

A12 Chelmsford to A120 widening scheme

TR010060

8.3 Statement of Common Ground with Historic England

Reg 8 (1)(e)

Planning Act 2008
Infrastructure Planning (Examination Procedure)
Regulations 2010

Volume 8

June 2023

Infrastructure Planning

Planning Act 2008

The Infrastructure Planning
(Examination Procedure) Rules 2010

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

Statement of Common Ground with Historic England

Regulation Reference	Reg 8 (1)(e)
Planning Inspectorate Scheme Reference	TR010060
Application Document Reference	TR010060/EXAM/8.3
Author	A12 Project Team and National Highways

Version	Date	Status of Version
P01.1	February 2023	Draft
P02.1	April 2023	Draft for Deadline 4
P03.1	June 2023	Draft for Deadline 6

STATEMENT OF COMMON GROUND

This Statement of Common Ground has been prepared and agreed by (1) National Highways Company Limited and (2) Historic England.

Signed..... 

Phil Davie
Project Director
on behalf of National Highways
Date: 09/06/2023

Signed.....

[NAME]
[POSITION]
on behalf of Historic England
Date: [DATE]

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

Location	Update made
Record of Engagement	MS Teams meetings were held on 16 March and 26 May to discuss the SoCG.
Agreed issues	Twelve topics (2.1, 2.2, 2.3, 2.4, 2.5, 2.7, 2.8, 2.10, 2.13, 2.14, 2.15, and 2.16) have been agreed.
Issues under discussion	No new topics have been added into the discussion. Six topics (2.2, 2.6, 2.9, 2.10, 2.11, and 2.17) have been updated.

DRAFT

CONTENTS

1	Introduction	1
1.1	Purpose of this document	1
1.2	Parties to this Statement of Common Ground	1
1.3	Terminology	2
2	Record of Engagement	2
3	Issues	6
3.1	Issues agreed	6
3.2	Issues in discussion	22
	Acronyms	30

LIST OF TABLES

Table 2.1	Record of Engagement	2
Table 3.1	Issues agreed	6
Table 3.2	Issues in discussion	22

List of Figures

- Figure 7.1 Archaeological Remains (Sheet 1 to Sheet 21)
- Figure 7.2 Built Heritage and Historic Landscape (Sheet 1 to Sheet 19)

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 to A120 widening scheme (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 on 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 (formerly known as Highways England) as the Applicant and (2) Historic England.
- 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 Historic England is the non-departmental public body that helps people care for, enjoy and celebrate England's historic environment. It does this by championing historic places, identifying and protecting England's heritage, supporting change, understanding historic places and providing expertise at a local level. Historic England's remit includes assessment, processing grants, giving advice to developers and local authorities, as well as designation, heritage data, government policy and communications. Historic England is a prescribed

consultee for the Application under Sections 42(1)(a) and 56(2)(a) of the PA 2008.

1.2.4 Collectively National Highways and Historic England are referred to as ‘the parties’.

1.3 Terminology

1.3.1 In Section 3: Issues, of this SoCG, the following terminology is used:

- ‘Not Agreed’ indicates a final position
- ‘Under discussion’ indicates 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 Section 3: Issues, of this SoCG are not of material interest or relevance to Historic England, 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 Historic England.

2 Record of Engagement

2.1.1 The parties have been engaged in consultation since the pre-application period for the Application. A summary of the meetings and correspondence that has taken place between National Highways and Historic England 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
23 January 2017	Letter from National Highways	Notification of non-statutory consultation.
27 March 2017	Letter from Historic England (response to non-statutory consultation)	Historic England expressed their concerns regarding the A12 Chelmsford to A120 widening scheme Option 2 and Option 3, and to a lesser degree Option 4 with respect to appropriate preservation of the historic environment. While Option 1 is likely to have some significant impacts to the historic environment, the concentration of detrimental impact along the route of the existing road should be given great weight rather than the further urbanisation of the rural setting of this part of Essex through an additional east-west route.
29 June 2017	Meeting – face to face	Option 2 was generally favoured by stakeholders and was taken forward as the

Date	Form of correspondence	Key Topic discussed and key outcomes
		preferred option. Historic England expressed that their consultation response still held – the A12 corridor, particularly the area around Rivenhall End, is of archaeological importance/sensitivity. Historic England had concerns about the effects of the offline options on nationally significant archaeology. The Applicant informed Historic England that a Desk Based Assessment (DBA) was being prepared and would cover a wide study area encompassing all four options. Historic England would expect geophysical surveys and trial trenching to be undertaken to inform the Environmental Statement.
24 May 2018	Outgoing email from National Highways	A12 programme delay accommodating the emerging local housing proposals for the North Essex Garden Community at Marks Tey.
21 August 2019	Meeting – face to face	Agreement that the revised alignment for Option 2 at Rivenhall End, moving away from the Rivenhall Long Mortuary Enclosure scheduled monument would be acceptable, subject to further investigations and assessments for unknown archaeology.
21 October 2019	Letter from National Highways	Notification of junctions 23 to 25 non-statutory consultation.
2 September 2020	Report under a Transmittal Note from National Highways	Phase 1 geophysical survey report issued.
14 October 2020	Meeting – MS Teams	Preliminary review of geophysical survey results. Approach to trenching and palaeolithic evaluation and programme for evaluation fieldwork discussed. Sought to agree approach for archaeological evaluation Written Scheme of Investigation (WSI).
3 November 2020	Outgoing email from National Highways	Issued archaeological trenching scope technical note for review and comment.
18 November 2020	Incoming email from Historic England	Comments and observations on archaeological trenching scope technical note.
25 November 2020	Meeting – MS Teams	Discussion on archaeological trenching scope technical note feedback. Trenching sample size of 4%, plus 1% contingency if required, agreed.
29 January 2021	Meeting – MS Teams	Discussion of comments on the archaeological evaluation WSI and agreement of various elements including: approach to curatorial sign-

Date	Form of correspondence	Key Topic discussed and key outcomes
		off of completed investigations; potential for encountering human remains; criteria used to select locations for Palaeolithic test pits; collection of samples for scientific dating; field recording methodology; and means for dissemination of interim results.
3 February 2021	Meeting – MS Teams	Built heritage assessment, and discussion and agreement on how the Scoping Opinion comments will be addressed through the EIA process.
4 February 2021	Outgoing email from National Highways	Request for comments on proposed study area for the landscape and visual impact assessment, location of proposed representative viewpoints and photomontage methodology.
22 June 2021	Letter from National Highways	Notification of statutory consultation.
12 August 2021	Letter from Historic England	Historic England’s response to statutory consultation including comments on the Preliminary Environmental Information Report (PEIR).
14 September 2021	Outgoing email from National Highways	Request for comments on the final representative viewpoints.
1 October 2021	Incoming email from Historic England	Confirmation that Historic England is satisfied with the final representative viewpoints.
5 November 2021	Letter from National Highways	Notification of supplementary consultation.
24 November 2021	Meeting – MS Teams	Update on heritage assessment including Inworth road works and utility diversion within Kelvedon Conservation Area. New scheduled monument (the medieval moat at Marks Tey Hall) has been designated and a further photomontage at representative viewpoint 24 requested by Historic England.
17 December 2021	Letter from Historic England	Historic England’s response to the supplementary consultation. They noted the potential impact on the historic environment from the Cadent gas main diversion options, as well as impacts on the setting of listed buildings from the Inworth Road improvements.
2 February 2022	Incoming email from Historic England	Confirmation that Historic England is satisfied with the choice of viewpoint location for an

Date	Form of correspondence	Key Topic discussed and key outcomes
		additional photomontage including Marks Tey Hall.
13 April 2022	Meeting – MS Teams	Review of proposed scope of mitigation for impacts on archaeological remains.
16 May 2022	Meeting – MS Teams	Discussion and agreement of built heritage assessment methodology, and discussion of key impacts.
12 January 2023	Meeting – MS Teams	Meeting to agree scope of advanced works mitigation and discuss the forthcoming advanced works WSI.
16 March 2023	Meeting – MS Teams	Meeting to discuss the Statement of Common Ground and establish which matters were agreed and which remained under discussion.
26 May 2023	Meeting – MS Teams	Meeting to discuss the Statement of Common Ground and establish which matters were now agreed and which remained under discussion.

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) Historic England in relation to the issues addressed in this SoCG.

3 Issues

3.1 Issues agreed

Table 3.1 Issues agreed

Ref.	Issue	Document Reference	Historic England Position	National Highways Position	Status	Date
1.1	Operational effects on the historic landscape	APP-6.1	Historic England advised that operational effects should be scoped in to the Environmental Statement due to the proposed scheme potentially having a harmful impact on the value of historic landscapes, in terms of the impact of the views, lighting and noise on setting, and the way in which the historic landscape is experienced.	The Applicant has taken a precautionary approach by scoping operational phase impacts on the historic landscape into the assessment (see Section 7.11 of Chapter 7: Cultural Heritage, of the Environmental Statement [APP-6.1]).	Agreed	
1.2	Baseline designated cultural heritage assets	APP-6.1	Advise that the scheduled monument known as 'Roman villa, Anglo-Saxon hall, cemetery and church site, around and to the north and east of St Mary and All Saints Church' (LEN 1013831) is included in the assessment as it lies immediately outside the 1km study area. This is consistent with our advice to the Environmental Scoping Report (Highways England, 2020a).	This cultural heritage asset has been included in the baseline for assessment in the Environmental Statement as Asset 976.	Agreed	

Ref.	Issue	Document Reference	Historic England Position	National Highways Position	Status	Date
1.3	Baseline listed buildings	APP-6.1	We note that only grade I and II* listed buildings are included in the baseline section of the PEIR (Highways England, 2021) because of the high number of listed buildings in the study area. The large number of grade II designated heritage assets should not preclude them from assessment, unless they are grouped together within conservation areas. We would strongly recommend that these designated assets are also assessed in the Environmental Statement.	Grade II listed buildings have been included individually in the assessment for the Environmental Statement. An assessment of the impact of the proposed scheme on all assets, including grade II listed buildings, has been provided in Tables A.2 and A.5 of Appendix 7.9 of the Environmental Statement [APP-6.3].	Agreed	
1.4	Assessment of visual impacts on designated cultural heritage assets from proposed offline sections of highway	APP-6.1	The proposed offline section of raised road, between Kelvedon and Marks Tey, is positioned in the gap between the current, and historical, alignment of the A12 and these settlements. We would advise the need for detailed visual assessment, as well as noise and light assessments, for all these settlements, in order to assess the impact of the proposed offline section, both during construction and operation.	These types of impacts (visual, noise and lighting) on settlements in general have been assessed as part of the LVIA presented in Chapter 8: Landscape and visual, and Chapter 12: Noise and Vibration, of the Environmental Statement [APP-6.1],	Agreed	

Ref.	Issue	Document Reference	Historic England Position	National Highways Position	Status	Date
				and the results taken into consideration in Section 7.11 of Chapter 7: Cultural Heritage of the Environmental Statement [APP-6.1].		
1.5	Choice of study area, Zone of Theoretical Visibility (ZTV), and photomontages	APP-6.1	<p>The ZTV, and proposed viewpoints, should be produced in relation to the cultural heritage, and in relation to designated heritage assets – and this should be used to inform the assessment, and to inform the heritage viewpoints for further analysis. It is unclear how viewpoints have been informed by the assessment of cultural heritage, and this needs to be clarified in the Environmental Statement. These have not been discussed with Historic England.</p> <p>No photomontage has been proposed for Marks Tey Hall, which includes one Grade II* and two Grade II listed buildings (one viewpoint, 24, is proposed but no other visualisations). No photomontages are proposed for Braxted Park, which is a Grade II* park and garden (one viewpoint, 12, is proposed). Viewpoints should be agreed with Historic England and the local authority historic environment advisers to assess the impact of the proposed development on the setting of these assets.</p> <p>A 1km study area has been used for designated assets. While a 300m study area has been used for all other heritage assets (non-designated). A selection of assets will be assessed for potential</p>	Viewpoints for the landscape and visual assessment have been chosen in accordance with the Design Manual for Roads and Bridges (DMRB) LA 107 Landscape and Visual Effects (Highways England, 2020) and Guidelines for Landscape and Visual Impact Assessment, Third Edition (Landscape Institute and Institute of Environmental Management and Assessment, 2013). The results of visual effects on receptors from representative viewpoints, which includes these	Agreed	

Statement of Common Ground with Historic England

Ref.	Issue	Document Reference	Historic England Position	National Highways Position	Status	Date
			<p>significant effects beyond the 1km study area in the Environmental Statement, using informed judgement and forthcoming data from the ZTV study. The study areas indicated are appropriate, although the methodology for the ZTV and how heritage assets will be assessed would need to be clearly set out.</p>	<p>heritage assets, is presented in Appendix 8.3 [APP-6.3], which supports Chapter 8: Landscape and visual, of the Environmental Statement [APP-6.1].</p> <p>There has been discussion and agreement between Historic England and the proposed scheme landscape team regarding the viewpoint locations and requested photomontages.</p> <p>The methodology for the selection of assets over 1km from the proposed scheme for assessment is described in Section 7.7 of Chapter 7: Cultural Heritage of the Environmental Statement [APP-6.1].</p>		

Statement of Common Ground with Historic England

Ref.	Issue	Document Reference	Historic England Position	National Highways Position	Status	Date
1.6	Choice of photomontage viewpoint location near recently scheduled Marks Tey Moated Site		Historic England agrees with the proposed location for viewpoint 24.	Agreed	Agreed	2/2/2022
1.7	Evaluation results	APP-6.1	The results of the archaeology evaluation, specialist palaeolithic survey and deposit model, and the proposals for mitigation, should be discussed and agreed in advance of the submission of the Environmental Statement. We note that copies of the full survey reports will be included in the appendices to allow the information to be critically assessed.	The results of the archaeological evaluation were discussed and agreed with Historic England and the local authority heritage advisors on 13 April 2022. The evaluation reports are presented as Appendices 7.4 to 7.8 of the Environmental Statement [APP-6.3] which were submitted to the Planning Inspectorate in August 2022.	Agreed	
2.1	Study area for assessment of	APP-6.1	Historic England stated that the study area for designated heritage assets should extend to	A study area extending 1km from	Agreed	16/3/2023

Statement of Common Ground with Historic England

Ref.	Issue	Document Reference	Historic England Position	National Highways Position	Status	Date
	designated cultural heritage assets		2km based on the preliminary ZTV. If significant effects on the heritage assets beyond 1km are scoped out, this needs to be evidence-based. The assessment study area should be based on the sensitivity of the receiving environment and the potential impacts of the proposed scheme.	the Order Limits has been used to identify designated cultural heritage assets where impacts from the proposed scheme could occur to their setting. Assets have been selected for assessment of potential significant effects on their setting beyond 1km (see Section 7.7 of this chapter) informed by professional judgement guided by the ZTV. Please refer to the ZTV in Figure 8.3 [APP-6.2], which supports the LVIA reported in Chapter 8: Landscape and visual, of the Environmental Statement [APP-6.1].		
2.2	Impacts on designated	APP-6.1	There are concerns about the impacts of the route between junction 24 (Kelvedon North interchange) and junction 25 (Marks Tey interchange). The proposed bypass would	A detailed assessment of visual effects on receptors from representative	Agreed	26/3/2023

Statement of Common Ground with Historic England

Ref.	Issue	Document Reference	Historic England Position	National Highways Position	Status	Date
	cultural heritage assets		<p>impact the grade II listed buildings at Easthorpe Green Farm (Easthorpe Green Farmhouse and Church View/Flispes). There would also be impacts on the grade II* listed barn at Marks Tey Hall. Associations with historic Easthorpe Green and Potts Green, which form their settings, require detailed assessment in the Environmental Statement.</p> <p>The Environmental Statement should clearly cross-reference to the baseline landscape chapter data. The landscape and visual assessment should include heritage specific viewpoints (photographs, photomontages and wirelines) to illustrate and support the results of the heritage assessment.</p> <p>Setting impacts on heritage assets should not be restricted to visual impacts and should include other factors during construction and operation.</p> <p>The assessment of impacts and mitigation provided for the assets described above is accepted. Consultation on the impacts and proposed mitigation for the scheduled Neolithic long mortuary enclosure at Appleford Farm, Rivenhall End (Asset 399) and medieval moat at Marks Tey Hall (Asset 818), and grade II* listed barn at Marks Tey Hall (Asset 816) is ongoing.</p>	<p>viewpoints, which includes these heritage assets, is presented in Appendix 8.3: Visual Effects Schedule, of the Environmental Statement [APP-6.3], which supports Chapter 8: Landscape and visual [APP-6.1], and was undertaken in accordance with DMRB LA 107 (Highways England, 2020). Historic England has also been consulted on these representative viewpoints. Appropriate mitigation measures in accordance with DMRB LA 106 (Highways England, 2020) have been developed and included in Section 7.10 of Chapter 7: Cultural Heritage [APP-6.1] and Appendix 7.9: Cultural Heritage</p>		

Ref.	Issue	Document Reference	Historic England Position	National Highways Position	Status	Date
				<p>Impact Summary Tables of the Environmental Statement [APP-6.3].</p> <p>Impacts from other aspects such as noise and groundwater have also been taken into account in Section 7.11 of Chapter 7: Cultural Heritage of the Environmental Statement [APP-6.1].</p> <p>Historic England's concerns regarding impacts on the settings of the scheduled Neolithic long mortuary enclosure at Appleford Farm, Rivenhall End (Asset 399) and medieval moat at Marks Tey Hall (Asset 818), and grade II* listed barn at Marks Tey Hall (Asset 816) are addressed below at Ref. 2.6.</p>		

Ref.	Issue	Document Reference	Historic England Position	National Highways Position	Status	Date
				<p>The Applicant has responded to Historic England's concerns in the Deadline 3 Submission - Applicant's Comments on Written Representations [REP3-009, sub-questions REP2-060-001 to REP2-060-014].</p> <p>A methodology to identify buildings at risk of differential settlement resulting from changes to the groundwater regime, including listed buildings, is included in in the REAC [REP4-023] (Commitment RDWE 44). Where appropriate, this process would generate recommended protection measures and Historic England, or the local authority as</p>		

Statement of Common Ground with Historic England

Ref.	Issue	Document Reference	Historic England Position	National Highways Position	Status	Date
				appropriate to the grade of listing, would be consulted on their suitability.		
2.3	Value of Grade II registered parks and gardens and conservation areas	APP-6.1	We note that conservation areas and Grade II parks and gardens are identified in the PEIR as receptors of medium value (sensitivity), at the same level (i.e. medium value) as some non-designated heritage assets. In our opinion, all designated heritage assets should be categorised as being of high value or significance.	'Registered parks and gardens' is a non-statutory designation, and their value has been assessed on a case-by-case basis using professional judgement, and the criteria contained in DMRB LA 106 (Highways England, 2020). Conservation areas were also assessed on a case by case basis using professional judgement guided by the criteria in DMRB LA 106.	Agreed	16/3/2023
2.4	Impact assessment methodology and scoring	APP-6.1	We have previously advised the need for care with the use of fixed criteria and matrices. In terms of the assessment of setting, we consider the analysis of setting (and the impact upon it) as a matter of qualitative and expert judgement which cannot be achieved solely by use of	All impacts have been assessed using professional judgement, guidance contained within DMRB LA 104	Agreed	16/3/2023

Ref.	Issue	Document Reference	Historic England Position	National Highways Position	Status	Date
			systematic matrices or scoring systems, as proposed in the PEIR.	(Highways England, 2020) and DMRB LA 106 (Highways England, 2020), and other best practice guidance. All guidance used in the course of the assessment is listed in Section 7.5 of Chapter 7: Cultural Heritage of the Environmental Statement [APP-6.1].		
2.5	Environmental Management Plan consultation	APP-6.1	Historic England advises that the Environmental Management Plan (EMP) is agreed with stakeholders in advance of submission of the Environmental Statement.	In line with our detailed programme of engagement, the first iteration of the EMP [APP-6.5] was shared with stakeholders prior to its submission for the development consent order (DCO) application and will be available for review during examination.	Agreed	16/3/2023
2.7	Group value of historic greens, built heritage,	APP-6.1	We would advise that Asset 902 (Easthorpe Green, Copford) should be assessed together with nearby listed buildings (as well as each asset individually), as they derive significance	The historic greens have been assessed under the built heritage and historic	Agreed	16/3/2023

Ref.	Issue	Document Reference	Historic England Position	National Highways Position	Status	Date
	and the historic landscape		<p>from their group value, and also their spatial relationship to the historic line of the A12.</p> <p>Likewise, Potts Green, Marks Tey and nearby listed buildings.</p>	<p>landscape matters in Section 7.11 of Chapter 7 of the Environmental Statement [APP-074], and their inter-relationships (including those with other assets) taken into consideration where appropriate.</p>		
2.8	Cumulative impacts	APP-6.1	<p>We would advise that the cumulative impacts of the proposed A120 Braintree to A12 project should be assessed in the Environmental Statement. Two options were proposed in 2018 for the junction with the A12. The project is currently being reviewed and updated, with a preferred route selection in March 2022. We would strongly advise that the cumulative impact of this scheme, and the new junction, is assessed for both proposed locations because a preferred route has not yet been announced.</p>	<p>The A120 Braintree to A12 project is scoped out of the cumulative effects assessment reported in Chapter 16 of the Environmental Statement [APP-6.1]. It is included in the Road Investment Strategy 3 pipeline and will therefore be implemented after the proposed scheme. It would be for the A120 project environmental impact assessment to consider the cumulative effects in due course.</p>	Agreed	16/3/2023

Statement of Common Ground with Historic England

Ref.	Issue	Document Reference	Historic England Position	National Highways Position	Status	Date
2.10	Assessment of value of non-designated archaeological remains	APP-6.1	<p>We note that non-designated archaeological remains such as field boundaries, undated cropmark features, are categorised as negligible in the PEIR. For example, it is suggested that archaeological remains including possible ring ditches, enclosures or trackways identified through aerial photographs and geophysical survey are of low value. The significance of such remains needs to be properly assessed; it is possible that their value could be of medium, if not high, value, depending on, for example, date, preservation and association of the archaeological remains.</p>	<p>The value of archaeological sites can vary depending on a wide variety of factors, and the assessments presented in the PEIR were based on the information available at the time. The results of the archaeological trial trenching have allowed the value of those assets affected by the proposed scheme to be assessed in more detail, and this has been taken into account in Section 7.8 of Chapter 7: Cultural Heritage of the Environmental Statement [APP-6.1].</p> <p>An area of strip map and sample excavation to confirm the significance of non-designated archaeological remains adjacent to</p>	Agreed	26/5/2023

Statement of Common Ground with Historic England

Ref.	Issue	Document Reference	Historic England Position	National Highways Position	Status	Date
				the A12 west of the scheduled monument of the Neolithic long mortuary enclosure at Appleford Farm, Rivenhall End (Asset 399) will be conducted as part of the archaeological mitigation for the proposed scheme. This will be secured through Commitment CH2 of the REAC [APP-185] and conducted in line with a Written Scheme of Investigation informed by the Archaeological Mitigation Strategy [APP-118], agreed with the relevant heritage consultees.		
2.13	Evaluation of Church Field, Hatfield Peverell	APP-6.1	Church Field at Hatfield Peverel (Asset 133) is recorded to be the location of a church demolished during the Dissolution. The value of this asset has been assessed to be low. It is possible that the value of this site could be significantly higher, and this needs to be established by archaeological evaluation,	Assessments of impact presented in Chapter 7 of the Environmental Statement [APP-074] reflect the results of the geophysical	Agreed	16/3/2023

Statement of Common Ground with Historic England

Ref.	Issue	Document Reference	Historic England Position	National Highways Position	Status	Date
			especially as a temporary site compound / laydown area is proposed in this area.	<p>survey and trial trenching and other specialist surveys completed to date which produced no evidence to support this site as the location of the former church.</p> <p>The evaluation report has been included as Appendix 7.7 of the Environmental Statement [APP-6.3].</p>		
2.14	Effects of groundwater change on designated cultural heritage assets	APP-6.1	<p>The geology and soils and road drainage and the water environment assessments will aid the assessments of the potential impact of the proposed scheme on the historic environment. For example, the potential for groundwater contamination has been discussed, which may impact the preservation conditions of deposits of archaeological interest. The proposed development may also alter the groundwater levels, temporarily or permanently, as well as potentially affecting the flow of groundwater. Assessments should also include the impacts of contaminants. The mitigation strategy proposed to manage these issues should also consider how the measures may impact on the historic environment. We would recommend that the Historic England documents 'Preserving</p>	<p>Potential for impacts from changes to the groundwater regime and watercourses have been assessed in Section 7.11 of this chapter, based on data presented in Appendix 14.4: Groundwater Assessment, of the Environmental Statement [TR010060/APP/6.3].</p> <p>Preserving Archaeological Remains (Historic England, 2016a) and</p>	Agreed	16/3/2023

Statement of Common Ground with Historic England

Ref.	Issue	Document Reference	Historic England Position	National Highways Position	Status	Date
			Archaeological Remains' (2016a) and 'Piling and Archaeology' (2019a) are referred to.	Piling and Archaeology (Historic England, 2019a) are among a number of guidance documents used to inform the assessment of impacts and design of mitigation measures.		
2.15	Intention to submit a written representation with detailed comments on the Environmental Statement	APP-6.1	The applicant has provided a full Environmental Statement, which includes a chapter on cultural heritage (Chapter 7, supported by appendices 7.1-7.10). Our written representation will comment more fully on the Environmental Statement. For the purposes of this representation, our key considerations are summarised below.	The Applicant welcomes Historic England's representation and will continue to engage and keep Historic England informed during the DCO process.	Agreed	16/3/2023
2.16	Methodology for collection of baseline data, assessment of value of heritage assets, and assessment of impact from the proposed scheme	APP-6.1	We are aware the proposed development lies in a highly sensitive area for the historic environment, within the setting of a range of highly-graded designated heritage assets. It was agreed during the pre-application process that a detailed assessment of the historic environment would be required for the application, and a number of specific measures were recommended and undertaken. This included a desk-based assessment, an assessment of the impact of the proposal on the settings of designated heritage assets, as well as	The Applicant welcomes Historic England's comments and will respond to further comments in its written representation in due course.	Agreed	16/3/2023

Ref.	Issue	Document Reference	Historic England Position	National Highways Position	Status	Date
			geophysical survey, trial-trenched evaluation and Palaeolithic and palaeoenvironmental assessment. The information is generally of a high standard and we are broadly satisfied with the baseline data and overall assessment methodology used in the Cultural Heritage chapter of the submitted Environmental Statement. Further detailed comments will be provided in our written representation.			

3.2 Issues in discussion

Table 3.2 Issues in discussion

Ref	Issue	Document Reference	Historic England Position	National Highways Position	Status	Date
2.2	Impacts on designated cultural heritage assets	APP-6.1	There are concerns about the impacts of the route between junction 24 (Kelvedon North interchange) and junction 25 (Marks Tey interchange). The proposed bypass would impact the grade II listed buildings at Easthorpe Green Farm (Easthorpe Green Farmhouse and Church View/Flispes). There would also be impacts on the grade II* listed barn at Marks Tey Hall. Associations with historic Easthorpe Green	A detailed assessment of visual effects on receptors from representative viewpoints, which includes these heritage assets, is presented in Appendix 8.3: Visual Effects Schedule, of the Environmental Statement [APP-6.3], which supports Chapter 8: Landscape and visual [APP-6.1], and was undertaken in accordance with DMRB LA 107 (Highways England, 2020). Historic England has also been consulted on these	Under Discussion	26/5/2023

Statement of Common Ground with Historic England

Ref	Issue	Document Reference	Historic England Position	National Highways Position	Status	Date
			<p>and Potts Green, which form their settings, require detailed assessment in the Environmental Statement.</p> <p>The Environmental Statement should clearly cross-reference to the baseline landscape chapter data. The landscape and visual assessment should include heritage specific viewpoints (photographs, photomontages and wirelines) to illustrate and support the results of the heritage assessment.</p> <p>Setting impacts on heritage assets should not be restricted to visual impacts and should include other factors during construction and operation.</p> <p>The assessment of impacts and mitigation provided for the assets described above is accepted. Consultation on the impacts and proposed mitigation for the scheduled Neolithic long mortuary enclosure at Appleford Farm, Rivenhall End (Asset 399) and medieval moat at Marks Tey Hall (Asset 818), and grade II* listed barn at Marks Tey Hall (Asset 816) is ongoing.</p>	<p>representative viewpoints. Appropriate mitigation measures in accordance with DMRB LA 106 (Highways England, 2020) have been developed and included in Section 7.10 of Chapter 7: Cultural Heritage [APP-6.1] and Appendix 7.9: Cultural Heritage Impact Summary Tables of the Environmental Statement [APP-6.3].</p> <p>Impacts from other aspects such as noise and groundwater have also been taken into account in Section 7.11 of Chapter 7: Cultural Heritage of the Environmental Statement [APP-6.1].</p> <p>The Applicant recognises that Historic England has concerns regarding impacts on the settings of the scheduled Neolithic long mortuary enclosure at Appleford Farm, Rivenhall End (Asset 399) and medieval moat at Marks Tey Hall (Asset 818), and grade II* listed barn at Marks Tey Hall (Asset 816). The Applicant has responded to Historic England's concerns in the Deadline 3 Submission - Applicant's Comments on Written</p>		

Ref	Issue	Document Reference	Historic England Position	National Highways Position	Status	Date
				<p>Representations [REP3-009, sub-questions REP2-060-001 to REP2-060-014].</p> <p>For the reasons explained in their Deadline 3 submission - Applicant's Comments on Written Representations [REP3-009, sub-questions REP2-060-001 to REP2-060-014], the Applicant considers their assessment of the effect of the proposed scheme on the settings of the scheduled monument of the Neolithic long mortuary enclosure north of Appleford Farm and the medieval moat at Marks Tey Hall to be accurate, and that the proposed mitigation would result in an effect of slight significance on both assets.</p> <p>Following further discussion, both parties agree that additional mitigation within the order limits would not further reduce the effects of the proposed scheme on the setting of the affected assets, and the Applicant cannot offer mitigation outside of the Order Limits.</p>		
2.6	Impacts on scheduled monuments	APP-6.1	The PEIR states that no impacts have been predicted for the six scheduled monuments	The existing A12 highway and associated infrastructure, as well as the effects of traffic	Under Discussion	16/3/2023

Statement of Common Ground with Historic England

Ref	Issue	Document Reference	Historic England Position	National Highways Position	Status	Date
			<p>identified in the archaeological remains baseline, all of which are located outside the Order Limits. Two scheduled monuments are located, however, within 300m of the Order Limits (Assets 399 and 646; LEN nos. 1008980 and 1013515).</p>	<p>movement and noise, are already prominent elements in the setting of these assets. Although there may be temporary impacts on their setting during construction, and medium to long-term operation of the proposed scheme, it is not considered that they would be significant in heritage terms (see Section 7.11 of Chapter 7: Cultural Heritage of the Environmental Statement [APP-6.1]).</p> <p>The Applicant understands that Historic England is content that no impact on Asset 646, a scheduled monument comprising an Anglo Saxon cemetery 150m east of Easterford Mill, or its setting has been predicted.</p> <p>The Applicant recognises that Historic England has concerns regarding impacts on the settings of the scheduled Neolithic long mortuary enclosure at Appleford Farm, Rivenhall End (Asset 399) and the medieval moat at Marks Tey Hall (Asset 818). The Applicant has responded to Historic England's concerns in the Deadline 3 Submission -</p>		

Ref	Issue	Document Reference	Historic England Position	National Highways Position	Status	Date
				Applicant's Comments on Written Representations [REP3-009, sub-questions REP2-060-001 to REP2-060-014]. The Applicant is continuing to engage with Historic England to resolve the outstanding issues.		
2.9	Assessment of Palaeolithic potential	APP-6.1	Careful assessment will be required to establish the significance of any palaeolithic deposits and discussion to minimise, and mitigate, the impact of the proposed scheme on any remains. We would expect the assessments to build on the findings and recommendations presented in the Palaeolithic Desk-based Assessment prepared for this project.	<p>Specialist fieldwork has been undertaken to evaluate the Palaeolithic archaeological potential within the Order Limits. The results are presented in Appendix 7.8 of the Environmental Statement [APP-6.3].</p> <p>A specialist with experience of Palaeolithic deposits is reviewing the submitted reports and re-analysing the supporting data with the intention of submitting a supplementary report addressing the comments raised by Historic England and Essex County Council.</p> <p>Following further discussion it was agreed to revisit this matter and to propose an approach to mitigation following a pre-arranged meeting with the local authority archaeological advisors and Historic England</p>	Under Discussion	26/5/2023

Ref	Issue	Document Reference	Historic England Position	National Highways Position	Status	Date
				where the Applicant will present the results of re-analysis of the Palaeolithic and palaeoenvironmental data.		
2.11	Assessment of palaeo-environmental and geoarchaeological potential	APP-6.1	<p>Deposits of palaeoenvironmental and geoarchaeological potential should be included and discussed in terms of the impact that the proposed development may have on them. For example, deposits can be physically removed or damaged or could experience changes to the preservation conditions if groundwater levels are changed or if contaminants are present. It is stated in the Palaeolithic Desk Based Assessment that the ground investigation boreholes will be investigated in terms of their archaeological potential, but this information will also help to characterise and understand the palaeoenvironmental and geoarchaeology potential.</p>	<p>Potential impacts on Palaeolithic archaeological potential have been assessed in Chapter 7 of the Environmental Statement [APP-074], informed by the results of specialist evaluation. The palaeoenvironmental potential of deposits encountered has also been assessed.</p> <p>A programme of archaeological excavation, and investigation of Palaeolithic and Quaternary deposits, will be developed and implemented. Full details of the scope and extent of the required work is contained in Appendix 7.10: Archaeological Mitigation Strategy, of the Environmental Statement [APP-6.3].</p> <p>A specialist with experience of Palaeolithic deposits is reviewing the submitted reports and re-analysing the supporting data with the intention of submitting a supplementary report addressing the comments raised by Historic England and Essex County Council.</p>	Under Discussion	16/3/2023

Ref	Issue	Document Reference	Historic England Position	National Highways Position	Status	Date
2.17	Impacts on designated and non-designated heritage assets	APP-6.1	<p>Historic England's advice on designated heritage assets will be limited to the highly graded designated heritage assets (scheduled monuments, grade I and II* listed buildings) which could be affected by the proposed development. We will defer advice on grade II listed buildings and conservation areas to the respective local planning authorities. We do have concerns, however, over the assessment of setting and the impact of new offline sections road on two scheduled monuments: the 'Neolithic long mortuary enclosure at Appleford Farm, Rivenhall End' (NHLE 1008980) and the 'Medieval moat at Marks Tey Hall' (NHLE 1477794). These concerns will be discussed in our written representation. We are also aware the proposed development will result in a range of potentially significant impacts on a number of other non-designated archaeological sites, both directly and indirectly. We also intend to comment on potential groundwater issues, the archaeological assessments,</p>	<p>The Applicant has responded to Historic England's concerns in the Deadline 3 Submission - Applicant's Comments on Written Representations [REP3-009, sub-questions REP2-060-001 to REP2-060-014]. The Applicant is continuing to engage with Historic England to resolve the outstanding issues.</p>	Under Discussion	

Statement of Common Ground with Historic England

Ref	Issue	Document Reference	Historic England Position	National Highways Position	Status	Date
			<p>and in particular, on the geophysical survey, the trial-trenched evaluation as well as on the Palaeolithic and palaeoenvironmental evaluation. An archaeological mitigation strategy has been presented by the application, which includes a programme of archaeological investigation to preserve remains by record. We will comment on this strategy to ensure that the significance of the remains is secured and maximised in terms of public benefit for the historic environment. In the event the proposed development is consented, we would be concerned to ensure that the historic environment is fully considered, and that the DCO is satisfactorily worded to ensure the delivery of appropriate mitigation. Dr Jess Tipper Inspector of Ancient Monuments E-mail: [Redacted]</p>			

Acronyms

Acronym	Term
DBA	Desk Based Assessment
DCO	Development Consent Order
DMRB	Design Manual for Roads and Bridges
EMP	Environmental Management Plan
ExA	Examining Authority
LVIA	Landscape and Visual Impact Assessment
PA 2008	Planning Act 2008
PEIR	Preliminary Environmental Information Report
SoCG	Statement of Common Ground
WSI	Written Scheme of Investigation
ZTV	Zone of theoretical visibility