing a project update.
Jan 2018	Meeting	<p>5<sup>th</sup> round of forums - The purpose of this forum will be to maintain relationships. Topics to be covered include:</p> <ul style="list-style-type: none"> <li>• Scheme update</li> <li>• Forum format going forward</li> </ul>



Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
		<ul style="list-style-type: none"> <li>Environmental Impact Assessments</li> </ul>
November 2018	Meeting	<p>The purpose of this forum will be to explain the status of the scheme and next steps:</p> <ul style="list-style-type: none"> <li>The decision to relook at junctions 24-25</li> <li>Feedback on the decision from forum members</li> <li>How we will engage on any changes</li> <li>Key issues of concern</li> </ul>
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.
18 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.
10 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.
11 March 2020	Meeting	One-to-one meeting - Following the PRA, discuss the plan forward.
16 June 2020	Online Meeting	Meeting with traffic and planning to discuss modelling and local developments
21 July 2020	Online Meeting	Junction workshop - To discuss the updates at junctions 20a/20b and the new junction 21.
14 August 2020	Online Meeting	Junction workshop - To discuss the updates at junction 22.
19 August 2020	Online meeting	<p>Members' forum - To provide a scheme update:</p> <ul style="list-style-type: none"> <li>Project update</li> <li>Overview of how the schemes will now be drawn back together</li> </ul>

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
		<ul style="list-style-type: none"> <li>Overview of how, when a PRA is announced, it will be managed (publicity etc)</li> </ul>
24 November 2020	Online workshop	Local Roads workshop - To discuss the road strategy.
26 November 2020	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
4 February 2021	Online workshop	Junction 22 workshop - Provide an update on design fix 1 and get feedback.
1 May 2021	Online workshop	Junction 19 to 22 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.
9 June 2021	Email	Send final SoCC and explaining any changes following consultation.
29 September 2021	Online meeting	A12 workshop - To discuss the next steps for the project, including further consultations and draft PPA
8 October 2021	Email	Concerns raised about the Draft PPA
18 October 2021	Online Meeting	Ongoing draft PPA and MDC resource concerns
8 November 2021	Email	Draft PPA and clarification of NH and MDC roles and responsibilities
10 November 2021	Online Meeting	Draft PPA agreement meeting
23 November 2021	Online Meeting	MDC engagement with Alan Netley (National Highways)
17 December 2021	Response to Supplementary Consultation	Maldon District Council provided a response to the Supplementary Consultation
2 February 2022	Email	Updated Draft PPA from NH
16 February 2022	Email	Comments on Updated Draft PPA from MDC
3 March 2022	Online Meeting	Members Forum

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
16 March 2022	Online Meeting	Environmental Impacts and Mitigation Workshop 1
17 March 2022	Online Meeting	Environmental Impacts and Mitigation Workshop 2
18 March 2022	Email Response to targeted consultation regarding noise effects	Concerns raised about adequacy of noise mitigation measures and expectation that noise pollution does not have to be mitigated even if it impacts residents' quality of life.
18 May 2022	Online Meeting	A12 Project Update
22 July 2022	Member Forum	A12 Project Update
25 August 2022	Online meeting	Statement of Common Ground meeting
11 November 2022	Online meeting	Statement of Common Ground meeting
30 November 2022	Online meeting	Statement of Common Ground meeting
15 December 2022	Online meeting	Statement of Common Ground meeting - discussed Cadent Gas Main
3 February 2023	Online meeting	Statement of Common Ground meeting – discussed Cadent Gas Main
15 March 2023	Email	Email from National Highways regarding a meeting to discuss the Statement of Common Ground. Emails exchanged in following days between Maldon District Council and National Highways discussing possibility of meeting.
4 April 2023	Email	Email received with comments for Deadline 4 from Maldon District Council.
18 April 2023	Online meeting	Statement of Common Ground meeting – discussed Little Braxted Lane signage

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) **Maldon District Council** in relation to the issues addressed in this SoCG.

### 3 Issues summary

#### 3.1 Summary of issues agreed

3.1.1 The table below [3.1] provides a summary of the issues agreed between Maldon District Council and National Highways. The full table of issues agreed can be seen in table [4.1].

**Table 3.1 Summary of issues agreed between National Highways and Maldon District Council**

Ref No.	Topic	Issue	Status	Date
1.1	Environmental	Blue Mills proposed Local Wildlife Site	Agreed	28/03/2023
1.2	Cadent Gas Main	Deselecting Route Options of Gas Main	Agreed	31/03/2023

#### 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 Maldon District 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 National Highways and Maldon District Council.**

Ref No.	Topic	Issue	Status	Date
2.1	Engagement	Continuing engagement throughout DCO process.	Under discussion	30/03/2023
2.2	Junction 21	Future Maldon Link Road	Under discussion	30/03/2023
2.3	Local road network	Junction 21	Under discussion	30/03/2023
2.4	Duke of Wellington mini-roundabout	Design of mini-roundabout	Under discussion	30/03/2023
2.5	Duke of Wellington Bridge	Exclusion of a Maldon link road	Under discussion	30/03/2023

Ref No.	Topic	Issue	Status	Date
2.6	Little Braxted Lane	HGV use of Little Braxted Lane	Under discussion	30/03/2023
2.7	Cadent Gas Main	Little Braxted Lane	Under discussion	30/03/2023
2.8	Cadent Gas Main	Environmental areas	Under discussion	30/03/2023
2.9	Cadent Gas Main	Vegetation loss	Under discussion	30/03/2023
2.10	Environmental	Groundwater	Under discussion	30/03/2023

### 3.3 Summary of issues in disagreement

3.3.1 The below table [3.3] provides a summary of the issues currently under discussion between Maldon District Council and National Highways. The full table of issues in disagreement can be seen in table [4.3].

**Table 3.3 Summary of issues in disagreement between National Highways and Maldon District Council**

Ref No.	Topic	Issue	Status	Date
3.1	Maldon Road	Options for Maldon link road	In disagreement	30/03/2023
3.2	Junction 20b	Duke of Wellington mini roundabout	In disagreement	30/03/2023
3.3	Local road network – traffic modelling	Level of service	In disagreement	30/03/2023
3.4	Cadent Gas Main	Route of gas main	In disagreement	30/03/2023
3.5	Cadent Gas Main	Exploration of options	In disagreement	30/03/2023
3.6	Cadent Gas Main	Landscape and biodiversity	In disagreement	28/03/2023
3.7	Cadent Gas Main – Biodiversity Net Gain	Net gain not being achieved for Cadent Gas Main	In disagreement	09/03/2023

## 4 Issues

4.1.1 The below tables set out the issues in discussion between Maldon District Council and National Highways. These tables have been split into issues under discussion and issues in disagreement.

### 4.2 Issues agreed

4.2.1 The below table [4.1] details the issues agreed between Maldon District Council and National Highways. This includes any references to relevant documents, the current Maldon District Council position and the National Highways position.

**Table 4.1 Issues agreed**

Ref	Issue	Doc Reference	Maldon District Council Position	National Highways Position	Status	Date
1.1	Environmental – Blue Mills Nature Reserve		<p>Following the work of EECOS in preparing a district-wide Nature Conservation Study, the Council received a Citation and Plan recommending Blue Mills Nature Reserves as a new Local Wildlife Site (LoWS) 'MA90 Blue Mills' on 3 November 2022. This Council passed both of these to the Applicant and the Plan and Citation are included and referenced in the Local Impact Report.</p> <p>In respects of the Applicant's desire to understand the process of formal designation, MDC is currently working with the Essex Planning Officers' Association and the new</p>	The Applicant notes Maldon District Councils comments and can confirm this approach.	Agreed	28/03/2023

## Statement of Common Ground with Maldon District Council

			<p>statutory Essex Local Nature Partnership to formalise an approach to get all proposed Local Wildlife Sites in Essex designated as quickly as possible. This is not unique to Maldon District and affects all other Essex authorities and Local Wildlife Site designations too.</p> <p>The Council therefore welcomes the steps the Applicant has taken to recognise Blue Mills Nature Reserve's recommended Local Wildlife Site designation in the Project, which is effectively treating it as if it had been formally designated.</p>			
1.2	Deselecting Route Options of Gas Main		<p>MDC acknowledges that there are engineering, ground contamination and construction standards that cannot be overcome that have influenced the deselection of Corridor 1 and 2 as possible alternative diversion routes for the gas pipeline.</p>	<p>The Applicant has engaged with Cadent Gas Limited to develop the preliminary design study for the gas main diversion to establish what impacts the scheme may have on their assets.</p> <p>The decision for the selection of the relevant diversion route was made based on a variety of factors including engineering, ground contamination, environmental impacts and assessment of construction impacts among other factors.</p>	Agreed	31/03/2023



## 4.3 Issues under discussion

4.3.1 The below table [4.2] details the issues under discussion between Maldon District Council and National Highways. This includes any reference to relevant documents, the current Maldon District Council position and the National Highways position.

**Table 4.2 Issues under discussion.**

Ref	Issue	Doc Reference	Maldon District Council Position	National Highways Position	Status	Date
2.1	Engagement		The Council has been fully engaged with the DCO process for the A12 Chelmsford to A120 Widening Scheme (the Project) since the Project's Preferred Route was announced in November 2019 and commencement of the DCO Pre-application in March 2020. There is a small section of the A12 within the Maldon District in its north-west corner but moreover, the Maldon District completely relies upon the local road network to connect to the strategic road network accessible A12 Junctions 19, 20, 21, and 22 utilising historic 'B' Roads for connection. As a District with approved Development Plan growth until 2029, improved connections on the local road network to connect and access the	The Applicant acknowledges comments from Maldon District Council. The Applicant is committed to continuing engagement with Maldon District Council on the issues raised in the Relevant Representation submitted to the Planning Inspectorate on 4 November 2022 and summarised in Table 3.1 above and keeping them informed during the DCO process. The Applicant notes in particular Maldon District Council's support for the principle of the scheme.	Under discussion	30/03/2023



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Ref	Issue	Doc Reference	Maldon District Council Position	National Highways Position	Status	Date
			<p>strategic road network are fundamental to an integrated road network that works for everyone. The proposed development, at all stages prior to submission of the DCO by National Highways, has been considered and responded to by the Council including the responses to Public Consultations in June 2021 'Preliminary Design Stage' and November 2021 'Supplementary Consultation to Preliminary Design Stage'. The Council has worked collaboratively with the Highway Authority (Essex County Council) and neighbouring host authorities in response to the Project. For the purposes of considering the DCO submission and effectively responding further at Examination, the Council approved an Engagement Mandate on 8 September 2022 that supports the principle of widening the A12 to three lanes. The Engagement Mandate will be used when</p>			

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Ref	Issue	Doc Reference	Maldon District Council Position	National Highways Position	Status	Date
			<p>engaging further with National Highways, neighbouring authorities, and the Planning Inspectorate during the Examination Stage of the DCO. The Council supports the principle of the Project and its established aims and objectives to bring benefits to the Maldon District. The A12 road is an important economic link within Essex and Suffolk connecting the main port areas at Harwich, Felixstowe, and Ipswich with London and the M25. The Maldon District residents and businesses rely on the A12 road for commuting and reaching commercial markets and business supply chains. A small section of the A12 road is within the Maldon District but it is the local road network that truly connects the District's residents, businesses, and visitors to the A12 road (the strategic road network). Through considerations during Pre-Application and detailed within the Council's responses to both Public Consultations</p>			

## Statement of Common Ground with Maldon District Council

Ref	Issue	Doc Reference	Maldon District Council Position	National Highways Position	Status	Date
			and referenced as a caveat to the Adequacy of Consultation.			
2.2	Local road network – Duke of Wellington Roundabout	<p>Appendix 3.2 - Maldon Road and Hatfield Peverel Bypass Technical Report [APP-094]</p> <p>9.27 Written submission of oral case for Issue Specific Hearing 1 [REP3-012]</p>	<p>The Applicant acknowledged the poor Level of Service at the Duke of Wellington mini roundabout during pre-application stage and proposed mitigation of stacking lanes at the Duke of Wellington mini roundabout with land taken from resident's front gardens.</p> <p>This mitigation was objected to by Braintree District Council and the Highways Authority due to its urbanising effect of Hatfield Peverel village and road safety issues for pedestrians and cyclists accessing services and facilities in the village. In our opinion, whilst the Project relies on the local road network and especially the Duke of Wellington mini roundabout to connect to the strategic road network via the Duke of Wellington Bridge at Junction 20b, it falls short of offering appropriate mitigation to lessen impacts now, in the future or a</p>	<p>The Applicant's consideration of the Maldon Road and The Street junction included the compatibility of junction 21 with a future bypass. This found that interventions would be required in the future to maintain the performance of the proposed junction 21 should the Maldon Road bypass be constructed. The Applicant will continue to work with the local Highways Authority to investigate how the junction 21 design can facilitate a future bypass should this be constructed in the future. Further information is available in Section 8 of the Environmental Statement: Appendix 3.2 - Maldon Road and Hatfield Peverel Bypass Technical Report [APP-094]</p> <p>While noting the congestion that occurs at the Duke of Wellington roundabout, its safety performance is good with only one collision between</p>	Under discussion	19/04/2023

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Ref	Issue	Doc Reference	Maldon District Council Position	National Highways Position	Status	Date
			<p>suitable design of Junction 21 to allow an alternative access to Junction 21 from the B1019 Maldon Road. This point has been raised in the Local Impact Report and remains within the Statement of Common Ground as an unresolved issue within the Project.</p> <p>MDC residents, businesses and visitors do not benefit from the project. The operation of the Duke of Wellington mini roundabout on the LRN is currently poor (Level of Service D). MDC is not convinced that the poor operation of this junction will be maintained at Level of Service D and will worsen in the short term to access Junction 21. This is because of the Applicant's assumption that all traffic will turn right at Maldon Road to access Junction 21 and will no longer turn left (Junction 20a closing). This will cause conflict from traffic leaving the northern arm from Junction 21 over the upgraded Duke of Wellington bridge to 2-way traffic and</p>	<p>2017 and 2021 (the last five years for which full data is available). This was a 2-car shunt on the northbound entry to the junction and it resulted in a slight injury to one of the drivers involved. There were no serious or fatal injuries in that 5-year period. In terms of its traffic performance, the existing operation of the Duke of Wellington roundabout was taken into account when assessing the impact of the scheme. existing traffic observations were used to develop a model of its existing operation. Predicted future changes in traffic flows at the junction were then applied to the model to forecast its future performance with and without the scheme. Regarding the provision of a bypass to alleviate the Duke of Wellington roundabout, the Applicant does not consider that the overall performance of the roundabout is made worse by the scheme.</p>		

## Statement of Common Ground with Maldon District Council

Ref	Issue	Doc Reference	Maldon District Council Position	National Highways Position	Status	Date
			<p>conflicting at the Duke of Wellington mini roundabout on the LRN.</p> <p>ECC, as the Highway Authority with responsibility for the LRN, support MDC's concerns (paragraphs 1.2.3 and 3.4) as stated in their LIR [REP2-055].</p> <p>The design of Junction 21 is critical. We acknowledge the Applicant's commitment in its response to MDC LIR [REP3-018] on page 39 'to design the new junction 21 to enable the junction to accommodate a future connection should ECC proceed with it.'</p> <p>At the ISH, MDC requested clarity on the modelling in APP-094 at Point 9 South of Church Road and Point 7 Duke of Wellington bridge. MDC remains concerned that the traffic originating from Maldon District forecasted at (Point 9) will meet existing traffic from Hatfield Peverel village at the Duke of Wellington mini roundabout. Point 7 is on the existing 1-way Duke of</p>	<p>The Applicant continues to engage with Essex County Council, as the Highway authority, regarding Highway aspects of the scheme.</p>		

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Ref	Issue	Doc Reference	Maldon District Council Position	National Highways Position	Status	Date
			<p>Wellington bridge. MDC is concerned that the new 2-way traffic bridge has not considered the directional change and impact on the Duke of Wellington mini roundabout for queueing traffic at the Maldon Road junction. All traffic will approach the Duke of Wellington mini roundabout from the northern arm of Junction 21. With closure of junction 20a and the Applicant's assumption that all traffic at the Maldon Road junction will turn right, the Level of Service could be affected at the Maldon Road junction with queueing traffic giving way to the right. As was witnessed at the ASI, two HGVs navigating the Duke of Wellington mini roundabout cannot do so at the same time and without the queueing traffic at Maldon Road giving way by queuing back from the Maldon Road junction (figure 1 and figure 2, Appendix A, REP3-051).</p>			

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Ref	Issue	Doc Reference	Maldon District Council Position	National Highways Position	Status	Date
2.3	Local road network – omission of bypass	<p>Scheme Assessment Report Addendum [REP1-006]</p> <p>9.27 Written submission of oral case for Issue Specific Hearing 1 [REP3-012]</p>	<p>The lack of consistency of approach to the Project by the Applicant regarding local road network improvements are clear to the Council where other components of the Project further along the route offer improvements to the local road network to connect to the strategic road network. Reference is made to the improvements on the local road network by providing a new Inworth Road roundabout to connect to the Project's Junction 24.</p> <p>The Applicant has acknowledged the need for a Maldon Link Road/Hatfield Peverel Bypass by facilitating route options put forward by the Highway Authority (Essex County Council) in Pre-application discussion to connect a future Maldon Link Road to Junction 21. However, the link road/bypass does not feature as a fundamental need of the Project. Maldon District Council believe this is needed</p>	<p>The Applicant does not consider the provision of a roundabout in accordance with relevant standards on the B1023 to be inconsistent with the proposed local road amendments to the network in the vicinity of junction 21. A link from Hatfield Peverel to the northern roundabout of junction 21 is proposed, which serves the same schematic purpose as the Inworth Link and new roundabout at junction 24. The Applicant undertook an optioneering assessment during the proposal of the location of Junction 24. The report on this optioneering assessment is within the Scheme Assessment Report Addendum which is accessible via the National Highways website.</p> <p>Regarding Maldon District Council's reference to the provision of a new Inworth Road Roundabout, without the provision of a linkage such as the proposed roundabout,</p>	Under discussion	30/03/2023

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Ref	Issue	Doc Reference	Maldon District Council Position	National Highways Position	Status	Date
			<p>to integrate the strategic road network with the local road network based on congestion and capacity issues at the existing Duke of Wellington roundabout.</p> <p>MDC LIR [REP2-068]: The Project's omission of the Hatfield Peverel Bypass/Maldon Link Road demonstrates the Project has a lack of integration with the LRN. Junctions 20a and 20b are closing but the Duke of Wellington mini-roundabout on the LRN will continue to funnel traffic to the new Junction 21 with a right turn only at its junction with Maldon Road to access the upgraded 2-way Duke of Wellington bridge on the SRN. The point MDC is making is the inconsistent approach by the Project in improving the connections from the LRN to the SRN at J23 and J24, but not to J21 via the Duke of Wellington mini roundabout on the LRN.</p>	<p>drivers would not be able to access junction 24 from the B1023.</p> <p>The assessment of the bypass options found serious challenges to feasibility, including significant carbon, land, environmental, construction and cost impacts. Accordingly, a bypass has not been included as part of the scheme.</p> <p>The Applicant has taken several steps to encourage the use of junction 21 for vehicles coming from Maldon. Junction 21 was moved closer to Hatfield Peverel to make it a more convenient connection for drivers, and following the statutory consultation reduced speed limits on Main Road have been proposed which is predicted to further encourage the use of junction 21. In addition, clear signage will be provided at the Maldon Road/The Street junction to direct all drivers to junction 21 for all A12 journeys be it</p>		



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				<p>northbound or southbound journeys. The traffic modelling work predicts that of drivers on the B1019 Maldon Road heading to either Chelmsford or the A12 southbound towards London, 88% would turn right at the Duke of Wellington roundabout and travel via junction 21. This is because even though it is a longer distance, it is predicted to be quicker. This takes into account the predicted quicker speeds on the widened A12, as well as the proposed reduced speed limits on the B1137. This traffic modelling assessment was produced using the methodologies set out in the Department for Transport's Transport Analysis Guidance, specifically Unit M3.1 section 2.8. Further information on how the traffic predicts route choices was provided in the Applicant's Response to Open Floor Hearing 1 [REP1-009], response references 49 and 50. These responses stated</p>		

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				that the prediction of which routes people take on their journeys takes into account both the journey time and distance of a trip. How each traveller weighs up journey time and distance is based on standard traffic modelling parameters provided in the Department for Transport's Transport Appraisal Guidance. The traffic model also takes into account the impact of congestion.		
2.4	Duke of Wellington mini-roundabout	Appendix 3.2: Maldon Road and Hatfield Peverel Bypass Technical Report, of the Environmental Statement [APP-094]  Sheet 5 of 21 of the Utility Diversion Work Plans [AS-003]and to Sheet 5 of	The Project closes Junctions 20a and 20b at Hatfield Peverel and proposes a new Junction 21 east of Hatfield Peverel. The Council accepts that Junction 20a is indeed closing. However, although Junction 20b slip road (eastbound) is stated as closing, the route it takes to and from the proposed Junction 21 will still rely on the Duke of Wellington Bridge to connect to the 'northern arm' to the new Junction 21. In particular, the Duke of Wellington mini roundabout at the junction of Maldon Road	The scheme seeks to consolidate the existing movements served by junction 20a, junction 20b and junction 21 into one all movement junction at junction 21. Junction 20b as it currently operates is proposed to be closed. The detailed assessment of the Duke of Wellington mini roundabout in Appendix 3.2: Maldon Road and Hatfield Peverel Bypass Technical Report, of the Environmental Statement [APP-094] concluded that the scheme is not forecast to affect	Under discussion	30/03/2023

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		<p>21 of the Land Plans [AS-004]</p> <p>9.27 Written submission of oral case for Issue Specific Hearing 1 [REP3-012]</p>	<p>(B1019), The Street (B1137) is the entry and exit point for the northern arm of the new Junction 21 over the Duke of Wellington Bridge and will take all A12 traffic via the Duke of Wellington mini roundabout via Hatfield Peverel village. The HGV traffic alone on the A12 is 9-12%; which is higher than the national average for this type of road and a proportion of this HGV traffic emanates from the Maldon District (resident, business, and visitors) on the B1019 Maldon Road and can only use the Duke of Wellington mini roundabout on the local road network to connect to and from the strategic road network. When the 'Preferred Route' was announced in 2019 the Applicant presented its 'Objectives' to the Council where (amongst others) 'a more accessible and integrated network' was stated. As a starting point for the Project, the Council believes this 'Objective' was fundamental to the design of the Project to be</p>	<p>the operation of the mini-roundabout in any discernible way. The projected level of service in the design year of 2042 is forecast both with and without the scheme in place.</p> <p>The Duke of Wellington mini-roundabout is included within the Order Limits to allow for utility diversions. Refer to Sheet 5 of 21 of the Utility Diversion Work Plans [AS-003] and to Sheet 5 of 21 of the Land Plans [AS-004] for more information.</p> <p>In terms of its traffic performance, the existing operation of the Duke of Wellington roundabout was taken into account when assessing the impact of the scheme. Existing traffic observations were used to develop a model of its existing operation. Predicted future changes in traffic flows at the junction were then applied to the model to forecast its future performance with and without the scheme. Regarding the</p>		

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			<p>'integrated' with the local road network and improvements made as appropriate to both the strategic and local road network junctions that connect to it. The Project closes Hatfield Peverel junctions 20a and 20b as they are deemed substandard with regard to safety issues. However, the Project retains the Duke of Wellington mini roundabout to connect the local road network to the northern arm of the new Junction 21 east of Hatfield Peverel over an upgraded Duke of Wellington Bridge. The Supplementary Design Consultation November 2021 removed the southern link from Junction 21 (effectively the current westbound 20b) owing to impact on a few residential properties and businesses along it and access to a residential street, Gleneagles Way. Consequently, and detailed in the submission, the upgraded Duke of Wellington Bridge will now take 2-way traffic to and from the strategic</p>	<p>provision of a bypass to alleviate the Duke of Wellington roundabout, the Applicant does not consider that the overall performance of the roundabout is made worse by the scheme.</p>		

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			<p>road network along the northern arm of Junction 21 which is the existing route of the 1-way traffic eastbound on the current Junction 20b. Is Junction 20b closing or is it merely being upgraded as the northern arm to the new Junction 21? It was emphasised to the Applicant consistently by this Council and the Highway Authority (Essex County Council) that the Duke of Wellington mini roundabout is not fit for purpose to take 1-way traffic to the strategic road network via the existing Junction 20b eastbound, let alone 2-way traffic, to and from the northern arm of the new Junction 21 via the upgraded Duke of Wellington Bridge. 2-way traffic will travel over the upgraded Duke of Wellington bridge but still be channelled through the existing Duke of Wellington mini roundabout within Hatfield Peverel village with a 'poor level of service' currently? It is important to emphasise the short distance</p>			

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			<p>between the Duke of Wellington mini roundabout on the local road network to the Duke of Wellington Bridge on the strategic road network that will connect all traffic accessing and exiting to and from the new Junction 21 east of Hatfield Peverel. The distance from the centre of the Duke of Wellington mini roundabout on the local road network to the Duke of Wellington bridge on the strategic road network that oversails the A12 carriageway, is approximately 39 metres. The Duke of Wellington mini roundabout is within the red line boundary of the Project and should have been appropriately considered as an integral part of the Project.</p> <p>MDC's Deadline 3 submissions update our current position (REP3-051, REP3-052, REP3-053, REP3-054, REP3-055) and the issues that remain. MDC note the Applicant's break down of all traffic modes at the Duke of Wellington mini roundabout, received via e-mail</p>			

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			on 15 February 2023, and especially that 13% of vehicles using the Duke of Wellington mini roundabout are HGV's and LGV's originating from the Maldon District.			
2.5	Duke of Wellington Bridge	9.27 Written submission of oral case for Issue Specific Hearing 1 [REP3-012]	This Council questions the cost of an upgraded Duke of Wellington Bridge and construction of the northern arm to take 2-way traffic to the new Junction 21 from the local road network to and from the strategic road network via the Duke of Wellington mini roundabout. A Maldon Road Link Road could take the congestion and capacity issues away from the Duke of Wellington mini roundabout and consequently the upgrade of the Duke of Wellington bridge from 1-way to 2-way would not be needed. A Maldon Link Road/Hatfield Peverel Bypass would create a new link to the strategic road network for traffic emanating to and from the Maldon District and thus reduce the impacts of traffic congestion, road safety and air	The Duke of Wellington Bridge is required to provide a link for drivers in Hatfield Peverel to access junction 21. The existing bridge only has sufficient length to span two lanes of the A12 carriageway in each direction, therefore the proposed upgrade works are required to increase the span length to cross the widened six lane A12 carriageway. Wellington Bridge would need to remain in operation regardless of whether the Maldon Link Road is built. This is in order to facilitate drivers from Hatfield Peverel, and to an extent Boreham, accessing the A12 without the need to drive south along Maldon Road or Church Road to reach the southern origin of Maldon Link Road, to drive back north to the roundabout, and as a direct	Under discussion	30/03/2023

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			<p>quality issues in the village of Hatfield Peverel. The Council questions the cost benefit ratio of an upgraded Duke of Wellington Bridge, a northern link to Junction 21 from the Duke of Wellington mini roundabout against the cost of a Maldon Link Road directly linking to Junction 21 from the B1019 Maldon Road avoiding Hatfield Peverel village centre and the Duke of Wellington mini roundabout. The Council is supported in our view by the Highway Authority (Essex County Council) and Braintree District Council to integrate the Project with the local road network and to seek improvements to alleviate congestion, address road safety issues and poor air quality in Hatfield Peverel village.</p> <p>MDC acknowledge the Duke of Wellington Bridge must be lengthened to span the Project's new 6 lane carriageway (from 4 lanes). However, since the</p>	<p>route for cyclists and pedestrians between Hatfield Peverel and Witham.</p> <p>Due to the need to retain Wellington Bridge, the additional cost required to widen the bridge for two-way traffic is negligible compared to the cost of the Maldon Link Road.</p> <p>Under the scheme, Wellington bridge would be upgraded to allow traffic in both directions between the Duke of Wellington roundabout and the proposed junction 21. This change in road network layout is taken into account in the assessment of traffic flow changes shown in figure C.1 of the Transport Assessment Appendix C [APP-256]. Point 7 of this figure represents Wellington bridge, which would have a significant increase in traffic as it changes from a predominantly one-way to a two-way road. The section of The Street east of the A12 junction 20b off-slip would see</p>		



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			<p>supplementary consultation in November 2021 when the Southern Arm from the new Junction 21 was removed due to impact on 5 residential properties, the Applicant is now widening the Duke of Wellington bridge to take 2-way traffic (from 1-way traffic) to the new northern arm to reach Junction 21. A 2-way Duke of Wellington bridge will serve all transport modes. The Applicant details discussions at pre-application stage but has stopped short of negotiating the need for a Maldon Link Road when the Project changed significantly in November 2021 as a result of removing the southern arm and deciding to upgrade the Duke of Wellington Bridge to 2-way traffic. Coupled with the closure of Junction 20a where the Applicant expects all traffic to turn right at the Duke of Wellington mini roundabout across the upgraded Duke of Wellington bridge, MDC's concerns remain that the current Level of Service D will</p>	<p>a significant reduction in traffic, as that slip road would be closed and the traffic would use Wellington bridge instead.</p>		

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			not be maintained due to traffic negotiating the mini roundabout from the northern arm and giving way at the Maldon Road junction, instead of turning left to Junction 20a. MDC is concerned that the Level of Service D will worsen in the short term. MDC's current position is set out in [REP3-051].			
2.6	Little Braxted Lane	Appendix C: Traffic Flow Diagrams – Communities and A12 Mainline, of the Transport Assessment [APP-256]  General Arrangement Plans, part 3 [AS-011] and Sheet 10 of 21 of the Streets, Rights of Way and Access Plans, part 2 [AS-028]	Little Braxted and Great Braxted are small villages within the District adjacent to the Project corridor and linked to Junctions 22 and 23 via by historic routes. However, they have established and growing industrial and commercial areas accessing the Project via Little Braxted Lane and Braxted Park Road. Little Braxted Lane is a single-track lane with passing places and single lane bridge crossing (Grade II Listed) to connect to Junction 22. It is suitable for cars and small vans only. However, Little Braxted Lane connects existing employment sites not only to the strategic road network but	Traffic modelling indicates that the scheme is predicted to reduce traffic on Braxted Park Road as the proposed new junction 24 would provide a more direct connection to the A12 for traffic coming from Tiptree to access both northbound and southbound directions of the A12. Modelling of Little Braxted Lane has predicted a slight decrease in the AM peak, a slight increase in the PM peak and an overall decrease in traffic across the day. Refer to Appendix C: Traffic Flow Diagrams – Communities and A12 Mainline, of the Transport Assessment [APP-256] for	Under discussion	30/03/2023

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		<p>Appendix 7.10: Archaeological mitigation strategy, of the Environmental Statement [APP-118]</p> <p>sheets 7, 8 and 9 of the Temporary Works Plans [AS-004],</p>	<p>also to employment sites in the neighbouring authority area in Witham, Braintree District. Similarly, Braxted Park Road connects, via Appleford Bridge (Grade II Listed) with priority junction arrangement, to Junction 23 and connects key employment sites within the District to the strategic road network and to employment sites in the neighbouring authority area in Witham, Braintree District. The Council acknowledges that improvements to the local road network are the remit of the Highway Authority, but it is the impact on local economic growth that is stifled, and heritage assets are impacted upon if the local road network that connects to the strategic road network is not considered appropriately through the Project. The Council raised the issue of the inadequacy of Little Braxted Lane as a connection to the strategic road network at Pre-application Stage and through our</p>	<p>information on the forecast traffic in this area. The impact of the scheme on Little Braxted Lane has been considered in the overall assessment and optioneering process for junction 22, and the Applicant has proposed to realign Little Braxted Lane to connect to the junction 22 southern roundabout, not close the road. The existing 2.0m width restriction at the commencement of Little Braxted Lane and a 3T maximum gross weight restriction located prior to the single lane bridge are proposed to remain, which will restrict heavy vehicle access beyond the quarry access. The proposed design for Little Braxted Lane is shown on Sheet 10 of 21 of the General Arrangement Plans, part 3 [AS-011] and Sheet 10 of 21 of the Streets, Rights of Way and Access Plans, part 2 [AS-028].</p> <p>The Applicant is working with Essex County Council to design Little Braxted Lane in a</p>		

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			<p>response at Preliminary Design Stage Consultation in June 2021. The issue has not been addressed satisfactorily, with the applicant proposing to close Little Braxted Lane as part of the Project.</p> <p>MDC remains concerned that the traffic information sited at both ends of Little Braxted Lane is inadequate to deter HGVs and heavily laden LGVs utilising Little Braxted Lane to connect to and from the SRN at Junction 22 Coleman's Bridge. Little Braxted Lane is a single-track lane with passing places and has 2m width restrictions and 3T weight limits on historic bridges. MDC acknowledge the Applicant's Response to MDC's LIR [REP3-018] paragraphs 6.7 - 6.7.7 that they 'will work with ECC, to develop at detailed design, a solution that appropriately restricts access (see Statement of Common Ground with ECC – REP2-018)'.</p>	<p>manner that deters HGV's and oversize vehicles from travelling southwards from the A12 beyond the access to Colemans quarry, whilst recognising that this will remain an Essex Highways asset. This might include a series of design elements including highway geometry and cross section, signage and road markings, street furniture, including advance signage.</p> <p>Construction of Corridor 4 would result in removal of archaeological remains associated with three non-designated archaeological sites assessed to be of negligible value (with effects of slight adverse or lower, i.e. no significant effects). Trial trenching, and strip map and sample (the need for and extent of which will be informed by the trial trenching) would be undertaken for asset 349 (Cropmarks S of Little Braxted). This mitigation would be agreed with the relevant stakeholders. This is</p>		

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			<p>The Council is also very concerned about the impact this route may have on designated and undesignated heritage assets which fall within the 100 metres buffer zone. It is noted construction traffic would gain access to the site via a narrow track to the south of Little Braxted Lane, this would be accessed either via a narrow Grade II listed bridge or via Lea Lane/Little Braxted Lane. Both route options would not be used to accommodating the construction traffic.</p> <p>MDC's deadline 3 submissions update our current position and the issues that remain.</p> <p>MDC would like to see changes to the dDCO to ensure all possible mitigation measures are specified.</p>	<p>documented in Appendix 7.10: Archaeological mitigation strategy, of the Environmental Statement [APP-118] and secured in the Register of Environmental Actions and Commitments, which is part of the first iteration Environmental Management Plan [APP-185].</p> <p>As shown on sheets 7, 8 and 9 of the Temporary Works Plans [AS-004], a haul road is</p>		
2.7	Cadent Gas Main	Outline Construction Traffic Management Plan Appendix B: Permitted and Excluded	It is now apparent that the Cadent Gas Main diversion will impact on Little Braxted Lane as construction vehicles will access the diversion site via Little Braxted where the site entrance is opposite St	As shown on Outline Construction Traffic Management Plan Appendix B: Permitted and Excluded Routes for Construction Vehicles (Plans) Sheet 10 of 21 [APP-275], from the south	Under discussion	30/03/2023

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		Routes for Construction Vehicles (Plans) Sheet 10 of 21 [APP-275]	<p>Nicholas Church, Little Braxted Lane, Little Braxted. This will be further reported on in the Local Impact Report.</p> <p>MDC remain concerned that an 18T pre-construction phase vehicle commissioned by the Applicant did access Little Braxted Lane in October 2022 from Junction 22 Coleman's Bridge despite the traffic information signs telling the driver that Little Braxted Lane is unsuitable for HGVs and has a 3T weight limit [MDC LIR ref]. MDC welcomes the Applicant's Response to MDC's LIR [REP3-018] paragraphs 6.7 - 6.7.7 where the Applicant notes MDC's concerns regarding the structural integrity of the bridges on Little Braxted Lane to access the maintenance track to the gas main. We note that it has been confirmed by the Applicant in the same response to MDC LIR - 'the Applicant has confirmed in RR-040-014 and RR-014-015 of Applicants Response to Relevant Representations</p>	<p>of Colemans Fisheries entrance, Little Braxted Lane is an excluded route to construction HGV's.</p> <p>The route would primarily be used by Cadent as a maintenance access and for inspections of their assets. The route would not be used for construction vehicles. Access from the north of Little Braxted Lane has a weight limit of 3 tons at the bridge. Access from the south of Little Braxted Lane has a width restriction of 2m. Cadent could therefore not use a vehicle greater than these restrictions.</p> <p>During the construction phase, no impacts are expected on the Church of St Nicholas (Asset 358) on Little Braxted Lane. Little Braxted Lane is shown on the Outline Construction Traffic Management Plan Appendix B [REP2-004] Sheet 10 as an excluded route. The Applicant can confirm that this extends south to the junction of Little</p>		

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			[REP1-002] that Little Braxted Lane will not be used for construction traffic and that Cadent will only use it for occasional maintenance access, using vehicles that are less than 3 tonnes and 2m wide. The gas main maintenance track is with the Project's Order Limits	Braxted Lane with Lea Lane, and therefore past the church. Therefore no construction HGVs would be using the road past the church, and therefore there would be no impacts to the setting of the church.		
2.8	Cadent Gas Main	Environmental Statement Chapter 8 Landscape and Visual [APP-075]	As set out in MDC's Local Impact Report, the Council continues to feel that the impact of the diverted gas main on the landscape of Blue Mills Nature Reserve and the parishes of Wickham Bishops and Little Braxted is still considered to be significant on a worst-case scenario basis. The landscape in this area is valued not only for its amenity by the owners of Blue Mills and the residents of Wickham Bishops and Little Braxted parishes, but also by visitors due to the publicly accessible footpaths and scenery. It is considered the ecological impacts on the Nature Reserve as a result of tree loss and	The design study for the scheme determined that the existing Cadent gas main must be diverted for the A12 widening to proceed.  The Environmental Statement Chapter 8 Landscape and Visual [APP-075] identified that there would be a likely significant effect on landscape character and views due to the removal of trees along Corridor 4. The gas main diversion would present changes to the pattern of the low-lying Blackwater River Valley landscape as a result of loss of vegetation, including woodland and characteristic willow plantations along the River	Under discussion	30/03/2023



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			<p>disturbance to wildlife would also be significant and has not been fully surveyed and assessed by National Highways and Cadent. (Local Impact 9)</p> <p>The loss of trees and the disturbance to the wildlife that reside within the north-western parishes of the district will negatively impact on a combination of valued landscapes and landscapes that are valued and enjoyed by residents and visitors to the district.</p> <p>The Council accepts however that the Applicant's approach to evaluating impact is based on a worst-case scenario due to the absence of the pipeline's detailed design and the benefit of all survey work and therefore there is the potential for the eventual impact to be reduced.</p> <p>As presented in the worst-case scenario appraisals, the proposed route of the Cadent Gas Main would cut through the woodland of the Blue Mills</p>	<p>Blackwater, vegetation on the western side of Benton Hall Golf and Country Club and within part of the Blackwater Rail Trail Country Park south of Blue Mills Hill. Loss of vegetation within the Blackwater River Valley, including willow plantation, would be noticeable from a public right of way north of Ishams Chase, and would be perceived through vegetation from residential property at the northern end of Ishams Chase, as well as from the gardens at Glen Chantry which were formerly open to the public. Mitigation would include refining the design to reduce vegetation loss as far as practicable, replacement planting in line with Cadent's guidance, best practice standards on planting within easements, and employing trenchless methods across all main river crossings which would reduce the amount of vegetation clearance. This mitigation is included in the</p>		



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			<p>Nature Reserve forming a permanent scar on the landscape which would be visible from the public footpath to the east of the Reserve, impacting on the public amenity of this location. (Local Impact 11)</p> <p>As set out in REP3-054 p3, MDC welcomes the Applicant's confirmation of environmental considerations including GEPC.01 (Retain Vegetation), GEPC.03 (Compensation Planting), GEPC.04 (Protection of Main Rivers), GPEC.05 (Aesthetic Value) and GPEC.07 and 08 (Environmental Management Plan).</p> <p>For GPEC.04, MDC notes however the tunnelling techniques should be scrutinised further by appropriate ecological specialists to mitigate any ecological impacts possible to riparian species including otters that could otherwise be disturbed by the tunnelling methods due to sensitivities to</p>	<p>Register of Environmental Actions and Commitments, within the first iteration Environmental Management Plan [APP-185] and would reduce landscape and visual effects once matured. No other likely significant effects have been identified for the gas main diversion.</p> <p>The Applicant notes the request for incorporation of further text in relation to GEPC.04. The Applicant does not propose to amend GEPC.04, however can reassure the Council that once further detail on the route of the gas main diversion is available the Applicant will assess the potential for disturbance to otters from vibration and would seek a licence if required. A team of ecologists are part of the detailed design team for the Scheme and continually assess the implications of design changes on biodiversity. As the design of the gas main diversion is</p>		

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			<p>vibrations, noise and ground disturbances.</p> <p>For GPEC.05 (Aesthetic value – detailed design), MDC consider that where woodland, trees, tree lines and tree belts would be unavoidably lost and could not be replaced due to the easement restrictions of the new pipeline – that replacements should still be planted as close to the easement impact areas as possible to make the scheme compliant with Maldon District Local Development Plan Policy N2. This should be in addition to the measures already set out in GPEC.05 in respects of using native shrub and hedgerow planting within easements in line with Cadent Gas guidance.</p> <p>MDC consider that a further principle should also be included that is not currently specified for the gas pipeline, but which exists for the main A12 widening project (i.e. PRO.04 and LSC.13) under</p>	<p>developed this too would be assessed by ecologists to determine the potential for effects including from noise and vibration. As new data becomes available following completion of preconstruction surveys (as committed to in BI11 of the REAC [REP4-023]) this would also be assessed against the evolving design to ensure all potential effects have been identified.</p> <p>As per commitment BI9 of the Register of Environmental Actions and Commitments (REAC) [REP4-023], buffer zones around sensitive features such as confirmed bat roosts, badger setts, otter holts, water vole burrows, birds' nests and watercourses would be implemented as directed by the ECoW. Appropriate buffers would be implemented around watercourses where suitable, using physical barriers during construction works to protect aquatic species from</p>		

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			<p>Environmental Protection to cover principles around species and biodiversity.</p> <p>Cross ref with responses to ExQ1 and deadline 3.</p>	<p>destruction and disturbance. Where appropriate, professional judgement would be exercised by the ECoW to amend buffer zones to accommodate works, with the option of introducing additional control measures such as a watching brief to ensure risks to habitats and wildlife are appropriately managed. Buffer zones would be suitably demarcated to prevent encroachment of works. To determine the appropriate buffer zone around the potential holt, the effects of noise and vibration of tunnelling machinery would be assessed.</p> <p>The Applicant notes Maldon District Council's comments with respect to principle GPEC.05 of the Design Principles [REP2-006], that replacement vegetation should still be planted as close to the easement impact areas as possible, whilst respecting the Cadent guidance restrictions,</p>		

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				<p>to make the scheme compliant with Maldon District Local Development Plan Policy N2; thereby softening the scar across the landscape when it has had time to recover. However, the Cadent Gas guidance does deliver planting as close to the easement as possible and so through implementing this guidance as per GPEC.05 the Council's goal can be achieved. It is therefore considered that no further amendments of GPEC.05 are required.</p> <p>The Applicant notes the Council's comment with respect to the inclusion of a principle equivalent to PRO.04 within the Design Principles [REP2-006] but specific to the gas main. However, the design principles within Section 1.4 of the Design Principles [REP2-006] relate to the entire scheme, including the gas main, except where this conflicts with the technical design standards listed in paragraphs 1.3.19-1.3.21</p>		

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				<p>[REP2-006], in which case the technical design standards take precedent. However, there are no technical design standards which would override PRO.04 which is therefore applicable to the gas main.</p> <p>GPEC.03 includes measures comparable to LSC.13 around the use of locally indigenous native and non-native plants as appropriate to reflect the distinctive local character.</p>		
2.9	Cadent Gas Main	<p>Chapter 8: Landscape and visual, of the Environmental Statement [APP-075]</p> <p>Retained and Removed Vegetation</p>	<p>Plans submitted by the Applicant have shown that significant amounts of trees within this area of the District (Wickham Bishops) are at risk of being removed due to the chosen route; should the worst-case scenario be realised.</p> <p>As set out in MDC's LIR, the loss of the trees will have a negative impact on the ecology</p>	<p>Vegetation loss and retention is illustrated on the Retained and Removed Vegetation Plans [APP-035, AS-017]. To assume a worst case, all trees at risk of removal have been assumed lost within Chapter 8: Landscape and visual, of the Environmental Statement [APP-075], except in relation to the gas main diversion. While</p>	Under discussion	30/03/2023

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		Plans [APP-035, AS-017]  Register of Environmental Actions and Commitments within the first iteration of the Environmental Management Plan [APP-185]	of the district in an area which is undisturbed and inaccessible to the public. The most notable amongst the trees shown as 'at risk' on the plans submitted with the DCO is the female Black Poplar, located in the northern most area of the Blue Mills Nature Reserve. It is acknowledged within the <i>Environmental Statement (6.1) – Chapter 2 – The Proposed Scheme</i> [APP-069] that the area which falls within the Order Limits supports many habitats and notable species, these species include otters, red kites and veteran trees. Whilst the term 'notable species' may not be referring to trees in this instance, Black Poplars trees are of a notable species and are located within the Order Limits of the chosen corridor for the Cadent gas main diversion. These habitats and populations are not being adequately protected or their habitats adequately mitigated to safeguard local populations. (Local Impact 5)	the Retained and Removed Vegetation Plans [APP-035, AS-017] illustrate trees at risk within the full extent of the lateral limits of deviation (for the gas main diversion), the Environmental Statement assumes vegetation loss would be restricted to a 30m corridor as a realistic worst case assessment. It may also be feasible to retain some of the other trees identified as trees at risk on the Retained and Removed Vegetation Plans [APP-035, AS-017]. This would be determined at the detailed design stage.  Standard mitigation is included in the Register of Environmental Actions and Commitments within the first iteration of the Environmental Management Plan [APP-185] which forms part of the Development Consent Order submission. In relation to the gas main diversion and tree loss, the following mitigation is relevant:		

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			<p>The loss of trees within the Blue Mills Nature Reserve would have a significant impact on the landscape to the north-west of Wickham Bishops and the landscape to the south-west of Little Braxted, resulting in a permanent scar and change to the visual appearance of the landscape and the Reserve caused by the Cadent Gas Main diversion. (Local Impact 12)</p>	<p>LV13 - Routes of final utility diversions and the gas main diversion and methods of construction to be refined to retain as much existing vegetation as practicable, in particular mature vegetation and woodland.</p> <p>LV15 - Working width for the installation of the gas main diversion would be reduced as far as reasonably practicable through woodland and where the gas main diversion crosses through hedgerow field boundaries. All main river crossing(s) would be installed using trenchless techniques, such as horizontal drilling. Directional drilling would be considered where practicable.</p> <p>The arboricultural survey confirmed that the mature black poplar within the Order Limits at Blue Mills nature reserve qualified as a potential veteran tree. The results of the arboricultural survey will be used to inform an appropriate control, whereby a combination</p>		



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				of route and construction methodology would be designed to minimise the impacts on the black poplar and other sensitive features in this area.		
2.10	Environmental	<p>Appendix 14.4: Groundwater assessment, of the Environmental Statement [APP-161]</p> <p>Chapter 14: Road drainage and the water environment, of the Environmental Statement [APP-081]</p> <p>Environmental Management Plan Appendix N Water Management Plan [APP-198]</p>	<p>MDC is further assured that steps have been taken by the Applicant to address groundwater challenges, including as part of the evaluation of the area around Whetmead Nature Reserve given it is a former landfill site near the River Blackwater.</p> <p>In the MDC LIR, MDC deferred the matter of considering further groundwater impacts and determining suitable mitigation to the LLFA, Environment Agency and Anglian Water.</p>	<p>This issue was assessed, with the results reported in section 7 of Appendix 14.4: Groundwater assessment, of the Environmental Statement [APP-161]. The assessment concluded that there would be a slight adverse effect from dewatering on the Secondary A aquifer, and on a spring that supplies water to a tributary of the River Blackwater. Two licensed groundwater abstractions (LGA-5 and LGA-6) have been identified as potentially experiencing short term minor effects with a moderate significance of effect. Mitigation has been proposed for these abstractions, as per section 14.10 of Chapter 14: Road drainage and the water environment, of the Environmental Statement [APP-081] and Appendix 14.4</p>	Under discussion	30/03/2023



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		Appendix N Water [APP-198]		<p>Groundwater assessment paragraph 6.1.7 [APP-161]. The mitigation is secured in the first iteration Environmental Management Plan Appendix N Water Management Plan [APP-198] which addresses the management of de-watering activities in paragraphs N.11.35 to N.11.40 and impacts on private water supplies and irrigation in paragraphs N.11.42 to N.11.45.</p> <p>Several best-practice mitigation measures are incorporated into the first iteration Environmental Management Plan [APP-184] and specifically Appendix N Water [APP-198] for pollution prevention, including spillages and managing silt pollution (for suspended solids transport). These measures would reduce the likelihood of contaminating groundwater. With the application of these measures, Chapter 14: Road drainage and the water environment [APP-081] identified no</p>		

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				<p>residual likely significant environmental effects to the water environment.</p> <p>The Register of Environmental Actions and Commitments Appendix N Water Management Plan [APP-198] section N10 requires water quality monitoring to be undertaken prior to, during and post scheme construction. Monitoring for surface water quality will be specified within a surface water monitoring quality plan to be provided in the second iteration of the Environmental Management Plan to ensure all likely significant impacts are monitored (see paragraph N.10.2).</p> <p>The Applicant notes Maldon District Council's comment in regard to deferring groundwater matters to the LLFA, Environment Agency and Anglian Water.</p>		

## 4.4 Issues in disagreement

4.4.1 The below table [4.2] details the issues in disagreement between Maldon District Council and National Highways. This includes any reference to relevant documents, the current Maldon District Council position and the National Highways position.

**Table 4.3 Issues in disagreement between National Highways and Maldon District Council**

Ref	Issue	Doc Reference	Maldon District Council Position	National Highways Position	Status	Date
3.1	Maldon Road	Appendix 3.2: Maldon Road and Hatfield Peverel Bypass Technical Report, of the Environmental Statement [APP-094].	<p>The Project's omission of the Hatfield Peverel Bypass/Maldon Link Road demonstrates the Project has a lack of integration with the LRN. The failure of the Project by design to integrate the LRN and SRN at Hatfield Peverel will leave residents, businesses and visitors in the Maldon district significantly disadvantaged. Due to this the Project will be of limited benefit to the Maldon district. (Local Impact 17)</p> <p>MDC acknowledge the Applicant's response to the options for a bypass at pre-application stage and repeated in their response to the MDC LIR paragraphs 6.13-6.13.8 [REP3-018] (page 39). MDC concerns remain with the existing and future capacity</p>	Extensive engagement has taken place with stakeholders including Maldon District Council regarding a Maldon Link Road as a means to address existing operational issues with Maldon Road and The Street junction in Hatfield Peverel. The Applicant has undertaken detailed traffic assessments of the junction of Maldon Road and The Street junction and considered a range of possible interventions at the junction, as well as a detailed comprehensive assessment of various bypass options. Traffic modelling of the existing mini-roundabout arrangement based on existing observed behaviour at the junction indicates that the scheme is not forecasted to affect the operation of the mini-roundabout.	In disagreement	30/03/2023

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Ref	Issue	Doc Reference	Maldon District Council Position	National Highways Position	Status	Date
			<p>issues at the Duke of Wellington mini/roundabout causing Maldon District residents, visitors and businesses to be disadvantaged in accessing the SRN from the LRN. MDC is aware that the Project does not include the construction of a bypass based on pre-application discussion but does not agree with the Applicant omitting the construction of a bypass as part of the Project. The November 2021 Supplementary Consultation changed the Project to include an upgraded Duke of Wellington bridge to take 2-way traffic from the northern arm of Junction 21 because of removal of the southern arm. This will change the dynamic of the Duke of Wellington mini roundabout on the LRN and coupled with the closure of Junction 20a and the Applicant's assumption that all traffic at the Maldon Road junction will turn right, MDC are concerned that the Level of Service D will not be maintained in the short term at construction</p>	<p>Further information on the detailed assessment of Maldon Road and Hatfield Peverel bypass can be found in Appendix 3.2: Maldon Road and Hatfield Peverel Bypass Technical Report, of the Environmental Statement [APP-094].</p> <p>The assessment of the bypass options found serious challenges to feasibility, including significant carbon, land, environmental, construction and cost impacts, which outweigh the benefits that may accrue. Accordingly, a bypass has not been included as part of the scheme.</p>		

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Ref	Issue	Doc Reference	Maldon District Council Position	National Highways Position	Status	Date
			stage. MDC remain confused that the Applicant has agreed to provide a bypass connection to the new Junction 21 design but is unwilling to accept that the poor level of service at the Duke of Wellington mini roundabout is not sufficient to accommodate the bypass as a fundamental part of the Project. It is obvious to MDC that a bypass is required as part of the project.			
3.2	Junction 20b	<p>Transport Assessment - Appendix C: Traffic Flow Diagrams – Communities and A12 Mainline [APP-256]</p> <p>Transport Assessment - Appendix G: Junction Modelling Technical Notes – Local Road</p>	At the Preliminary Design Stage Consultation in June 2021, the Council raised the issue of the Duke of Wellington mini roundabout being a suitable junction to access the Duke of Wellington Bridge (existing Junction 20b eastbound) to access the strategic road network from the local road network for cars, LGVs and HGVs emanating from the Maldon District and impacting (congestion, noise, poor air quality and road safety) on the neighbouring host authority area in Braintree District and as	<p>Traffic modelling indicates that the scheme is not forecasted to affect the operation of the existing mini-roundabout arrangement (the Duke of Wellington mini-roundabout), based on existing observed behaviour at the junction of the Street and Maldon Road in Hatfield Peverel.</p> <p>The impact of the scheme on B1019 Maldon Road and the Duke of Wellington mini roundabout in Hatfield Peverel has been assessed using traffic models. A strategic traffic model was used to predict the changes</p>	In disagreement	30/03/2023

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		<p>Junctions [APP-260].</p> <p>9.27 Written submission of oral case for Issue Specific Hearing 1 [REP3-012]</p>	<p>expressed in the Hatfield Peverel Neighbourhood Plan.</p> <p>The resultant changes to Junction 21 set out in the Supplementary Consultation November 2021 was a Category 1 Change to remove the Southern Link Road from Junction 21, effectively the existing route of Junction 20b westbound (to relieve impacts to 5 residential properties) and upgrade the Duke of Wellington Bridge on the Northern Link Road to take all traffic, eastbound and westbound, to the new Junction 21. Effectively, all A12 bound traffic and A12 exiting traffic will be funnelled over an upgraded Duke of Wellington Bridge to take 2-way traffic and through the Duke of Wellington mini roundabout. A proportion of that traffic (set out in the Transport Assessment modelling for Maldon Road) will be coming to and from the Maldon District and will be channelled via the B1019 Maldon Road, which is a residential street, with a parade</p>	<p>in traffic flow in the vicinity of the junction. Traffic approaching the junction from B1019 Maldon Road includes a large proportion of traffic from Maldon and Heybridge. The traffic model represents cars, LGVs and HGVs, each modelled individually to reflect their different driving behaviours and impact on congestion. A summary of the predicted change in traffic on the roads surrounding the Duke of Wellington mini-roundabout is provided in section C.1 of the Transport Assessment - Appendix C: Traffic Flow Diagrams – Communities and A12 Mainline [APP-256]. This includes:</p> <ul style="list-style-type: none"> <li>- A significant increase in traffic over Wellington bridge as it is upgraded to become a two-way road linking Hatfield Peverel with the proposed new junction 21.</li> <li>- A significant decrease in traffic on The Street west of the Duke of Wellington mini roundabout, as the closure of</li> </ul>		

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			<p>of local shops, a pub, and a nursery school. The traffic would have to run over a zebra crossing through the village of Hatfield Peverel. The Duke of Wellington mini roundabout is within the Project's red line boundary.</p> <p>MDC's deadline 3 submissions update our current position (REP3-051, REP3-052, REP3-053, REP3-054, REP3-055) and the issues that remain. MDC note National Highways break down of all traffic modes at the DoW mini roundabout, received via e-mail on 15 February 2023, and especially that 13% of vehicles using the Duke of Wellington mini roundabout are HGV's and LGV's originating from the Maldon District.</p>	<p>junction 20a and 20b means most traffic to/from Maldon would use junction 21 instead of travelling via this section of The Street.</p> <ul style="list-style-type: none"> <li>- An increase in traffic on B1019 Maldon Road of 8% per day.</li> </ul> <p>The impact on the Duke of Wellington mini-roundabout itself has been modelled in more detail using a separate junction model. This compares the predicted performance of the junction with and without the scheme, taking into account the changes in traffic flow described above.</p> <p>A description of this detailed junction assessment is provided in Chapter G.1 of Transport Assessment - Appendix G: Junction Modelling Technical Notes – Local Road Junctions [APP-260]. A model of the junction was developed based on current traffic observations, then used to predict future traffic conditions with and without the scheme.</p>		

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				<p>A summary of the predicted traffic performance by 2042 without the scheme is provided in Table G1-9 of that report, and Table G1-11 shows the performance in 2042 with the scheme. Overall, the junction is predicted to perform slightly better with the scheme in place compared to without the scheme. The overall Level of Service (where 'A' is the best performance and 'F' is the worst) is predicted to improve from D to C in the evening peak hour, and to remain D in the morning peak with or without the scheme. Queues on The Street (west) arm of the junction would generally decrease. However, the average queue on B1019 Maldon Road is predicted to increase from 84m without the scheme to 101m with the scheme.</p> <p>In terms of its traffic performance, the existing operation of the Duke of Wellington roundabout was taken into account when assessing the impact of the scheme. Existing traffic observations were used to develop a model of its existing</p>		



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				operation. Predicted future changes in traffic flows at the junction were then applied to the model to forecast its future performance with and without the scheme. Regarding the provision of a bypass to alleviate the Duke of Wellington roundabout, the Applicant does not consider that the overall performance of the roundabout is made worse by the scheme.		
3.3	Local road network – traffic modelling	Chapter 5.6 of the Combined Modelling and Appraisal report Appendix C: Transport Forecasting Package Report [APP-264].	The concerns raised are indicative of the Applicant's deemed perception that the residents and businesses in the Maldon District that rely on the local road network to connect to the strategic road network, are unaffected directly by the Project. One of the main aims for the Project is to: 'Reduce congestion by increasing road capacity'. By acknowledgment of congestion and the need to increase capacity on the strategic road network, it should follow that the feeder roads bringing that identified congestion and contributing to capacity on the strategic road	The traffic model has taken into account local developments in Maldon district, as outlined in Chapter 5.6 of the Combined Modelling and Appraisal report Appendix C: Transport Forecasting Package Report [APP-264]. This includes the South Maldon Garden Suburb (1,000 dwellings to be built after 2019) and North Heybridge Garden Suburb (1,138 dwellings to be built after 2019).  Across Maldon district as a whole, a total of 2,526 additional dwellings are included between 2019 and 2027. This includes the Garden Suburbs sites mentioned	In disagreement	30/03/2023

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			<p>network, should be considered as far as ease of connection from local to strategic road network and especially if the connecting infrastructure is within the Project's red line boundary and where there are known capacity and congestion issues at peak times. Whilst we acknowledge that the submitted Transport Assessment modelling has concluded that the Project does not make the existing 'poor' Level of Service (LoS F) at the Duke of Wellington mini roundabout junction to connect to the A12 any worse than 'poor', the congestion and impact on Hatfield Peverel village to access the A12 is real, and the Project relies on the local road network infrastructure to connect to the Project. This creates three issues:</p> <ul style="list-style-type: none"> <li>• Maldon District residents, businesses and visitors remain disadvantaged by poor connections to and from the strategic road network</li> </ul>	<p>above. The total number of dwellings is based on the National Trip End Model (NTEM) version 7.2, which is the standard data source for housing numbers required by the Department for Transport's Transport Analysis Guidance.</p> <p>The impact of traffic from these developments is taken into account in both the 'without scheme' and 'with scheme' traffic model scenarios.</p> <p>While noting the congestion that occurs at the Duke of Wellington roundabout, its safety performance is good with only one collision between 2017 and 2021 (the last five years for which full data is available). This was a 2-car shunt on the northbound entry to the junction and it resulted in a slight injury to one of the drivers involved. There were no serious or fatal injuries in that 5-year period. In terms of its traffic performance, the existing operation of the Duke of Wellington roundabout was taken into account when assessing the</p>		

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			<ul style="list-style-type: none"> <li>• Maldon District planned and future housing and economic growth is constrained because of existing and identified impacts on a neighbouring authority area, Braintree District</li> <li>• Traffic emanating from the Maldon District continues to impact negatively in environmental terms on a neighbouring and host authority area, Braintree District and this will only worsen over time as the Maldon District grows in population. The principal town of Maldon and the main settlement of Heybridge are strategic housing growth areas with a minimum 2,795 homes under construction in the approved Maldon District Local Development Plan 2014-2029, approved by the Secretary of State in 2017. The planned housing growth in Maldon and Heybridge is within two new Garden Suburbs. At RR stage, Deadline 1, 4 November 2022,</li> </ul>	<p>impact of the scheme. existing traffic observations were used to develop a model of its existing operation. Predicted future changes in traffic flows at the junction were then applied to the model to forecast its future performance with and without the scheme. Regarding the provision of a bypass to alleviate the Duke of Wellington roundabout, the Applicant does not consider that the overall performance of the roundabout is made worse by the scheme.</p> <p>The Applicant continues to engage with Essex County Council, as the Highway authority, regarding Highway aspects of the scheme.</p> <p>The assessment of the bypass options found serious challenges to feasibility, including significant carbon, land, environmental, construction and cost impacts. Accordingly, a bypass has not been included as part of the scheme.</p>		

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			<p>708 homes have been delivered in the South Maldon Garden Suburb (479 of 1,428) and North Heybridge Garden Suburb (229 of 1,367). Traffic already impacts on the local road network causing congestion and in turn, impacts on the settlement of Hatfield Peverel in Braintree District. The B1019 Maldon Road links to the strategic road network is the closest route to link to the strategic road network. One of the main aims for the Project is to: Support economic and housing growth in Local Plans'. We have kept the Applicant fully informed of our housing and economic growth commitments since March 2020. The submitted Transport Assessment modelling (Appendix 3.2 Maldon Road and Hatfield Peverel Bypass Technical Report to 6.3 Environment Statement) concludes that the Project will not make the current situation on B1019</p>	<p>The Applicant has taken several steps to encourage the use of junction 21 for vehicles coming from Maldon. Junction 21 was moved closer to Hatfield Peverel to make it a more convenient connection for drivers, and following the statutory consultation reduced speed limits on Main Road have been proposed which is predicted to further encourage the use of junction 21. In addition, clear signage will be provided at the Maldon Road/The Street junction to direct all drivers to junction 21 for all A12 journeys be it northbound or southbound journeys. The traffic modelling work predicts that of drivers on the B1019 Maldon Road heading to either Chelmsford or the A12 southbound towards London, 88% would turn right at the Duke of Wellington roundabout and travel via junction 21. This is because even though it is a longer distance, it is predicted to be quicker. This takes into account the predicted quicker speeds on the widened A12, as</p>		

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			<p>Maldon Road at the junction with the Duke of Wellington mini roundabout any worse than currently 'poor'. Whilst traffic modelling is a forecast and a snapshot at a particular time.</p> <p>Whilst it is acknowledged the Project only extends to the SRN and those areas of the LRN that would directly impede access to new junctions of the SRN, MDC considers the Project has a lack of regard for the importance of the LRN in linking to the SRN and the impacts on accommodating and facilitating growth. MDC considers these inadequacies of the A12 Project would harm the growth of the Maldon district as a result of continued poor connections to the SRN, to the detriment of residents and businesses which rely on it. As a result, it is considered one of the aims of the A12 Project, to support planned economic and housing growth in Essex and the surrounding region will not be</p>	<p>well as the proposed reduced speed limits on the B1137. This traffic modelling assessment was produced using the methodologies set out in the Department for Transport's Transport Analysis Guidance, specifically Unit M3.1 section 2.8. Further information on how the traffic predicts route choices was provided in the Applicant's Response to Open Floor Hearing 1 [REP1-009], response references 49 and 50. These responses stated that the prediction of which routes people take on their journeys takes into account both the journey time and distance of a trip. How each traveller weighs up journey time and distance is based on standard traffic modelling parameters provided in the Department for Transport's Transport Appraisal Guidance. The traffic model also takes into account the impact of congestion.</p> <p>Employment growth in Maldon District is included within the future year traffic models used to support the development of the</p>		

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			<p>achievable for the Maldon district. (Local Impact 15)</p> <p>The Project's omission of the Hatfield Peverel Bypass/Maldon Link Road demonstrates the Project has a lack of integration with the LRN. There are however elsewhere in the Project selective upgrades to LRN connections (Inworth Road) included. The failure of the Project by design to integrate the LRN and SRN at Hatfield Peverel will leave residents, businesses and visitors in the Maldon district significantly disadvantaged. Due to this the Project will be of limited benefit to the Maldon district. (Local Impact 17)</p> <p>MDC note the Applicants response to MDC LIR (para 6.12-6.12.3) [REP3-018], p36. MDC note the Applicants explanation of the base year traffic model in 2019. However, traffic modelling is a forecast and the reality is that planned housing growth is accelerating in the Maldon district and the</p>	<p>scheme. The traffic model assumes an increase of 722 jobs in Maldon District between 2019 and 2027. The traffic model therefore includes the growth in car trips associated with these additional jobs.</p> <p>This number of jobs is based on the National Trip End Model (NTEM) version 7.2, which is the standard data source for employment numbers in traffic models specified by the Department for Transport's Transport Analysis Guidance.</p> <p>A base year traffic model was developed to represent the existing traffic situation as it was in 2019. This takes into account housing and businesses and how people travel to and from them, including housing and business in Maldon. The model complied with strict guidance in Unit M3 of the Department for Transport's Transport Analysis Guidance (TAG), which gives criteria on how accurately the model should represent current conditions. From that base model, future</p>		



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			<p>LDP is currently under review to allocate further housing growth. MDC notes the assumptions made by the Applicant in the transport modelling relating to employment growth. MDC's deadline 3 submissions update our current position with regard to housing and economic growth scenarios in the Maldon district and MDC awaits the Applicants response to questions posed at the ISH.</p> <p>The traffic model only accounts for car trips associated with the Applicant's assumption of 722 additional jobs would be created between 2019 and 2027. The nature of Maldon District's employment growth through regeneration of its main employment area at The Causeway, Heybridge for B1, B2 and B8 uses, will generate trips by HGV, LGV and vans as well as cars and MDC considers this will exceed the scale of growth that has otherwise been modelled. The Applicant has stated the breakdown of vehicle types originating from the</p>	<p>year traffic models were produced which take into account government forecasts on the growth in trips. These government forecasts include growth rates specific to Maldon District, based on information in their planning documents. The use of these government growth forecasts is mandated by TAG Unit M3, so is common to all traffic models across the country. In addition, several specific local developments within Maldon District were included in the traffic model. This includes developments which are recently completed so would not have been represented in the 2019 base year traffic model flows. This list of developments was informed by planning information provided to the project by Maldon District Council. Full details of which developments are included in the model is provided in the Uncertainty Log which is Appendix A within the Combined Modelling and Appraisal Report Appendix C: Transport Forecasting Package Report</p>		

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			<p>Maldon District at Point 9, Maldon Road (south of Church Road) as 13% HGVs and LGVs.</p> <p>MDC note the Applicants response to MDC LIR (para 6.12-6.12.3) [REP3-018], p36. MDC note the Applicants explanation of the base year traffic model in 2019. However, traffic modelling is a forecast and the reality is that planned housing growth is accelerating in the Maldon district and the LDP is currently under review to allocate further housing growth. MDC notes the assumptions made by the Applicant in the transport modelling relating to employment growth. MDC's deadline 3 submissions update our current position with regard to housing and economic growth scenarios in the Maldon district and MDC awaits the Applicants response to questions posed at the ISH.</p>	<p>[APP-264]. The traffic flows in the future year traffic models include traffic generated from these developments. Planned housing and employment growth beyond those with planning applications is still included in the traffic model but as 'background growth' applied across Maldon District rather than in specific locations. This background growth is especially important when taking employment growth into account, as there is less certainty of the number of jobs that a development site will be able to support during its planning application stage. In summary, the traffic model flows used within the scheme's assessment take full account of existing and committed future traffic emerging from Maldon District in line with Department for Transport modelling guidance, and assesses the impact that the scheme would have on that traffic. To clarify, the Applicant assesses the impact that the scheme would have on traffic conditions against a baseline</p>		



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				<p>where the growth in Maldon District has already taken place; it does not assess the impact of that the growth in Maldon District itself. These traffic flows were used to inform the environmental assessments, and also used to feed into the separate Duke of Wellington junction model used for its operational assessment. As shown in Table 4-1 of [APP-264], relief roads at the South Maldon and North Heybridge Garden Suburbs are also included within the future year traffic models.</p>		
3.4	Cadent Gas Main		<p>The Council is concerned that the diversion of the Cadent Gas Main was not a component of the Project until Supplementary Design Consultation in November 2021. Whilst this Council acknowledges the need to divert the gas main to deliver the Project, it feels the options for the diversion have been hurried and are ill-considered where harm to landscape, biodiversity and heritage will be</p>	<p>The scheme affects some of Cadent Gas Limited's high-pressure assets. One of the main assets affected, known as Little Braxted to Springfield main, runs parallel to the existing A12 highway at Witham, south of Little Braxted Above Ground Installation, and its diversion is an NSIP in its own right.</p> <p>The options for the diversion of Cadent's asset have been considered carefully by the</p>	In disagreement	30/03/2023

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			<p>caused. 4.2 The Council acknowledges the gas main diversion is an NSIP in its own right. However, if it were not for the A12 Widening Project, the gas main would not need to be diverted. The gas main should be re-routed along a corridor that has the least impact to biodiversity, landscape, and heritage harm. 4.3 The gas main diversion should completely avoid Blue Mills Nature Reserve, Wickham Bishops, as was intended when the gas main was initially laid. The Project is treating the diversion of the gas main as an afterthought and has not appraised or considered less harmful alternatives.</p> <p>As set out in MDC's LIR, whilst the impacts of the preferred route of the Cadent Gas Main have been highlighted in section 6.3 Biodiversity, Ecology and the Natural Environment, the impact of the gas main on the landscape of Blue Mills Nature Reserve and the parishes of Wickham Bishops and Little</p>	<p>Applicant. The design evolution has taken into consideration the potential impacts on landscape, biodiversity and heritage as part of the optioneering.</p> <p>The Applicant has engaged with Cadent to develop the preliminary design study for the gas main diversion.</p> <p>The decision for the selection of this route was made upon a variety of factors including engineering, ground contamination, environmental impacts and assessment of construction impacts.</p> <p>The proposed route for this diversion is routed through Benton Hall Golf and Country Club to maintain a suitable required distance from the residential properties on Maldon Road. It crosses the River Blackwater and is routed around Whetmead nature reserve to avoid the contaminated ground associated with a historical landfill. The diversion route would cross the proposed Blue Mills local wildlife site along the River</p>		

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			<p>Braxted would be significant. The landscape in this area is valued not only for its amenity by the owners of Blue Mills and the residents of Wickham Bishops and Little Braxted parishes, but also by visitors due to the publicly accessible footpaths and scenery. It is considered the ecological impacts on the Nature Reserve as a result of tree loss and disturbance to wildlife would also be significant and has not been fully surveyed and assessed by National Highways and Cadent. (Local Impact 9)</p> <p>The development would impact on local amenity. The Blue Mills Nature Reserve is highly visible from the footpath to the east of Blue Mills and to the south of Barn Grove. The felling of the trees within Blue Mills Nature Reserve would result in a maximum of a 30 metre wide corridor through the Nature Reserve, leaving a permanent scar on the landscape. This would have a detrimental impact on the character and</p>	<p>Blackwater, but the impacts could be reduced by employing trenchless crossing techniques under the river.</p> <p>The Applicant is continuing to work with Cadent Gas Limited to develop a detailed design for the gas main diversion.</p> <p>The design will seek where reasonably possible to minimise the environmental impact of these works including the impact to the existing landscape, development land, biodiversity and heritage.</p>		

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Ref	Issue	Doc Reference	Maldon District Council Position	National Highways Position	Status	Date
			appearance of the landscape of Wickham Bishops and Little Braxted. (Local Impact 13)			
3.5	Cadent Gas Main	Chapter 3: Assessment of alternatives, of the Environmental Statement [APP-070]	<p>After publication of the proposed route selected for the rerouting of the Cadent high-pressure gas main much concern has been expressed by the local community, leading to the Council being contacted by both concerned residents and businesses near to the proposed corridor. Disappointment has been expressed at National Highways lack of exploration of routes which would be less ecologically and landscape destructive than the alternative it presents.</p> <p>MDC fully understands why Options 1 and 3 could not be pursued any further due to the contaminated land impacts associated with diverting through the Whetmead Nature Reserve.</p>	<p>Chapter 3: Assessment of alternatives, of the Environmental Statement [APP-070] summarises the gas main diversion options and the reasons for discounting Corridors 1, 2, 3 and 5 and selecting Corridor 4.</p> <p>Corridors 1 and 3 were discounted as they would involve diverting the gas main through the former landfill site that is now Whetmead Local Nature Reserve.</p> <p>Corridors 2 and 5 are situated much closer to Blue Mills Hill and Ishams Chase compared with Corridor 4 and it was acknowledged that both Corridors 2 and 5 could potentially result in the loss of trees and hedgerows that line Blue Mills Hill and Ishams Chase, impacting the landscape character of these areas and potentially impacting on the setting of listed buildings.</p>	In disagreement	30/03/2023

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				<p>There was strong opposition to these options from residents of Blue Mills Hill and Ishams Chase, as well as Maldon District Council. These options were therefore discounted.</p> <p>Corridor 4 was therefore selected on the basis that it was seen as a reasonable compromise, as it avoided the landfill and Ishams Chase/Blue Mills Hill, but would be routed through woodland areas. This is summarised in the Environmental Statement Chapter 3: Assessment of alternatives paragraph 3.3.10 onwards [APP-070].</p> <p>An assessment of each option was published in the Environmental Report for the Supplementary Consultation and summarised in the Supplementary Consultation Brochure.</p>		
3.6	Cadent Gas Main	Register of Environmental Actions and Commitments (REAC), within the first	The Council previously raised concerns regarding routes 2, 4 and 5 as they would run through heavily wooded areas, including a 6-acre private nature reserve consisting of many priority	Corridor 4 was selected on the basis that it was seen as a reasonable compromise, as it avoided the landfill and Ishams Chase/Blue Mills Hill, but would be routed through woodland	In disagreement	28/03/2023

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		iteration Environmental Management Plan [APP-185].	<p>habitats, wet woodland, and veteran trees, an RHS accredited garden and old hedgerows along Isham's Chase. This is a relatively undisturbed area of the Blackwater Valley, enjoyed by many who live locally or visit the area for recreational opportunities and its landscape setting. Regardless of these concerns, National Highways has determined that route 4 is their preferred route to divert the gas main.</p> <p>As set out in MDC's LIR, the area which the Applicant has selected for the Cadent Gas Main diversion (Route 4) is subject to a Woodland Tree Preservation Order and has been recommended by independent ecologists as being worthy of designation as a Local Wildlife Site. The nature reserve contains Essex Red Data List tree species (two female Black Poplars), an otter holt which is protected by law and is also a</p>	<p>areas as explained in the response to RR-040-017 of the Applicant's Response to Relevant Representations [REP1-002].</p> <p>The Applicant is committed to refining routes of final utility diversions and the gas main diversion and methods of construction to retain as much existing vegetation as practicable, in particular mature vegetation and woodland, including the wet woodland identified within the potential Local Wildlife Site (LV13 of the Register of Environmental Actions and Commitments (REAC), within the first iteration Environmental Management Plan [APP-185]). Existing vegetation within the Order Limits including temporary works areas would be retained as far as reasonably practicable. Particular attention would be given to the retention of mature vegetation including trees subject to tree preservation orders.</p> <p>To minimise impacts, the working width for the installation of the</p>		

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			<p>Red Kite nesting site, which are also protected species. (Para 6.6.4)</p> <p>As set out in REP3-054 p.6, MDC is pleased that the Applicant has identified potential mitigation of potential impacts to otter populations on the River Blackwater and note that the final solutions will be dependent on the final alignment of the gas pipeline diversion; works for which are understood to be ongoing.</p> <p>It is further acknowledged that the Applicant has confirmed that botanical surveys have confirmed that part of the woodland at Blue Mills to be wet woodland (a priority habitat) of moderate condition and that parts of this is within the coverage of the proposed Local Wildlife Site; although the Applicant has confirmed the</p>	<p>gas main diversion would be reduced as far as reasonably practicable through woodland (including wet woodland) and where the gas main diversion crosses through hedgerow field boundaries. All main river crossing(s) would be installed using trenchless techniques, such as horizontal drilling. Directional drilling would be considered where practicable (LV15 of the REAC [APP-185]).</p> <p>Replanting along the easement of the gas main diversion would be carried out in accordance with utility company's guidance and best practice standards. Where woodland vegetation is lost and trees cannot be replaced in situ due to the restrictions of utility easements, native shrub planting would be used in line with the relevant utility company's guidance. Where tree lines and tree belts are lost and cannot be replaced due to the restrictions of utility easements, native hedgerow planting would be used in line with the relevant utility</p>		



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			<p>Project has assessed the wet-woodland component as being of national value in accordance with DMRB LA 108. It is acknowledged that the Applicant has confirmed that the wet woodland and proposed Local Wildlife Site now have the potential to be affected through the loss of a 30m corridor due to tree clearance to construct the gas main, rather than lowland mixed deciduous woodland as assumed in Chapter 9; as well as changes to hydrology should trenchless techniques not be used and operational effects should water be drawn away from habitats.</p> <p>MDC strongly support the avoidance of impacts to the wet woodland component of Blue Mills Nature Reserve through the REAC commitments. This is consistent with Tree Preservation Order.</p>	<p>company's guidance (LV14 of REAC [APP-185]).</p> <p>The arboricultural survey confirmed that the mature black poplar within the Order Limits at Blue Mills nature reserve qualified as a potential veteran tree. The results of the arboricultural survey will be used to inform an appropriate control, whereby a combination of route and construction methodology would be designed to minimise the impacts on the black poplar and other sensitive features in this area (BI48 of the REAC [REP4-008]).</p> <p>As stated on page 87 of the Written Submission of Oral Case for Issue Specific Hearing 1 [REP3-012], the black poplar within the Order Limits has been valued as of National importance due to its status as a potential veteran tree.</p> <p>As stated in the Applicant's Comments on MDC's Local Impact Report [REP3-018], there is potential for loss of wet woodland and changes in</p>		

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			<p>MDC note there is potential to replant along parts of the maximum 30m corridor to reduce the width of the landscape scar in the longer term and note that this will be detail that would come through as part of detailed design.</p> <p>MDC note the botanical survey is consistent with the surveys it has commissioned which have led to the Tree Preservation Order (Woodland Order) and recommended Local Wildlife Site designation. MDC appreciates the communication of the location of the black poplar to Cadent as well as the presence of mature oaks and notes they will be accurately mapped in the arboricultural survey. MDC feel however that the rarity of these two poplars as likely to be the only surviving specimens in Essex must not be undervalued by the Project or Applicant and they must be retained to avoid a "major</p>	<p>hydrology. However, with the implementation of the commitment LV14 of the REAC [REP4-023] with respect to replacement planting along the easement of the gas main diversion, the effects are assessed as not significant. As per paragraph 9.11.91 of Chapter 9 [APP-076], there would be a net gain of 42.52ha of woodland habitat across the proposed scheme, of which 8.93ha would be wet woodland. It should also be noted that there would be scope to replant parts of the 30m corridor to reduce the width of the gap in the long term. Planting proposals would be developed at detailed design. Therefore, loss of the central part of the corridor would be a permanent effect, however loss of the remaining wet woodland (should the gas main affect this habitat type, depending on the final alignment) would be temporary.</p>		

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			adverse magnitude of impact in accordance with DMRB LA 108 as per Table 9.8 of Chapter 9 (APP-076).			
3.7	Cadent Gas Main – Biodiversity Net Gain		MDC does not support net gain being applied across the whole of the A12 NSIP scheme and considers that net gain for the Cadent Gas pipeline diversion should be achieved for the gas pipeline on its own. The approach proposed by the Applicant is not compliant with the Maldon District Local Development Plan Policy N2 which seeks for replacement habitat to be delivered as close as possible to the development site in order to avoid incremental and accumulative impact on local ecology. The approach proposed by the Applicant makes no effort to determine if local habitat creation or improvements are otherwise possible.	<p>As a Nationally Significant Infrastructure Project (NSIP), the Secretary of State is required to assess the application for a Development Consent Order against the National Policy Statement for National Networks (NPSNN). There is currently no National legislation or policy in place which mandates biodiversity net gain for NSIPs.</p> <p>Whilst Maldon's Local Policy is a relevant consideration as part of the Secretary of State's (SoS) decision, ultimately the SoS must decide the application in accordance with the NPSNN.</p> <p>However, as per section 9.12 of Chapter 9 Biodiversity [APP-076] and Appendix 9.14 Biodiversity Net Gain Report [APP-138], the percentage gain in habitats for the scheme are 25%, 36% and 157% for habitats, hedgerows and rivers respectively. This would be compliant with Maldon</p>	In disagreement	05/04/2023

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Ref	Issue	Doc Reference	Maldon District Council Position	National Highways Position	Status	Date
				<p>District Council's policy on delivering net biodiversity gain where possible.</p> <p>The gas main is being consented as part of a single Development Consent Order for a single project, and it is the Applicant's view that calculation of biodiversity net gain for the gas main component of the project individually is not required, as BNG has been demonstrated for the development consent sought as a whole.</p>		

## Acronyms

Abbreviation	Term
DCO	Development Consent Order
DfT	Department for Transport
DMRB	Design Manual for Roads and Bridges
DoW	Duke of Wellington
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
MDC	Maldon District Council
NH	National Highways
NNNPS	National Policy Statement for National Networks
PA 2008	Planning Act 2008
PEIR	Preliminary Environmental Information Report
PPA	Planning Performance Agreement
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 scheme passes through

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