

A12 Chelmsford to A120 widening scheme

TR010060

8.9 Statement of Common Ground with Colchester City Council

Reg 8(1)(e)

Planning Act 2008

Infrastructure Planning (Examination Procedure)

Regulations 2010

Volume 8

June 2023



Infrastructure Planning

Planning Act 2008

The Infrastructure Planning (Examination Procedure) Rules 2010

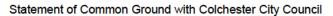
A12 Chelmsford to A120 widening scheme

Development Consent Order 202[]

Statement of Common Ground with Colchester City Council

Regulation Reference	Reg 8(1)(e)
Planning Inspectorate Scheme Reference	TR010060
Application Document Reference	TR010060/EXAM/8.9
Author	A12 Project Team and National Highways

Version	Date	Status of Version
P01.1	February 2023	Draft
P01.2	31.03. 2023	Draft V1.2
P01.3	April 2023	Draft for Deadline 4





P01.4	June 2023	Version Deadline 6
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STATEMENT OF COMMON GROUND

This Statement of Common Ground has been prepared and agreed by (1) National Highways Limited and (2) Colchester City Council insofar as it is a working draft agreed by the portfolio holder for Planning and Infrastructure.



Philip Davie
Project Director
on behalf of National Highways

Date: 25/05/2023

Signed.....

Simon Cairns

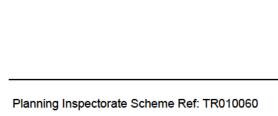
Development Manager on behalf of Colchester City Council

Date: 12/05/2023



For this submission of the Statement of Common Ground for Deadline 6, between **National Highways** and **Colchester City Council**, updates have been made in the following sections of the document.

Location	Update made
Record of Engagement	Two SOCG meetings held.
Agreed issues	1.10, 1.11, 1.12, 1.13, 1.14, 1.15 and 1.16 have been agreed.
Issues under discussion	All items have now moved from under discussion to agreed.



Application Document Ref: TR010060/EXAM/8.9



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1 Introduction

1.1 Purpose of this document

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

1.2 Parties to this Statement of Common Ground

- 1.2.1 This SoCG has been prepared by (1) National Highways (formally known as Highways England) as the Applicant and (2) Colchester City Council.
- 1.2.2 National Highways became the Government-owned Strategic Highways Company on 1 April 2015. It is the highway authority in England for the strategic road network and has the necessary powers and duties to operate, manage, maintain and enhance the network. Regulatory powers remain with the Secretary of State. The legislation establishing National Highways made provision for all legal rights and obligations of the Highways Agency, including in respect of the Application, to be conferred upon or assumed by National Highways.
- 1.2.3 Colchester City Council is a prescribed consultee under Section 43 of the PA 2008 as a host local authority.

1.3 Terminology

1.3.1 In the tables in the Issues chapter of this SoCG, "Not Agreed" indicates a final position, and "Under discussion" where these points will be the subject of on-



- going discussion wherever possible to resolve, or refine, the extent of disagreement between the parties. "Agreed" indicates where the issue has been resolved.
- 1.3.2 It can be taken that any matters not specifically referred to in the Issues chapter of this SoCGs are not of material interest or relevance to Colchester City Council and therefore have not been the subject of any discussion between the parties. As such, those matters can be read as agreed, only to the extent that they are either not of material interest or relevance to Colchester City Council.

2 Record of Engagement

2.1.1 A summary of the meetings and correspondence that has taken place between National Highways and Colchester City Council in relation to the Application is outlined in table [2.1].

Table 2.1 Record of Engagement

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)	
w/c 23 May 2016	Letter/Email	Contact MPs and Parish Councils to inform them of survey activity - To ensure that local political representatives are informed of activity and are aware of the significant and reason for that activity.	
27 June 2016	Letter/Email	Introductory contact with key local authorities - Contact key local authorities to identify single point of contact and request a meeting.	
July/August 2016	Meeting	Engage with identified officer-level contact for key local authorities to discuss programme for the project, communications and understand local plans and issues which might impact the development of options.	
w/c 4 July 2016	Letter/Email	Issue forum invitations as applicable - Make initial contact with potential forum members. Introduction to the scheme and the purpose of the forums, request representation.	
July 2016	Meetings	Engagement with statutory bodies - Engagement with relevant stakeholders to gather information to support development of drainage strategy	
16 Sept 2016	Meeting	Members Forum - To inform forum members about the consultation and the principles of a good consultation, as well as providing a project update.	



Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)	
20 Sept 2016	Meeting	Colchester and Maldon Community Forum - To inform forum members about the consultation and the principles of a good consultation, as well as providing a project update.	
8 Nov 2016	Meeting	NMU Workshop - Early engagement with technical stakeholders to get understanding of key issues.	
10 Nov 2016	Meeting	Road Users workshop - Early engagement with technical stakeholders to get understanding of key issues.	
25 Nov 2016	Meeting	Members Forum - Update on progress and the forthcoming consultation, preview of materials for consultation. Update on emerging options / preview options identified for engagement.	
30 Nov 2016	Meeting	Colchester and Maldon Community Forum - Update on progress and the forthcoming consultation, preview of materials for consultation. Update on emerging options / preview options identified for engagement.	
23 January 2017	Meeting	VIP event for launch of consultation - To announce route options for consultation and launch the consultation to local elected members and senior officers. The press will also be invited.	
5 April 2017	Meeting	DCO Planning Workshop - To go through the DCO process with the local authority planning leads,and explain what their involvement will be in the process.	
17 May 2017	Meeting	Consultation Response Meeting - To discuss their consultation response and answer any specific questions they may have.	
23 May 2017	Meeting	Environment Workshops - Three workshops to provide the opportunity to discuss technical issues and to gather feedback for next steps.	
7 July 2017	Meeting	Members Forum - To inform forum members about the consultation, as well as providing a project update.	
3 August 2017	Meeting	Community Forum (West) - To inform forum members about the consultation, as well as providing a project update.	



Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)	
		5 th round of forums - The purpose of this forum will be to maintain relationships. Topics to be covered include:	
Jan 2018	Meeting	Scheme update	
		Forum format going forward	
		Environmental Impact Assessments	
May 2018	Email	Letter/email sent to stakeholders - The purpose of the letter is to flag up the update to the website and explain timescales where possible.	
12 July 2019	Meeting	Members' Forum - Provide an overview of the A12 scheme, including work that has taken place to date and provide an update on the way forward for the scheme.	
24 July 2019	Meeting	Community Forum - Provide an overview of the A12 scheme, including work that has taken place to date and provide an update on the way forward for the scheme.	
3 October 2019	Meeting	Members forum - Provide an overview of the A12 scheme, including work that has taken place to date and provide an update on the way forward for the scheme, with a focus on the upcoming consultation.	
14 October 2019	Meeting	Community forum - Provide an overview of the A12 scheme, including work that has taken place to date and provide an update on the way forward for the scheme, with a focus on the upcoming consultation.	
19 February 2020	Meeting	Members Forum - To provide an overview of how the consultation went How many people attended events Feedback on the door Responses received to date (members' forum will be given indication on the most popular route) Feedback on how we can improve future events	
20 May 2020	Online Meeting	Meeting with traffic and planning to discuss modelling and local developments	



Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)	
19 August 2020	Online meeting	Members' forum - To provide a scheme update: Project update Overview of how the schemes will now be drawn back together Overview of how, when a PRA is announced, it will be managed (publicity etc	
15 September 2020	Online workshop	Junction 24 workshop - To discuss the updates of designing junction 24.	
1 October 2020	Online workshop	Junction 25 workshop - To discuss the updates of designing junction 24.	
23 October 2020	Online workshop	Junction 19 workshop - To discuss the updates of designing junction 19.	
24 November 2020	Online workshop	Local Roads workshop - To discuss the road strategy.	
26 November 2020	Online meeting	Members' forum - To provide a scheme update: Project update Design update	
4 December 2020	Online meeting	Meeting with LPAs to discuss SoCC draft - To get input on SoCC before we consult on it	
26 February 2021	Online workshop	Junction 24 workshop - Provide an update on design fix 1 and get feedback.	
26 February 2021	Online workshop	Junction 25 workshop - Provide an update on design fix 1 and get feedback.	
4 March 2021	Online workshop	Local roads workshop (including junction 21) - Provide an update on design fix 1 and get feedback.	
8 March 2021	Online workshop	Members forum - Provide an update on design fix 1 and get feedback.	
18 May 2021	Online workshop	Junction 25 and junction 25 workshop - Provide an update on design fix 2 and get feedback.	
24 May 2021	Online workshop	Detrunking workshop - Provide an update on design fix 2 and get feedback.	
7 June 2021	Online workshop	Members' forum - Present design and arrangements for stat con	



Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)	
9 June 2021	Email	Send final SoCC and explaining any changes following consultation.	
22 June 2021	Email and letters	Notify key stakeholders by letter or email	
29 September 2021	Online meeting	A12 workshop - To discuss the next steps for the project, including further consultations	
7 October 2021	Online workshop	Members Forum – to provide an update on the project	
3 March 2022	Online workshop	Members Forum – to provide an update on the project	
18 May 2022	Online meeting	Statement of Common Ground meeting – introduction to the process discussion on designated funds, noise mitigation, air quality and heritage.	
22 July 2022	Online workshop	Members Forum – to provide an update on the project	
12 August 2022	Online meeting	Statement of Common Ground meeting – discussed the EMP, discussed Chapter 13 of ES, discussed access to shared Teams space and sharing of DCO documents.	
26 October 2022	Online meeting	Statement of Common Ground meeting – discussed J24, Messing and Tiptree in regard to traffic, noise and historic environment.	
18 November 2022	Online meeting	Statement of Common Ground meeting – discussed highway issues and traffic figures for Tiptree.	
13 December 2022	Online meeting	Statement of Common Ground meeting	
27 March 2023	Online meeting	Statement of Common Ground meeting – discussed landscaping/ecology and noise issues.	
21 April 2023	Online meeting	Statement of Common Ground meeting – discussed Air Quality issues.	
3 May 2023	Online meeting	Statement of Common Ground meeting – to discuss all 'in discussion' topics.	

2.1.2 It is agreed that this is an accurate record of the key meetings and consultation undertaken between (1) National Highways and (2) Colchester City Council in relation to the issues addressed in this SoCG.



3 Issues summary

3.1 Summary of agreed issues

3.1.1 The below table **[3.1]** provides a summary of the issues which have been agreed by Colchester City Council and National Highways. The full table of issues agreed can be seen in table **[4.1]**.

Table 3.1 Summary of agreed issues between Colchester City Council and National Highways

Ref	Topic	Issue	Status	Date
1.1	Built heritage	Assessment of impact	Agreed.	03/11/2022
1.2	Noise	Noise and vibration management plan	Agreed.	03/11/2022
1.3	Noise	Noise reduction	Agreed.	03/11/2022
1.4	Noise	Significant affects	Agreed.	03/11/2022
1.5	Traffic	Development logs	Agreed.	18/11/2022
1.6	Traffic	Traffic in Inworth, Messing and Tiptree	Noted.	03/11/2022
1.7	Visual impact	Visual impact on the landscape	Agreed.	19/01/2023
1.8	Archaeology	Assessment of archaeology	Agreed.	27/03/2022
1.9	Archaeology	Trial trenching	Agreed.	27/03/2023
1.10	Built heritage	Listed buildings	Noted.	12/05/2023
1.11	Hedgerows	Protected hedgerows	Agreed.	03/05/2023
1.12	Landscape impact	Visual impact during construction	Agreed.	03/05/2023
1.13	Social severance	Traffic flows	Agreed.	03/05/2023



Ref	Topic	Issue	Status	Date
1.14	Noise, landscape and biodiversity	Construction effects on Easthorpe	Agreed.	03/05/2023
1.15	Noise – junction 24	Mitigation of noise impacts to receptors in Messing	Agreed.	03/05/2023
1.16	Air Quality	Air quality modelling	Agreed.	03/05/2023

4 Issues

4.1 Issues agreed

4.1.1 The below table **[4.1]** details the issues agreed between Colchester City Council and National Highways. This includes any reference to relevant documents, the current Colchester City Council position and the National Highways position.

Table 4.1 Issues agreed.

Ref	Issue	Doc Reference	Colchester City Council (CCC) Position	National Highways Position	Status	Date
1.1	Built heritage	Environmental Statement, Chapter 7 Cultural Heritage [APP- 074]	Whilst there are no conservation area designations affected by the project, there are some 26 listed buildings within a 200m catchment zone of the proposed carriageway. The methodology employed in the assessment of impact is acknowledged as appropriate.	National Highways agrees with this statement. The methodology is considered suitable and has followed DMRB standards and best practice guidance for assessing impacts on the historic environment and has been discussed with stakeholders.	Agreed.	03/11/2022



Ref	Issue	Doc Reference	Colchester City Council (CCC) Position	National Highways Position	Status	Date
1.2	Noise	Environmental Statement, Chapter 12, Noise and Vibration [APP-079]	The Council welcomes the Noise and Vibration Management Plan (NVMP) contained within the Construction Phase within the Environmental Management Plan (EMP) and the proposed mitigation measures to reduce the impacts from noise and vibration. Where predicted significant adverse impacts cannot be removed, then the Principal Contractor (PC) must identify any dwellings eligible for noise insultation or residents eligible for temporary rehousing.	As described within paragraph 12.10.11 (last bullet point) of Chapter 12 of the Environmental Statement [APP-079], where it is not practicable to mitigate airborne noise, a framework to determine eligibility for noise insulation and temporary re-housing will be developed.	Noted.	03/11/2022
1.3	Noise	Environmental Statement, Chapter 12, Noise and Vibration [APP-079]	On a positive note, the new alignment between junctions 24 and 25 will reduce noise for a large number of receptors close to the A12 in Marks Tey, some of which currently experience very high noise levels. Within the Borough approximately 323 dwellings are predicted to benefit from a significant beneficial effect of a noise reduction of more than 3db(A).	National Highways agrees with this comment.	Agreed.	03/11/2022



Ref	Issue	Doc Reference	Colchester City Council (CCC) Position	National Highways Position	Status	Date
			The proposed earth bunding will also reduce noise on the offline section of the A12 within the Borough at dwellings located at Easthorpe Green, Little Domsey Cottages, Doggett's Lane and Hall Chase Farmhouse. This is to be welcomed.			
1.4	Noise	Environmental Statement, Chapter 12, Noise and Vibration [APP-079] Environmental Statement - Appendix 3.3: Junction 24, Inworth Road and Community Bypass Technical Report [PP-095]	89 dwellings and four other receptors are predicted to experience significant adverse effects. 13 dwellings are predicted to experience an increase above SOAEL during the day and one at night, which is a concern. For these 14 receptors minor increases in noise (<2db(A)) have caused them to exceed the threshold. If traffic mitigation could be introduced to benefit the roads impacted by Junction 24, as outlined in Section 7.3 of the Junction 24 Inworth Road and Community Bypass Technical Report, receptors around Messing experiencing a significant adverse effect (71) would be removed but around	Design interventions were considered and assessed within the Environmental Statement - Appendix 3.3: Junction 24, Inworth Road and Community Bypass Technical Report [APP-095]). This included an option for closing Kelvedon Road. From a noise perspective, this would remove the predicted significant adverse effects within Messing. However, the increase in traffic through Tiptree would cause around 60 significant adverse effects at dwellings along Oak Road and five along Kelvedon Road in Tiptree.	Noted.	03/11/2022



Ref	Issue	Doc Reference	Colchester City Council (CCC) Position	National Highways Position	Status	Date
			10 added to Tiptree and two in Inworth, resulting in a reduction of approximately 60. National Highways should explore this option further.	Of these dwellings along Oak Road and Kelvedon Road, eight would have an overall noise above the significant observable adverse effect level (SOAEL).		
				In addition, there would be two additional significant adverse effects within Inworth. A further option was looked at which closed Kelvedon Road and had design interventions that would prevent through traffic through oak Road. However, this would increase traffic through Tiptree which would cause significant adverse effects at 10 dwellings along Kelvedon Road in Tiptree. Some of these dwellings would have an overall noise above the SOAEL. In addition, there would be two additional significant adverse effects within Inworth. The current design results in the least number of receptors above the		



Ref	Issue	Doc Reference	Colchester City Council (CCC) Position	National Highways Position	Status	Date
				SOAEL, which is in line with the policy in the Noise Policy Statement of England.		
1.5	Traffic	Transport Assessment [APP-253] Environmental Statement - Chapter 16: Cumulative Effects Assessment [APP-083]	Colchester is one of the most dynamic areas for growth in England and the emerging local plan 2017-2033 is adopted and up to date. The Council needs confirmation that traffic modelling has captured the quantum and spatial patterns of growth that will affect future traffic flows to ensure that congestion is alleviated by this substantial public investment and that the proposed junction designs have adequate capacity to accommodate these predicted flows. The adopted Colchester LDF (2010, 2014) together with the emerging Colchester Local Plan 2017-2033 together set the key principles and spatial strategy for development within Colchester and identifies the key areas of growth. In particular, we wish to highlight the need to ensure there is good access for Tiptree	A meeting took place in September 2021 with the Council to run through the uncertainty log. The information gathered at that meeting, where appropriate, was incorporated into the traffic model. The traffic model specifically incorporates future housing and employment developments which are considered to be certain enough to happen. This means developments which have submitted planning applications. Developments which are in the emerging Local Plans but do not have submitted planning applications are not specifically included in the core traffic model scenario. However, the overall growth in car trips in	Agreed.	18/11/2022



Ref	Issue	Doc Reference	Colchester City Council (CCC) Position	National Highways Position	Status	Date
			recognising the planned growth for the settlement is significant.	Colchester City Council is based on standard predictions set out in the government's National Trip End Model (NTEM). Any remaining growth in trips which is predicted in NTEM but not captured via specific local developments has instead been applied as background growth. This background growth is spread across existing housing/employment developments in the borough.		
1.6	Highway network matters	Environmental Statement, Appendix 3.3: Junction 24, Inworth Road and Community Bypass Technical Report [APP-095] Annex N of Consultation Report [APP-062]	The Council defers to the opinion of Essex County as the highway authority with regard to technical design matters. We share their concerns expressed about the proposed Junction 24 and the need for further design development of the proposed new Inworth Road roundabout. In addition, detailed consideration is required to ensure that the B1023 is able to accommodate the expected increase in traffic through Inworth (including the widening	A detailed report on Junction 24, Inworth Road and Community Bypass has been shared and discussed with both Colchester Borough Council, and Essex County Council, as the highway authority. The project will continue to keep Colchester City Council updated on developments on Junction 24 and Inworth Road	Noted.	03/11/2022



Ref	Issue	Doc Reference	Colchester City Council (CCC) Position	National Highways Position	Status	Date
			of Hinds Bridge pinch point) and measures are required to reduce the potential for ratrunning on local roads. We have concerns about the potential for increased traffic flows through Church Road and the heart of Tiptree village.	throughout the detailed design stage.		
1.7	Visual impact	Environmental Statement, Chapter 8, Landscape and Visual [APP-075]	The theoretical visibility of HGV, lighting column and gantry target points extends over a wide area, this is shown to have a major visual impact on the landscape in the short to medium term but will, for the most part, be adequately mitigated against in the long-term through effective screen planting belts and the reinstatement and reinforcement of landscape structure and character. It is anticipated the visual impact on the landscape at night through light spill and ambient glow will be major in the short to medium term, however this reducing to moderate once effective screen planting mitigation matures.	National Highways agree with this statement. Note that the effects of new lighting have been incorporated within the assessment of landscape and visual effects reported within Chapter 8 of the Environmental Statement [APP-075] during construction and operation. The overall long-term magnitude and residual significance of effect of the Scheme on local landscape character and visual amenity is considered to be moderate adverse and, therefore, significant.	Agreed.	19/01/2023



Ref	Issue	Doc Reference	Colchester City Council (CCC) Position	National Highways Position	Status	Date
1.8	Historic environment - archaeology	Environmental Statement Chapter 7 Cultural Heritage [APP-074] Environmental Statement Appendix 7.10 Archaeological Mitigation Strategy [APP-118] First Iteration Environmental Management Plan – Appendix A, Register of Environmental Actions and Commitments [APP-185] First Iteration Environmental Management Plan – Appendix B, Archaeological Management Plan [APP-186]	The approach taken to assess and mitigate archaeological impact is satisfactory, as detailed in Chapter 7 and Appendix 7.10 of the Environmental Statement (ES), and in Appendices A and B of the (6.5) First Iteration Environmental Management Plan. On a site-by-site basis, the conclusions drawn are supported with regard to these assessments and the proposed mitigation measures. However, there is a lack of clarity in the figures attached to the Archaeological Mitigation Strategy (Fig 7.10) regarding the extent and location of each site. It should, however, be possible to successfully mitigate the impact of the development on all non-designated heritage assets identified. A Significant Moderate Adverse effect is identified post mitigation for site 953 (south and east of Potts Green; para 7.11.15 and Table 7.14 of the ES). We believe that	Consultation with the various local authority archaeological advisors is ongoing but at an advanced stage. Once the detailed scope for all the affected sites has been agreed, Figure 7.10 of the Archaeological Mitigation Strategy [APP-118] will be updated and submitted for examination in due course. Following discussion between National Highways and Colchester City Council's archaeological advisor to set the detailed scope of mitigation, an area of detailed excavation has been agreed for Site 953. The Archaeological Mitigation Strategy [APP-118] will be updated to reflect this and submitted for examination in due course.	Agreed.	27/03/2023



Ref	Issue	Doc Reference	Colchester City Council (CCC) Position	National Highways Position	Status	Date
			full and comprehensive archaeological excavation, including a programme of public outreach and publication of results, is appropriate and proportionate mitigation for this site, and brings public and research benefit, as it would contribute greatly to regional archaeological research aims for the late Iron Age/Roman period.			
1.9	Archaeological	Environmental Statement Appendix 7.10 Archaeological Mitigation Strategy [APP-118]	There are several further sites identified in the trial trenching that suggested needed mitigation that have not been included. Four additional sites with potentially significant archaeological features were identified in the evaluation and mentioned as potentially needing mitigation. These are concentrations of archaeology within sites 78, 80, 83 and 84, specifically trenches 2397, 2443, 2274, 2276, 2326, 2328 and 2329 in the trial trenching evaluation report. We suggest that these areas include archaeological remains of sufficient value to require	Following discussion between National Highways and Colchester City Council's archaeological advisor to set the detailed scope of mitigation, areas of strip map and sample excavation have been agreed for Sites 78, 80, 83 and 84. The Archaeological Mitigation Strategy [APP-118] will be updated to reflect this and submitted for examination in due course.	Agreed	27/03/2023



Ref	Issue	Doc Reference	Colchester City Council (CCC) Position	National Highways Position	Status	Date
			mitigation. If mitigation is not proposed appropriate justification should be given for this.			
1.10	Built heritage	Environmental Statement, Chapter 7 Cultural Heritage [APP- 074] Appendix 7.9: Cultural Heritage Impact Assessment Summary Tables [APP-117] Archaeological Mitigation Strategy (AMS) [APP-118] First Iteration Environmental Management Plan Appendix A: Register of Environmental Actions and Commitments (REAC) - (Clean) - Rev 2 [REP4-023]	The most notable affected listed buildings being the Parish Church of All Saints, Inworth (Grade I) and the important group of listed buildings that comprise Marks Tey Hall (Grades II-II). The Marks Tey Hall complex becomes extremely close to the proposed new junction. Whilst it is accepted that in an ancient landscape of settled character, potential impacts on the wider setting of listed buildings is inevitable, it is consequently essential that the scheme makes provision for effective and bespoke mitigation of the adverse impacts identified to ensure that the long term future of these designated heritage assets is not prejudiced. The use of embedded design mitigation as the foundation approach is valid but will inevitably require additional asset specific mitigation to	The results of the Built Heritage impact assessment are provided in Chapter 7: Cultural Heritage [APP-074] and Appendix 7.9: Cultural Heritage Impact Assessment Summary Tables [APP-117], of the Environmental Statement. The designated and non- designated cultural heritage assets have been identified from a number of sources including the Colchester City Council local list. Archaeological evaluation work has been carried out and an Archaeological Mitigation Strategy (AMS) [APP-118] has been produced which sets out the proposed measures to mitigate any potential harm to archaeological sites including for unknown archaeological remains of	Noted.	12/05/2023



Ref	Issue	Doc Reference	Colchester City Council (CCC) Position	National Highways Position	Status	Date
		Environmental Statement - Figure 2.1: Environmental Masterplan - Part 3 [APP-088].	address residual impacts. In particular, to address effects upon those assets identified as having a moderate adverse impact must in our opinion have bespoke solutions identified to mitigate this material harm.	potential interest. Compliance with the AMS is secured in requirement 7 of the revised draft Development Consent Order submitted by National Highways at deadline 6.		
				As noted by Colchester City Council, the Grade I listed All Saints Parish Church at Inworth, the Grade II listed Easthorpe Green Farmhouse, the Grade II listed Church View House (aka Flispes) at Easthorpe Green, the Grade II listed Doggetts Hammer Farmhouse, the Grade II listed Marks Tey Hall plus the associated Grade II* listed Barn and Grade II listed barn have all been assessed as being potentially subject to significant effects during operation.		
				(Asset 708) All Saints Church, Inworth Road		



Ref	Issue	Doc Reference	Colchester City Council (CCC) Position	National Highways Position	Status	Date
				A range of mitigation methods has been considered and details are presented in Section 7.10 of this chapter (i.e Chapter 7: Cultural Heritage, of the Environmental Statement [APP-074] and Appendix 7.8: Cultural Heritage Impact Assessment Summary Tables [APP-117]. As noted in Chapter 7: Cultural Heritage, of the Environmental Statement [APP-074] for the identified construction and operation impacts:		
				7.11.54 The grade I listed All Saints Parish Church in Inworth (Asset 708) is an early 11th century church in origin, built primarily of carved flint-rubble with brick and limestone dressings under a red plain tile. The church sits prominently on raised ground around 60m from a bend in the B1023 Inworth		



Ref	Issue	Doc Reference	Colchester City Council (CCC) Position	National Highways Position	Status	Date
				Road. The parish church is set within its own churchyard with a tree-lined pathway to the east entrance onto Inworth Road, around 60m away. In front of the church is a stand of trees adjacent to a small lay-by.		
				7.11.55 As part of the construction activities to upgrade Inworth Road, the road in front of the church would need to be widened, requiring the enlargement of the lay-by and removal of trees in front of the church. In addition, vegetation would be removed along the roadside hedgerow to the field to the south of the church where a new flood compensation area would be excavated. A further attenuation pond would be built across Inworth Road, to the south-east of the church. The construction activities for the associated earthworks and		



Ref	Issue	Doc Reference	Colchester City Council (CCC) Position	National Highways Position	Status	Date
				landscaping within the setting of the listed building would result in noise and dust plus visual intrusion from construction machinery and traffic. The magnitude of impact would be moderate on a high value asset resulting in a moderate adverse significance of effect. Following the construction phase, the church boundary and adjacent field boundary would be reinstated through replanting. Whilst standard considerate contractor measures and noise mitigation measures would be applied during construction through the EMP (see Chapter 12: Noise and vibration of the Environmental Statement [APP-079], the residual effect would remain moderate adverse and significant.		
				include reinstatement of		



Ref	Issue	Doc Reference	Colchester City Council (CCC) Position	National Highways Position	Status	Date
				church boundary and adjacent field through replanting after construction phase.		
				Also, Standard mitigation measures to reduce noise and vibration during construction. Details of these standard measures are provided in Section 12.10 of Chapter 12: Noise and vibration [APP-079].		
				This standard mitigation is included in the First Iteration Environmental Management Plan Appendix A: Register of Environmental Actions and Commitments (REAC) - (Clean) - Rev 2 [REP4-023].		
				However, after mitigation the impact will still remain significant adverse.		
				Changes to drainage and flood compensation areas near All Saints Church, Inworth Road.		



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				In April 2023, National Highways carried out a DCO Change Consultation with a proposed change to the B1023 Flood Mitigation and Drainage. This change includes reducing the number of drainage ponds from four down to two and reducing the number of flood mitigation areas from seven down to four. Following this consultation, this proposed change was formally submitted to the ExA on 30 May.		
				This will result in a reduction in the adverse impacts on the setting of the Grade I Listed Church. This is because part of the Moderate Adverse impacts were expected to come from the visual impacts of the ponds within the setting affecting the aesthetic value of the church.		
				Therefore, in some respects, this could be seen as added 'mitigation		



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				by design', albeit at a late stage in the design process. However, despite the proposed mitigation and the changes to pond size and locations near the All-Saints Church, the impact of the proposed scheme is assessed as remaining as Moderate and therefore Significant" adverse.		
				Marks Tey Hall Group (Asset 816, 817 and 819) As noted in Chapter 7: Cultural Heritage of the Environmental Statement [APP-074], the Listed Marks Tey Hall (Asset 819) and two associated barns (Asset 816 and Asset 817) will be subject to Construction and Operational impacts.		
				It should be noted that the existing historic character of this building group is somewhat compromised by the visual intrusion from the location of a caravan sales		



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				lot approximately 120m to the north-east as well as from outbuildings, used as industrial units, approximately 90m to their west. These elements have eroded some of the contribution of the settings to the aesthetic value of the hall group.		
				Representative Viewpoint 24 and photomontage, LVIA, see Chapter 8: Landscape and visual [APP-075]) were provided in consultation with Historic England to assess these visual impacts.		
				The Construction impacts will be from the construction of new offline road at Marks Tey and Junction 25 with southern accommodation road and roundabout to Hall Chase Road, within c.250m of hall as well as reconfiguration of existing interchange to northeast at Marks Tey and demolition and replacement		



Ref	Issue	Doc Reference	Colchester City Council (CCC) Position	National Highways Position	Status	Date
				of footbridges plus a satellite compound near junction 25.		
				The impacts within the setting would include noise and dust plus visual intrusion from construction traffic which would result in a Moderate Significance of effect.		
				Mitigation for these impacts will include implementation of "considerate construction limits on work times and cleanliness of associated roads" including standard mitigation measures to reduce noise and vibration during construction as provided in Section 12.10 of Chapter 12: Noise and		
				of Chapter 12: Noise and Vibration [APP-079] and the First Iteration Environmental Management Plan Appendix A: Register of Environmental Actions and Commitments (REAC) - (Clean) - Rev 2 [REP4- 023].		



Ref	Issue	Doc Reference	Colchester City Council (CCC) Position	National Highways Position	Status	Date
				During operation the impacts would result from the presence of the new roundabout and new offline access road to provide access from the A12 to Hall Chase Road resulting in the visual intrusion including lighting and signage as well as additional noise impacts from road traffic using the new road in closer proximity to them.		
				Representative view 24 was provided in consultation with Historic England to assess these visual impacts.		
				Mitigation for these impacts will include tree planting to the north of the access road to reduce the visual intrusion from the new offline road in this location and mitigation measures to reduce noise during operation will be as provided in Section 12.10 of Chapter 12: Noise and		



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				vibration [APP-079] and the First Iteration Environmental Management Plan Appendix A: Register of Environmental Actions and Commitments (REAC) - (Clean) - Rev 2 [REP4-023]		
				The tree planting mitigation to the north of the access road would reduce the visual intrusion from the new offline road in this location by year 15, when the planting would have become established as shown in Environmental Statement - Figure 2.1: Environmental Masterplan - Part 3 [APP-088].		
				In addition, as noted in Section 12.10 of Chapter 12: Noise and Vibration [APP-079], the listed buildings would also benefit from some reductions in traffic noise from the proposed new road surfacing with better noise reducing properties than a		



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				conventional low noise road surface in that location. However, despite the proposed mitigation for the Marks Tey Hall group, the impact is assessed as remaining as Moderate and therefore Significant" adverse.		
1.11	Hedgerows	Environmental Statement, Chapter 9, Biodiversity [APP- 076] Streets Rights of Way and Access Plans - Part 2 [REP4-004].	The potential loss of protected hedgerows is of concern and whilst this can be mitigated against to a certain extent where such hedgerows are simply identified as protected through the reinforcement of the existing hedgerow framework within the red line area (as is being proposed) but cannot be mitigated against where they are classified as 'important' in such cases it is not just a case of the hedges loss as a physical feature providing structures within the landscape that degrades environmental quality, but these may also have ecological,	As per Chapter 9: Biodiversity, of the Environmental Statement [APP-076], construction of the Scheme would lead to the loss of 10.76km of important hedgerows which we agree has multi- dimensional implications, of which ecology is just one. The ecological value of a hedgerow relates to its botanical diversity, the fact that it provides connectivity across landscapes, and those hedgerows provide habitat for many species, for example birds, and amphibians.	Agreed.	03/05/2023



Ref	Issue	Doc Reference	Colchester City Council (CCC) Position	National Highways Position	Status	Date
			archaeological and/or historical implications. CCC notes the Applicants response, and that the loss of protected hedgerows cannot be entirely mitigated by new planting.	National Highways has recorded ancient hedgerows as part of surveys (see paragraph 9.8.36 of Chapter 9 of the ES) however National Highways has not quantified the length lost within the Chapter as the approach was to focus on priority hedgerows as they are valued as National importance in accordance with DMRB.		
				Mitigation of hedgerows in general is provided through planting of new habitat at a ratio of close to 4:1 It is acknowledged that initially the new hedgerow would not be a like for like replacement for mature or important hedgerows, however, in the long term, when assessed using the Natural England 3.0 biodiversity net gain calculator which takes into account the condition of hedgerows, it is assessed		



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				that overall, there would be a net gain of 34.49%.		
				The ecology team have worked closely with the landscape team to ensure the locations of hedgerows has been optimised to maximise the connectivity of habitats across the landscape.		
				Hedgerows are not considered to be heritage assets in their own right but do contribute to the understanding of historic landscape types (HLTs) through their historic use as land parcel boundaries. No significant effects were identified on HLTs, in relation to hedgerow loss, in Section 7.8, Chapter 7: Cultural heritage, of the Environmental Statement [APP-076].		
				The retained and removed vegetation model (as shown on the Retained and Removed Vegetation Plans [APP-035 and AS-017])		



Ref	Issue	Doc Reference	Colchester City Council (CCC) Position	National Highways Position	Status	Date
				was used within the biodiversity net gain calculations as per paragraph 3.4.33 of the Biodiversity Net Gain Report [APP-138] to determine the areas of habitat lost as a result of construction of the proposed scheme.		
				The DCO Change Application – Environmental Statement Addendum contains two updates regarding hedgerows: firstly, we completed additional hedgerow surveys (the details of which are published in Supplementary Hedgerow Survey Report [REP4-064] and Supplementary Botanical Survey Report [REP2-027], which have resulted in an update to the baseline biodiversity net gain (BNG) figures. Secondly, we have presented within the addendum any changes to		



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				the hedgerow BNG as a result of the changes proposed.		
				Overall, the addendum shows an increase of 1.27km of hedgerows. This is primarily driven by an increase in baseline hedgerow habitat, as we have now included additional hedgerows (at Inworth Road and associated with the gas main diversion) that were not previously surveyed. As a result of this, the BNG score for hedgerows reduces from 36.06% to 34.49% (as stated in Table 9.2 of the addendum). This reduction does not indicate that we are losing more hedgerows or replanting less hedgerows, but rather is due to having a larger baseline data set upon which the updated BNG calculations are based. In either case, the proposed scheme is still predicting a net gain that is		



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				considerably greater than 10% for habitats, hedgerows and rivers.		
1.12	Landscape impact	Environmental Statement, Chapter 8, Landscape and Visual [APP-075] Appendix 8.2, Landscape Effects Schedule of the Environmental Statement [APP- 120] First Iteration Environmental Management Plan Appendix A: Register of Environmental Actions and Commitments (REAC) - (Clean) - Rev 2 [REP4-023]	The physical impact on landscape character during construction will be considerable, this is not mitigatable against within the new carriageway area itself and its related infrastructure, but the post-construction reinstatement and landscape and ecological improvement proposals to working areas outside the main carriageway area and to the wider margins within the red line area appear effective in relation to reinstating and improving the character of this landscape. It should be noted that the effectiveness of any reinstatement to the narrow strip of land between new and old roads will need to be tempered, as construction of the new road would leave this strip of land of arguable remaining agricultural value, however this would be effectively mitigated against through strengthening	The planting proposals seeks to balance essential screening of highway infrastructure with maintaining some open views from residential properties between the existing A12 and proposed bypass, as detailed in REAC [REP4-023]. Grassland planting is also proposed in areas between the new and old A12 which is of higher ecological value than the existing habitats, and therefore contributes to a scheme wide biodiversity net gain, as detailed in REAC [REP4-023]. In accordance with DMRB LA 107, aesthetic and perceptual qualities, including effects on dark skies and tranquillity, are included within the assessment of landscape effects within Chapter 8 of	Agreed.	03/05/2023



Ref	Issue	Doc Reference	Colchester City Council (CCC) Position	National Highways Position	Status	Date
			landscape and ecological structure. There would be an adverse impact on landscape tranquillity resulting from the introduction of the new road within the Easthorpe Farmland Plateau outside of the linear settlement corridor. This cannot be mitigated against to any degree in landscape terms but given the proximity of the new road to the existing A12 the net magnitude of change overall may be limited.	the Environmental Statement [APP-075]. Appendix 8.2 of the Environmental Statement [APP-120] considers the landscape effects on B2 Easthorpe Farmland Plateau. In year 1, the significance of effect on B2 Easthorpe Farmland Plateau would be large adverse. In year 15, mitigation planting would have established to help integrate the Scheme into the surrounding landscape and the significance of effect on B2 Easthorpe Farmland Plateau would be moderate adverse.		
				Following a meeting with CCC, National Highways has committed to making the following addition to the First Iteration Environmental Management Plan Appendix A: Register of Environmental Actions and Commitments (REAC) -		



Ref	Issue	Doc Reference	Colchester City Council (CCC) Position	National Highways Position	Status	Date
				(Clean) - Rev 2 [REP4- 023], in regard to LV16:		
				The Landscape and Ecology Management Plan (LEMP) would be developed and implemented based on the measures and approaches detailed within the LEMP in the first iteration EMP [TR010060/APP/6.5]. The second iteration would include measures to improve the condition and structure of retained hedgerows within the area of permanent land take where practicable, for example through incorporation of trees, coppicing of existing trees and planting of gaps.		
				Following a meeting with CCC, National Highways has committed to making the following addition to the REAC, in regard to LV17:		
				The landscape proposals illustrated on the Environmental Masterplan		



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				Figure 2.1 [TR010060/APP/6.2] would be refined at the detailed design stage based on the design principles presented within the Design Principles document [TR010060/APP/7.10], including design principles for landscape, veteran trees and borrow pit restoration. Where practicable the layout of new trees and hedgerows would seek to replicate historically lost hedgerows and field patterns appropriate to the character of the area.		
1.13	Social severance	Environmental Statement: Chapter 13: Population and human health [APP-080] Street Rights of Way and Access Plans – Part 2 [REP4-004],	While baseline traffic flows on the B1023 are already relatively high, this major increase in flows will further increase severance, both actual and perceived within Inworth, which will result in reduced social interaction within the village. The existing situation in Marks Tey would be reinforced by the	Impacts on the wider determinant community severance and social networks have been assessed in the human health assessment in Chapter 13: Population and human health, of the Environmental Statement [APP-080]. The assessment considers the effects on this determinant	Agreed.	03/05/2023



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			_			
				the A12. The new bridge will address the existing		



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				substandard bridge and will accord with LTN 1/20. National Highways notes the Council's support for Essex County Council's detrunking proposals and are working closely with them on this.		
1.14	Noise, landscape and biodiversity	Environmental Statement: Chapter 12: Noise and vibration [APP-079] Environmental Statement: Chapter 8: Landscape and visual [APP-075] Environmental Statement: Chapter 9: Biodiversity [APP- 076] Figure 12.8 of the Environmental Statement [APP- 235].	As Easthorpe Road will be closed to construction traffic, closed as part of the proposed scheme, construction activity will be 500m from the closest property and the new road will have low noise surfacing, we agree with National Highways regarding noise impacts in Easthorpe. Substantial landscape mitigation should be provided to offset any visual impacts of the realigned road, especially from any night-time lighting. The consultation document could provide greater information on the landscape, green infrastructure or biodiversity features to be lost and how they will be mitigated and compensated for including net	During construction, Easthorpe Road will be designated an 'excluded road', which is one not to be used by construction traffic. This is shown on the figures within the Outline Construction Management Plan - Appendix B – Permitted and excluded routes for construction vehicles (plans) [REP2- 004]. The actual construction activities for the new alignment are over 500m away from the closest property within Easthorpe and even further from the centre of the village. Noise from these works is not expected to	Agreed.	03/05/2023



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		Appendix 9.14 of the Environmental Statement [APP-138] First Iteration Environmental Management Plan Appendix A: Register of Environmental Actions and Commitments (REAC) [REP4-023]	gain. The government confirmed in June 2021 that: 'New Nationally Significant Infrastructure Projects in England, such as future transport and energy projects, willneed to provide a net gain in biodiversity and habitats for wildlife – through an amendment to be made to the Environment Bill'.	cause impacts at properties in Easthorpe. Since statutory consultation, changes in designs now see Easthorpe Road closed as part of the proposed scheme. As part of the proposals the project will also be installing low noise surfacing on the approach to junction 25 as detailed in NV6 of First Iteration Environmental Management Plan Appendix A: Register of Environmental Actions and Commitments (REAC) [REP4-023]. As a result of this, noise levels are expected to decrease along Easthorpe Road, as shown on Figure 12.8 Noise Change Contour Map Sheet of the Environmental Statement [APP-235]. Following a meeting with CCC, National Highways has committed to making the following addition to the REAC, in regard to LV16:		



Ref	Issue	Doc Reference	Colchester City Council (CCC) Position	National Highways Position	Status	Date
				The Landscape and Ecology Management Plan (LEMP) would be developed and implemented based on the measures and approaches detailed within the LEMP in the first iteration EMP [TR010060/APP/6.5]. The second iteration would include measures to improve the condition and structure of retained hedgerows within the area of permanent land take where practicable, for example through incorporation of trees, coppicing of existing trees and planting of gaps.		
				Following a meeting with CCC, National Highways has committed to making the following addition to the REAC, in regard to LV17:		
				The landscape proposals illustrated on the Environmental Masterplan Figure 2.1 [TR010060/APP/6.2] would		



Ref	Issue	Doc Reference	Colchester City Council (CCC) Position	National Highways Position	Status	Date
				be refined at the detailed design stage based on the design principles presented within the Design Principles document [TR010060/APP/7.10], including design principles for landscape, veteran trees and borrow pit restoration. Where practicable the layout of new trees and hedgerows would seek to replicate historically lost hedgerows and field patterns appropriate to the character of the area.		
				There is no legal or policy requirement for biodiversity net gain provision for the proposed scheme. However, National Highways has sought to provide biodiversity enhancement. Net loss or gain figures have been calculated using Natural England 3.0 metrics and are summarised within Section 9.12 of Chapter 9: Biodiversity of the		



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				Environmental Statement [APP-076]. Appendix 9.14: Biodiversity Net Gain Report [APP-138] demonstrates that the proposed scheme would achieve a net gain of around 25% for area-based habitat units, 36% for hedgerow units and 157% for river units.		
1.15	Noise – junction 24		If traffic mitigation could be introduced to benefit the roads impacted by Junction 24, as outlined in Section 7.3 of the Junction 24 Inworth Road and Community Bypass Technical Report, receptors around Messing experiencing a significant adverse effect (71) would be removed but around 10 added to Tiptree and two in Inworth, resulting in a reduction of approximately 60. This is our preferred option, and we recommend that it is investigated further to see if mitigation can be achieved without increasing the number of properties above absolute SOAEL. It is acknowledged that	The NPSNN requires noise levels above SOAEL absolute levels to be avoided and noise levels below SOAEL to be mitigated and minimised. Although the position of Colchester City Council reduces the impacts for 71 properties which are forecast to be affected by a noticeable and significant change in noise, the absolute noise level at these properties is below SOAEL. However, the consequence of this mitigation is an increase in noise level at 12 properties above the absolute	Agreed.	03/05/2023



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			increasing the noise level at properties above the absolute SOAEL conflicts with the NPSNN.	SOAEL. This conflicts with the NPSNN. The position of the proposed scheme is not in conflict with NPSNN. The impact on the 71 properties (falling between LOAEL and SOAEL) cannot be further mitigated, since further mitigation cannot reasonably be provided. It does not result in the 12 properties being subjected to an increase in noise above SOAEL.		
1.16	Air Quality	Environmental Statement, Chapter 6, Air Quality [APP-073]	The Council is concerned about the modelled results from table 6.1.5, specifically: - R189 (AQMA4) 2.2% increase which based an IAQM planning guidance is defined as a moderate AQ impact - R193 (Halstead Road) 2.2% increase which based on IAQM planning guidance is defined as a moderate AQ impact.	Under Local Air Quality Management Guidance (LAQM) local authorities are obligated to investigate an exceedance of an Air Quality Objective (modelled or measured). However, National Highways acknowledges that the exceedance at receptor R189 has been identified via the AQ assessment undertaken of the Proposed Scheme. National Highways is firmly of the view that our	Agreed.	03/05/2023



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			Whilst it is acknowledged that these areas are in areas outside of the scheme, the direct consequence of the scheme will be increased traffic flows which could directly affect Colchester City Council AQMA4 (R189). From monitoring data, it had been hoped that air quality compliance at AQMA could be achieved soon. In addition, it could also cause an AQMQ to be declared at the location of the Halstead Road exceedance (R193).	assessment is conservative, and, as such, to support that view, and in light of the meeting held on 21st April 2023, National Highways is happy to install one NO2 diffusion tube at Buckland, Lucy Lane North, CO3 0JQ and one at the garages in the vicinity of Dale Close, CO3 0FU in accordance with LAQM monitoring criteria. Colchester City Council confirmed on the 21st April that the property where receptor R193 was modelled (Cosgrove Mews, Halstead Road, CO3 9AD) is not readily accessible and would make monitoring impracticable. As a compromise Colchester City Council have already installed monitoring at 53 The Chase, Halstead Road, CO3 9AD. This was installed in January 2023. The close proximity of the diffusion tube will allow sufficient evidence to		



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			(CCC) Position	discern the status of air quality at receptor R193. Therefore, National Highways will not duplicate monitoring at this location. National Highways will confirm a plan for when this monitoring will begin shortly, but this will be subject to getting agreement from the property owner. National Highways will let Colchester City Council know when we reach out to them, and progress on securing permission. National Highways will collect data on a monthly basis. The final results will be based on an annual		
				mean and subject to bias correction using Defra's National Bias Correction database and will be shared with Colchester City Council on completion. The monitoring will be in place for a maximum of 12		



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				months to account for seasonal variability. Whilst not expected, in the event that the results show an annual mean exceedance of the AQO collaboration will take place between the Colchester City Council and National Highways in accordance with LAQM practices.		



Acronyms

Abbreviation	Term		
AMS	Archaeological Mitigation Strategy		
AQ	Air Quality		
ccc	Colchester City Council		
DCO	Development Consent Order		
DfT	Department for Transport		
DMRB	Design Manual for Roads and Bridges		
ECC	Essex County Council		
EMP	Environmental Management Plan		
ExA	Examining Authority		
HLT	Historic Landscape Types		
LAQM	Local Air Quality Management Guidance		
LEMP	Landscape and Ecology Management Plan		
LOAEL	Lowest Observed Adverse Effect Level		
LPAs	Local Planning Authorities		
NNNPS	National Policy Statement for National Networks		
NTEM	National Trip End Model		
NVMP	Noise and Vibration Management Plan		
PA 2008	Planning Act 2008		
PC	Principal Contractor		
PEIR	Preliminary Environmental Information Report		
PRA	Preferred Route Announcement		
REAC	Register of Environmental Actions and Commitments		
SOAEL	Significant Observed Adverse Effect Level		
SoCC	Statement of Community Consultation		
SoCG	Statement of Common Ground		



Glossary

Term	Definition
Members Forum	Forum with elected Councillors in Essex, including County, District, City and Borough Councillors.
Host Authority	Local authorities in which the proposed scheme passes through.

