

A12 Chelmsford to A120 widening scheme

TR010060

9.59 National Highways and Essex County Council – Draft Requirements Matrix

Rule 8(1)(k)

Planning Act 2008
Infrastructure Planning (Examination Procedure)
Regulations 2010

Volume 9

May 2023

Infrastructure Planning

Planning Act 2008

The Infrastructure Planning
(Examination Procedure) Rules 2010

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

**National Highways and Essex County Council – Draft Requirements
Matrix**

Regulation Number	Rule 8(1)(k)
Planning Inspectorate Scheme Reference	TR010060
Application Document Reference	TR010060/EXAM/9.59
Author	A12 Project Team and National Highways

Version	Date	Status of Version
Rev 1	10 May 2023	Final for Deadline 5

CONTENTS

1	Introduction	1
1.1	Background.....	1
1.2	The Applicant’s comments on the Requirements Matrix	1
2	Requirements Matrix.....	2

1 Introduction

1.1 Background

1.1.1 The Applicant has undertaken extensive engagement with Essex County Council on various matters including local roads, de-trunking and walking, cycling and horse-riding provision and this is captured in the Statement of Common Ground with Essex County Council [REP2-018]. During Issue Specific Hearing 3, and as captured in sections 3.3, 3.10, 3.19 and 3.21 of the Applicant's Written Response to ISH 3 [Applicant Reference TR010060/EXAM/9.53] the Applicant committed to providing wording for additional draft requirements.

1.1.2 The table in Section 2 sets out draft requirement wording shared between the Applicant and Essex County Council on 3 May 2023. Both parties met on 4 May 2023 to discuss the parties' respective wording, and a further meeting is planned on 18 May 2023. The aim will be to merge the draft wording for each requirement where possible, while making clear where each party has a different view.

1.2 The Applicant's comments on the Requirements Matrix

1.2.1 Table 2.1 provides two types of requirements. The first type are ones that have been included within the Draft DCO submitted at Deadline 5, the status of which has been noted as *"the Applicant is content for its draft requirement to be included in the draft DCO at this stage"* within the table and covers the following:

- Operation phase local traffic monitoring (new requirement 17)
- Boreham operation phase traffic mitigation measures (new requirement 15)
- Messing operation phase traffic mitigation measures (new requirement 16)
- Walking, cycling and horse-riding bridges (new requirement 14)

The second type of requirement covers de-trunking and junction 21. The Applicant is submitting these drafts Without Prejudice to its position that it does not believe they should be included within the DCO. The Applicant has provided the Without Prejudice wording to assist the ExA and the Secretary of State should they be minded to include requirements for de-trunking and/or junction 21 in the made DCO.

2 Requirements Matrix

Table 2.1 Requirements Matrix

Topic	Requirement No.	Status of National Highways draft requirement	National Highways draft text	Essex County Council draft text
Monitoring	New 17	The Applicant is content for its draft requirement to be included in the draft DCO at this stage.	<p>Operation phase local traffic monitoring</p> <p>-(1) No part of the authorised development is to commence until a survey to assess baseline traffic levels has been undertaken at the following locations—</p> <ul style="list-style-type: none"> (a) B1137 Main Road, Boreham (b) The Street/Maldon Road (Duke of Wellington) junction, Hatfield Peverel; (c) Little Braxted Lane, Little Braxted; (d) Braxted Road/Braxted Park Road; (e) B1023 Kelvedon Road, Inworth; (f) Kelvedon Road, Messing; and (g) B1023 Church Road, Tiptree <p>(2) No part of the authorised development is to open to traffic until details of an operation phase local traffic monitoring scheme has been submitted to and approved by the Secretary of State, following consultation with the relevant highway authority, for the locations listed in sub-paragraph (1).</p> <p>(3) The operation phase local traffic monitoring scheme to be provided under sub-paragraph (2) must include—</p> <ul style="list-style-type: none"> (a) a survey to assess baseline traffic levels at the locations listed in sub-paragraph (1), or confirmation that such survey has already been undertaken; (b) proposals for an operation traffic survey at the locations listed in sub-paragraph (1) to assess the changes in traffic from the baseline carried out — <ul style="list-style-type: none"> (i) within the first year; and (ii) prior to the expiry of the third year following the date on which the authorised development is fully completed and open for traffic; (c) details of the methodology to be used to collect the required data; (d) details of the periods over which operation traffic is to be monitored; and (e) proposals for the submission of the survey data collected and an interpretative report to be provided to the relevant local highway authority. <p>(4) The scheme approved under sub-paragraph (2) must be implemented by the undertaker unless otherwise agreed in writing with the Secretary of State following consultation with the relevant highway authority.</p>	<p>Impact monitoring and mitigation</p> <p>X.—(1) No part of the authorised development is to commence until written details of an impact monitoring and mitigation scheme has been submitted to and approved in writing by the local highway authority.</p> <p>(2) The impact monitoring and mitigation scheme must include:</p> <ul style="list-style-type: none"> (i) a before and after survey to assess the changes in traffic; (ii) the locations to be monitored and the methodology to be used to collect the required data; (iii) the periods over which traffic is to be monitored; (iv) the method of assessment of traffic data; (v) control sites to monitor background growth; (vi) the implementation of monitoring no less than 3 months before the implementation of traffic management on the existing A12; (vii) agreement of baseline traffic levels; (viii) the submission of survey data and interpretative report to the highway authority; and (ix) a mechanism for the future agreement of mitigation measures. <p>(3) The scheme approved under sub-paragraph (1) must be implemented by the undertaker.</p> <p>NOTE: ECC is currently giving further thought to the monitoring plan, include monitoring locations and methods of data collection. We expect to be able to provide more specific suggestions for the impact monitoring and mitigation scheme for Deadline 6.</p>

<p>Local road interventions</p>	<p>10 (Modified)</p>	<p>The Applicant is content for requirement 10 to be modified to include the words “Subject to the provisions of this Order” in the draft DCO at this stage.</p>	<p>Detailed design</p> <p>10.—(1) Subject to the provisions of this Order, the detailed design for the authorised development must accord with:</p> <p>(a) the preliminary scheme design shown on the works plans and the engineering drawings and sections; and</p> <p>(b) the principles set out in the environmental masterplan, unless otherwise agreed in writing by the Secretary of State following consultation with the relevant planning authority and relevant highway authority on matters related to their functions, provided that the Secretary of State is satisfied that any amendments would not give rise to any materially new or materially different environmental effects in comparison with those reported in the environmental statement.</p> <p>(2) Where amended details are approved by the Secretary of State under paragraph (1), those details are deemed to be substituted for the corresponding plans sections and the undertaker must make those amended details available in electronic form for inspection by members of the public.</p>	
	<p>New 15</p>	<p>The Applicant is content for its draft requirement to be included in the draft DCO at this stage.</p>	<p>Boreham operation phase traffic mitigation measures</p> <p>—(1) No part of the authorised development is to open to traffic until a scheme of operation phase traffic mitigation for the B1137 in Boreham has been submitted to and approved by the Secretary of State, following consultation with the relevant highway authority, provided that the Secretary of State is satisfied that any amendments would not give rise to any materially new or materially different environmental effects in comparison with those reported in the environmental statement.</p> <p>(2) The operation phase traffic mitigation scheme for Boreham must include provision for the following operational phase traffic mitigation –</p> <p>(a) A new controlled pedestrian crossing on the B1137 in the vicinity of Boreham Co-op (grid reference 575330, 210021);</p> <p>(b) road safety posters in the vicinity of Orchard Cottages (grid reference 576394, 210658), Boreham Recreation Ground (grid reference 575848, 210309) and outside of the Little Hedgehogs Day nursery (grid reference 575444, 210081);</p> <p>(c) installation of average speed cameras on the B1137 (excluding ongoing operation, maintenance/calibration and enforcement) within Boreham as defined by the extent of 30mph speed limit shown between reference A.010 and A.011 on the traffic regulation measures speed limit plans; and</p> <p>(d) installation of average speed cameras (but not including provision for their ongoing operation, maintenance /calibration and enforcement) on the B1137 between Boreham and Hatfield Peverel defined by the extent of 40mph speed limit shown between reference A.011 and A.012 on the traffic regulation measures speed limit plans.</p> <p>(3) The scheme of operation phase traffic mitigation for the B1137 in Boreham must be provided in accordance with the approved details.</p>	<p>B1137 Main Road mitigation</p> <p>X.—(1) No part of the authorised development is to commence use until a scheme for managing traffic on the B1137 between junction 19 and junction 21 of the A12 has been submitted to and approved in writing by the local highway authority.</p> <p>(2) The B1137 traffic management scheme must be agreed by the local highway authority and unless otherwise agreed include the following measures:</p> <p>(i) an average speed camera system covering the stretch of the B1137 between the southern entry to Boreham Village and Hatfield Peverel;</p> <p>(ii) a new signalised pedestrian crossing and associated road narrowing opposite the Co-op food store;</p> <p>(iii) minor road narrowing (similar to the existing provision at the southern entry to Boreham village) at three new locations:</p> <p>a. the northern entry to Boreham village</p> <p>b. between the northern entry to Boreham village and Waltham Road</p> <p>c. In the vicinity of the pedestrian entrance to the recreation ground</p> <p>(iv) (iv) place-making / safety signs at an additional three locations within Boreham village to increase awareness of the speed limit changes</p> <p>(3) No part of the authorised development is to open for public use until the approved scheme has been implemented and delivered by the undertaker.</p>

	<p>New 16</p>	<p>The Applicant is content for its draft requirement to be included in the draft DCO at this stage.</p>	<p>Messing operation phase traffic mitigation measures</p> <p>—(1) No part of the authorised development is to open to traffic until a scheme of operation phase traffic mitigation for Messing has been submitted to and approved by the Secretary of State, following consultation with the relevant highway authority, provided that the Secretary of State is satisfied that any amendments would not give rise to any materially new or materially different environmental effects in comparison with those reported in the environmental statement.</p> <p>(2) The operation phase traffic mitigation scheme must include provision for the following operational phase traffic mitigation –</p> <p>(a) gateway features for signage in accordance with Traffic Signs Manual Chapter 3: Figure 8-21, and speed limit roundels in accordance with the 2016 Regulations and Directions diagram 1065 at Lodge Road (grid reference 589938, 219356), Kelvedon Road (grid reference 589511, 218861) and Harborough Hall Road (grid reference 590233, 218566) marking the extents of the existing 30mph speed limit; and</p> <p>(b) “Unsuitable for heavy goods vehicles” signage in accordance with the 2016 Regulations and Directions diagram 820 at the junction of the B1023 and Yewtree Farm Road (grid reference 587881, 218631), the junction of Harborough Hall Road and B1022 (grid reference 590573, 218228), the junction of the B1023 and Oak Road (grid reference 588820, 217131), and the junction of the B1022 and Oak Road (grid reference 589505, 217275).</p> <p>(3) The scheme of operation phase traffic mitigation for the B1137 for Messing must be provided in accordance with the approved details.</p>	<p>Junction 24 mitigation</p> <p>X.—(1) No part of the authorised development is to commence until a scheme for managing traffic on the approaches to junction 24 has been submitted to and approved in writing by the local highway authority.</p> <p>(2) The scheme must include an assessment of improvements to the B1023 or another suitable corridor for walking, cycling and horse riding users, to help off-set the impacts of increased traffic on this route.</p> <p>(3) The scheme in sub-paragraph (1) must include the following measures:</p> <ul style="list-style-type: none"> (i) an average speed camera system covering the B1023 between Inworth Road roundabout and the existing 30mph terminal on the northern approach to Tiptree, and a fixed speed camera covering the southbound carriageway north of the Inworth Road roundabout; (ii) widening of pinch points between Perrywood Garden Centre and the B1022 to a minimum carriageway width of 6.1m in line with the approach to other pinch point widening proposals; (iii) widening of Hinds Bridge to provide a minimum carriageway width of 7.3m, with provision for pedestrians and cyclists; (iv) measures to improve provision for walking, cycling and horse riding users, as identified in the assessment under sub-paragraph (2); (v) village entry treatments at the entrance to Messing village; (vi) ‘Unsuitable for HGVs’ signage on Kelvedon Road and Harborough Hall Road; (vii) narrowing of the entries to Oak Road (both the eastern and western ends), through tightening of entry radii and appropriate landscaping. (viii) priority narrowing measures on Oak Road; and (ix) improved signage at either end of Oak Road to guide through traffic to the B1022/B1023 junction. <p>(4) No part of the authorised development is to open for public use until the approved scheme has been implemented by the undertaker.</p>
<p>De-trunking</p>	<p>Not included in D5 dDCO</p>	<p>The Applicant continues to maintain that the need for a specific de-trunking requirement is not justified and does not agree to its inclusion in the draft DCO. This wording is therefore provided on a without prejudice basis to assist the ExA and the Secretary of State, should they be minded to include such wording in the made DCO.</p>	<p>De-trunking (article)</p> <p>Delete Article 15(6) as drafted and replaced with:</p> <p>(6) On a date or dates to be determined by the undertaker, the roads described in Part 14 (roads to be de-trunked) of Schedule 3 are to cease to be trunk roads as if they had ceased to be trunk roads by virtue of an order made under section 10(2) of the 1980 Act specifying that date or date as the date or dates on which they were to cease to be trunk roads.</p>	<p>De-trunking (article)</p> <p>Insert new article 15(7) between existing articles 15(6) and 15(7), as follows:</p> <p><i>“(7) The undertaker may only make a determination for the purposes of paragraph (6) with the consent of the Secretary of State, who must consult the local highway authority before deciding whether to give that consent.”</i></p> <p>De-trunking (requirement)</p>

			<p>(7) The undertaker must only make a determination for the purposes of paragraph (6) with the consent of the Secretary of State as to the date and as to whether the highway to be de-trunked is of a reasonably satisfactory standard for use as a local highway, following consultation with the relevant highway authority.</p> <p>(8) The application of paragraphs (1) to (7) may be varied or revoked by any instrument made under any enactment which provides for the variation or revocation of such matters.</p> <p>De-trunking (requirement)</p> <p>X.—(1) The consent of the Secretary of State pursuant to Article 15(7) must not be sought until written details of the proposals for the roads to be de-trunked as identified in Part 14 of Schedule 3¹ has been submitted and approved in writing by the Secretary of State following consultation with the relevant highway authority and relevant planning authority, such scheme to include:</p> <ul style="list-style-type: none"> (a) drawings and plans showing the proposals; (b) demonstrating how the proposals maintain a safe and reliable highway network; (c) the provision made for non-car transport modes; (d) demonstrating how existing accesses will retain access to the de-trunked road; (e) demonstrating how existing utilities will be safeguarded; (f) landscaping and planting details; (g) drainage details; and (h) a timetable for implementation of the proposals. <p>(2) No application for approval of the scheme under sub-paragraph (1) may be made in respect of proposals which would give rise to any materially new or materially different environmental effects in comparison with those reported in the environmental statement.</p> <p>(3) The scheme approved under sub-paragraph (1) must be implemented by the undertaker and in accordance with the approved timetable for implementation, unless otherwise agreed in writing with the Secretary of State following consultation with the relevant highway authority.</p>	<p>X.—(1) No part of the authorised development is to open for public use until a written scheme for the de-trunking of the A12 between Witham and Rivenhall End (east) and also between Feering and Marks Tey has been submitted to and approved in writing by the local highway authority.</p> <p>(2) The scheme approved under sub-paragraph (1) must include:</p> <ul style="list-style-type: none"> a. the conversion of one carriageway into an active travel corridor, not accessible to motorised traffic other than for access to local properties and maintenance; b. re-greening of part of this carriageway through breaking up of sections and covering them with earth/top soil, and provision of suitable planting to increase biodiversity; c. conversion of the other carriageway into a single carriageway road, with one lane in each direction; and d. measures to encourage compliance with the speed limit on the single carriageway road. <p>(3) The undertaker shall implement and deliver the approved de-trunking scheme at its own expense within 18 months of the first opening of the authorised development for public use.</p>
<p>Walking, cycling and horse-riding</p>	<p>New 14</p>	<p>The Applicant is content for its draft requirement to be included in the draft DCO at this stage.</p>	<p>Walking, Cycling and Horse-riding bridges</p> <p>—(1) Requirement 10 (detailed design) is to be read subject to the provisions of this requirement.</p> <p>(2) The detailed design for the works listed in this paragraph ("the relevant WCH bridge Works") must accord with the following design specifications (the "WCH bridge specifications") —</p> <ul style="list-style-type: none"> (a) Work No. 5 (Paynes Lane Bridge) must be designed with minimum internal radii of 4 metres for any change in direction on its northern and southern ramps and no more than one switchback on its southern ramp; 	<p>Walking, cycling and horse-riding provision</p> <p>X.—(1) No part of the authorised development is to commence until a scheme setting out written details of the provision for walkers, cyclists and horse-riders has been submitted to and approved in writing by the highway authority.</p> <p>(2) The written details under sub-paragraph (1) must include:</p> <ul style="list-style-type: none"> (i) the provision for WCH users at new and existing overbridges of the A12;

			<p>(b) Work No. 30 (Little Braxted Bridge) must be designed with a straightened northern ramp including provision for intermediate platforms and its southern ramp must be designed with a minimum external radius of 5 metres;</p> <p>(c) Work No. 53 (Snivellers Lane Bridge) must be designed with a minimum external radius of 5 metres for any change in direction on both its northern and southern approaches;</p> <p>(d) Work No. 100 (Potts Green Bridge) must be designed with a minimum external radius of 5 metres for any change in direction on both its northern and southern approaches; and</p> <p>(e) Work No. 112 (Marks Tey footbridge) must be designed with a 4 metre minimum internal radius for any change in direction on each ramp and on the single switchback.</p> <p>(3) The relevant WCH bridge works must accord with the WCH bridge specifications when constructed.</p>	<p>(ii) the provision for WCH users at new and existing at-grade highway crossings that are affected by the scheme; and</p> <p>(iii) unless otherwise agreed in writing by the local highway authority, accord with the principles set out in the walking and cycling matrix (NOTE: ECC suggests that a simplified version of the walking and cycling matrix is created which sets out the key elements which are agreed, and that this document be certified by the DCO and referenced within this requirement).</p> <p>(3) No part pf the authorised development is to open for public use until the approved scheme has been implemented by the undertaker.</p>
<p>Junction 21</p>	<p>Not included in D5 dDCO</p>	<p>The Applicant continues to maintain that there is no need for such a requirement. This wording is therefore provided on a without prejudice basis to assist the ExA and the Secretary of State, should they be minded to include such wording in the made DCO.</p>	<p>(1) Requirement 10 (detailed design) is to be read subject to the provisions of this requirement.</p> <p>(2) The detailed design for junction 21 must contain the revised design detail specified in sub-paragraph (3) of this requirement and submitted to the Secretary of State following consultation with the local highway authority.</p> <p>(3) Subject to sub-paragraph (5) the detailed design for junction 21 must include a two-lane exit from both the junction 21 northern roundabout to the A12 northbound slip road and from the junction 21 southern roundabout to the A12 southern slip road.</p> <p>(4) Junction 21 must be constructed in accordance with the approved details.</p> <p>(5) No application for approval of the scheme under sub-paragraph (2) may be made in respect of proposals which would give rise to any materially new or materially different environmental effects in comparison with those reported in the environmental statement.</p>	<p>Junction 21 design</p> <p>X.—(1) No part of the authorised development is to commence until an updated version of General Arrangement drawing HE551497-JAC-LDC-SCHW-DR-C-0026 showing the revised design of junction 21 has been submitted and approved in writing by the local highway authority.</p> <p>(2) The updated drawing and revised design must include a two-lane exit from both the junction 21 northern roundabout to the A12 northbound slip road and from the junction 21 southern roundabout to the A12 southern slip road.</p> <p>(3) The new junction must be constructed in accordance with the revised drawing referred to in sub-paragraph (1) from the point the authorised development is open for public use.</p>