

A12 Chelmsford to A120 widening scheme

TR010060

8.15 Statement of Common Ground with Boreham Parish Council

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A12 Chelmsford to A120 widening scheme

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Statement of Common Ground with Boreham Parish Council

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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) Boreham Parish Council

Signed

Phil Davie



Project Director on behalf of National Highways

Date: 5th June 2023

<u>Signed</u>

Linda Reed

Chairman, Boreham Parish Council

On behalf of Boreham Parish Council

Date: 31/05/2023



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1 Introduction

1.1 Purpose of this document

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

1.2 Parties to this Statement of Common Ground

- 1.2.1 This SoCG has been prepared by (1) National Highways (formerly known as Highways England) as the applicant and (2) Boreham Parish 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 Boreham Parish Council is a prescribed consultee under Section 43 of the PA 2008.
- 1.2.4 Collectively National Highways and Boreham Parish Council are referred to as 'the parties'.

1.3 Terminology



- 1.3.1 In the tables in the Issues chapter of this SoCG, "Not Agreed" indicates a final position, "Agreed" indicates where the issue has been resolved and "Under discussion" is where these points will be the subject of on-going discussion wherever possible to resolve, or refine, the extent of disagreement between the parties.
- 1.3.2 It can be taken that any matters not specifically referred to in the Issues chapter of this SoCG are not of material interest or relevance to Boreham Parish 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 Boreham Parish Council.

2 Record of Engagement

2.1.1 A summary of the meetings that has taken place between National Highways and Boreham Parish 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)
4 February 2017	Public information event	To gather feedback from the consultation to shape the designs and to identify potential opportunities to meet Key Performance Indicators and wider targets.
30 January 2018	Meeting	East Community Forum The purpose of this forum is to maintain relationships. Topics to be covered included Scheme update, forum format going forward and Environmental Impact Assessments.
1 February 2018	Email	Email from Boreham Parish Council regarding sharing information requested at East Community Forum. Confirmation from National Highways.
14 October 2019	Meeting	West 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.
15 November 2019	Public information event	To gather feedback from the consultation to shape the designs and to identify potential opportunities to meet Key Performance Indicators and wider targets.



Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
12 March 2020	Meeting	Following the Preferred Route Announcement, a meeting to discuss the plan forward.
28 August 2020	Email	Email from National Highways announcing preferred route for junction 23 to junction 25.
17 December 2020	Online meeting	To discuss the updates of the Scheme and obtain feedback from Boreham Parish Council.
1 April 2021	Online meeting	Discuss the updates at junction 19.
6 August 2021	Engagement van event	To explain the Scheme.
21 October 2021	Online meeting	Discuss consultation feedback, provide a project update and discuss the supplementary consultation.
10 February 2022	Email	Email from National Highways regarding targeted noise consultation.
21 February 2022	Public information event	Explain the Scheme with focus on the noise effects of targeted consultees.
28 September 2022	Email	Email from National Highways regarding the public information event to be held on 10 October 2022.
10 October 2022	Public information event	Public event to discuss Main Road, traffic enforcement measures and relevant representations.
11 October 2022	Meeting	Meeting to provide Parishes, including Boreham Parish Council with a project update. Focusing on advanced work and relevant representations.
13 February 2023	Email	Email from National Highways regarding a meeting to discuss the Statement of Common Ground
16 March 2023	Email	Email from National Highways regarding a meeting to discuss the Statement of Common Ground
5 May 2023	Meeting	In-person meeting to discuss Statement of Common Ground.
31 May 2023	Email	Email to and from National Highways regarding agreement of draft Statement of Common Ground



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





3 Issues summary

3.1 Summary of issues agreed

3.1.1 The below Table **[3.1]** provides a summary of the issues currently agreed between Boreham Parish Council and National Highways. The full table of issues agreed can be seen in Table **[4.1]**.

Table 3.1 Summary of issues agreed between Boreham Parish Council and National Highways

Ref No.	Topic	Issue	Status	Date
1.1	Main Road	Appropriate mitigation measures for Main Road	Agreed.	05/05/2023
1.2	Paynes Lane Bridge	Connectivity to existing WCH facilities	Agreed.	05/05/2023

3.2 Summary of issues under discussion

3.2.1 The below Table [3.2] provides a summary of the issues currently under discussion between Boreham Parish Council and National Highways. The full table of issues under discussion can be seen in Table [4.2].

Table 3.2 Summary of issues under discussion between Boreham Parish Council and National Highways

Ref No.	Topic	Issue	Status	Date
2.1	Closure of junction 20a	Decision to close junction 20a as part of the Scheme	Under discussion.	06/02/2023



Ref No.	Topic	Issue	Status	Date
2.2	Main Road	Missed opportunity to provide cycle route along Main Road	Under discussion.	05/05/2023
2.3	Paynes Lane Bridge	Design of the bridge	Under discussion.	05/05/2023
2.4	Noise reducing surfacing	Decision to not use noise reducing surfacing on both sides of carriageway	Under discussion	06/02/2023
2.5	Traffic modelling	Traffic figures for Boreham village	Under discussion	06/02/2023
2.6	Air Quality	Air quality at Main Road, Boreham	Under discussion	06/02/2023
2.7	Noise	Noise at Main Road, Boreham	Under discussion	06/02/2023

4 Issues

4.1.1 The below tables set out the issues in discussion between Boreham Parish Council and National Highways. These tables have been split into issues agreed and issues under discussion.

4.1 Issues agreed

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



Table 4.1 Issues agreed between Boreham Parish Council and National Highways

Ref	Issue	Doc Reference	Boreham Parish Council Position	National Highways Position	Status	Date
1.1	Main Road – mitigation measures		The closure of Junction 20a will increase traffic through the village of Boreham. Main Road mitigation measures will be required to manage the resulting traffic and remind drivers that they are passing through a rural village. We support the introduction of a 30mph speed limit between the Boreham village signs as long as this is enforced. Average speed cameras are the preferred approach but we require confirmation of the funding for the ongoing management of data and enforcement of speed limits/issuing penalty notices. Has Essex County Council agreed to do this? We welcome an additional controlled crossing in the vicinity of the Co-Op. We support road narrowing along Main Road through the village in principle but not	A meeting was held on 5 May 2023 between Boreham Parish Council and National Highways to discuss Main Road. At this meeting, National Highways outlined a number of mitigation measures proposed as part of the Scheme, this includes: • A new controlled pedestrian crossing on the B1137 in the vicinity of Boreham Co-op • Road safety posters in the vicinity of Orchard Cottage, Boreham Recreation Ground and outside of the Little Hedgehogs Day nursery • Installation of average speed cameras on the B1137 within Boreham as defined by the 30mph speed limit • Installation of average speed cameras on the B1137 between Boreham and Hatfield Peverel defined by the 40mph speed limit Boreham Parish Council also discussed the suggestion of road narrowing along Main Road. National Highways confirmed that there will be some road narrowing at	Agreed.	05/05/2023



Ref	Issue	Doc Reference	Boreham Parish Council Position	National Highways Position	Status	Date
			using single lane pinch points. We recommend removing the hashed area between carraigeways and narrowing the carriageways to a width more in keeping with a rural village and adding a cycle lane through the village. This will enhance cycle safety. Signage may act as a reminder in areas where children cross.	the point of the new controlled crossing in the vicinity of Boreham Co-op. National Highways is not proposing distinct road narrowings except for where needed as part of the proposed pedestrian crossing outside the Boreham Co-op as the proposed average speed cameras are deemed to be self-enforcing, and it's the view of National Highways that these additional measures would be likely to increase conflict between motorised vehicles and cyclists on the carriageway.		
1.2	Paynes Lane bridge	2.9 General Arrangement Plans - Part 2 (Compressed Format) [AS- 010]	Paynes Lane overbridge will create a walking/cycle route to the new station for Boreham residents. We request that an additional controlled pedestrian crossing is installed to cross the B1137 in the vicinity of the Boreham end of the bridge to facilitate its use. We are concerned that this bridge is also likely to result in commuter parking along Main Road. Therefore we press for an extension of the "Clearway" or yellow lines	A meeting was held on 5 May 2023 between Boreham Parish Council and National Highways to discuss Main Road At this meeting, National Highways outlined the connectivity of the proposed Payne's Lane bridge to the existing WCH network, as shown in General Arrangement Plan – Part 2 [AS-010].	Agreed.	05/05/2023



Ref	Issue	Doc Reference	Boreham Parish Council Position	National Highways Position	Status	Date
			along Main Road. We also wish to avoid increased commuter parking in residential areas of Boreham. The new station will hopefully become a new route/stop off for Park and Ride services.			

4.2 Issues under discussion

4.2.1 The below table **[4.2]** details the issues under discussion between Boreham Parish Council and National Highways. This includes any reference to relevant documents, the current Boreham Parish Council position and the National Highways position.

Table 4.2 Issues under discussion between Boreham Parish Council and National Highways

Ref	Issue	Doc Reference	Boreham Parish Council Position	National Highways Position	Status	Date
2.1	Closure of junction 20a	Annex N of the Consultation Report [APP- 062] Junction 20A Southbound Merge Assessment of Alternatives	Boreham Parish Council recognises the benefit of widening the A12 and agrees that it would make the road safer. However, the proposed approach will have a negative impact on the village of Boreham. This is recognised by the developers in their submittal.	The decision not to re-open junction 20a was revisited following feedback from the Statutory Consultation. The Applicant's response to the feedback received at Statutory Consultation can be found in section 1.1 of Annex N of the Consultation Report [APP-062] which was submitted as part of the application. In light of further comments received during Relevant Representations,	Under discussion	06/02/23



Ref	Issue	Doc Reference	Boreham Parish Council Position	National Highways Position	Status	Date
		Report in Appendix B of this document [PDA-004].	We believe that the impact, largely due to additional traffic through Boreham village, will be greater than the developer has predicted. It will make Main Road (B1137), Boreham more dangerous for pedestrians and other road users and will (as also recognised by the developer) increase noise and air pollution in the village. We believe that many of these detrimental effects could be avoided if Junction 20a was retained and we further believe this could be accommodated alongside the A12 widening if Junction 20a was relocated slightly. This has been demonstrated in the alternative plan submitted by Boreham Conservation Society. We appreciate that there would be some added cost associated with this revision but it would be safer for our community and would reduce the amount of traffic on our local roads.	including from Boreham Parish Council regarding traffic in Boreham during peak hours and the alternative proposal from Boreham Conservation Society, a detailed technical note has been produced to assess the possibility of reinstating junction 20a. This can be found in the Junction 20A Southbound Merge Assessment of Alternatives Report in Appendix B of this document [PDA-004]. While reinstating the on slip may reduce the traffic on Main Road in Boreham, the technical note found that the significant impacts on road user safety, natural and built environment, walking, cycling and horse riding connectivity, cost and carbon increases, construction and drainage challenges and increased land take required to construct a compliant junction outweighs these benefits.		



Ref	Issue	Doc Reference	Boreham Parish Council Position	National Highways Position	Status	Date
2.2	Main Road – missed opportunity for WCH on Main Road		We propose that the entire length of the Main Road (B1137) between the two Boreham village signs should be narrowed and the additional road width be used for a cycle/WCH pathway through the village whilst retaining pull ins for local bus services.	A meeting was held on 5 May 2023 between Boreham Parish Council and National Highways to discuss Main Road. Discussions included the possibility of narrowing the road through Boreham, as part of traffic calming measures, and using that additional space to create a shared WCH route along Main Road. National Highways have looked at these suggestions and although there will be some road narrowing at the point of the new controlled crossing in the vicinity of Boreham Co-op. National Highways is not proposing distinct road narrowings except for where needed as part of the proposed pedestrian crossing outside the Boreham Co-op as the proposed average speed cameras are deemed to be self-enforcing, and it's the view of National Highways that these additional measures would be likely to increase conflict between motorised vehicles and cyclists on the carriageway.	Under discussion	05/05/2023
2.3	Paynes Lane Bridge - design	Paynes Lane Technical note	Boreham Parish Council is generally satisfied with the technical design of the bridge. We would like the appearance improved with	A meeting was held on 5 May 2023 between Boreham Parish Council and National Highways to discuss Paynes Lane Bridge.	Under discussion	05/05/2023



Ref	Issue	Doc Reference	Boreham Parish Council Position	National Highways Position	Status	Date
			public artwork which links it to the community of Boreham with the links to Henry VIII and the Boleyn family and our apple growing heritage.	At this meeting it was discussed that National Highways are engaging with Chelmsford City Council regarding Payne's Lane Bridge, including the design. The Paynes Lane Technical Note, which has been shared with Chelmsford City Council, has now also been shared with Boreham Parish Council to show the areas of discussion.		
2.4	Noise reducing surfacing	Chapter 12: Noise and vibration, Environmental Statement [APP-079].	We also ask that National Highways reconsiders the decision not to use a noise reducing surface on both carriageways of the A12 as it passes through Boreham. This would benefit houses close to the road by mitigating the additional noise pollution resulting from the A12 widening	Without mitigation, significant adverse effects were identified at 222 dwellings alongside the A12 at Boreham. These significant adverse effects were primarily caused by a predicted increase in traffic speed on the A12, but also an increase in vehicle flow. The increases in noise at dwellings were between 1 and 1.2 dB(A), but with the absolute noise being above the Significant Observed Adverse Effect Level (SOAEL), these were deemed likely significant adverse effects in accordance with Table 3.60 of DMRB LA 111. When significant effects are identified, the first mitigation measures examined are to reduce the noise at source. The path of the noise is then next considered, followed by measures at the receiver. This mitigation hierarchy is described in paragraphs 12.10.1 to 12.10.4 of	Under discussion	06/02/2023



Ref	Issue	Doc Reference	Boreham Parish Council Position	National Highways Position	Status	Date
				Chapter 12: Noise and vibration-, of the Environmental Statement [APP-079]. Removing the significant adverse effects through surfacing was therefore considered first. The surface of the A12 alongside Boreham is already a low noise surface, and so following the guidelines in DMRB LA 111 for noise modelling, no benefit in noise terms could be gained through re-surfacing with a conventional low noise surface. Using a surface with better noise reducing properties than a conventional low noise surface was therefore considered. Re-surfacing just one carriageway was first examined in order to retain as much of the relatively new existing surface as possible, and this was found to be sufficient to remove the significant adverse effect at the dwellings, with changes in noise varying between negligible increase and negligible decreases (+/- 0 – 1dB(A)) with the surface with better noise reducing properties than a conventional low noise surface in place on one carriageway. Since this is predicted to reduce the noise level to the level it would be without the Scheme, this option		



Ref	Issue	Doc Reference	Boreham Parish Council Position	National Highways Position	Status	Date
				was therefore taken forward by National Highways. The provision of the surface with better noise reducing properties than a conventional low noise surface on both carriageways would deliver minor reductions in noise of between 1.8 and 2 dB(A) at those dwellings alongside the A12. Therefore, the provision of the surface on both carriageways would deliver a minor benefit (which is classed as a noise reduction between 1.0 to 2.9 dB(A)) compared with the identified mitigation which would have delivered negligible changes in noise. With the identified mitigation, all of the identified significant adverse effects would be removed, and this would be the same if both carriageways were resurfaced. The Scheme would therefore meet the first aim of paragraph 5.195 within the National Networks National Policy Statement by avoiding significant adverse impacts on health and quality of life from noise as a result of the new development.		
2.5	Traffic modelling	Transport Assessment Appendix C: Traffic Flow	In our view, if Junction 20a is closed, a significant amount traffic from Maldon and from the northern end of	National Highways has developed a traffic model to support the design of the Scheme and understand its impacts. A summary of the predicted traffic flow	Under discussion	06/02/2023



Ref	Issue	Doc Reference	Boreham Parish Council Position	National Highways Position	Status	Date
		Diagrams – Communities and A12 Mainline [APP- 256]	Hatfield Peverel will travel south on the B1137 to gain access to the A12 at Junction 19 rather than travelling north as proposed by National Highways to gain access to the southbound carriageway via Junction 21. This will create significant congestion through Boreham and cause backlogs on the side roads (Church Road, Plantation Road and Waltham Road) particularly during the rush hour. We understand that the traffic flow modelling put forward by National Highways anticipates a reduction in Waltham Road traffic as a result of the proposed Chelmsford North East By-pass and the radial route. We are not convinced this will be the case. We remain concerned that the predicted increased traffic flow on Plantation Road will also come over Black's Bridge increasing traffic	changes in Boreham are provided in the Transport Assessment Appendix C: Traffic Flow Diagrams – Communities and A12 Mainline [APP-256]. The Annual Average Daily Traffic (AADT) on Main Road in Boreham is expected to increase by 19% by 2027 which is considered to be within the capacity of the road. On Church Road, the daily traffic flow is predicted to increase by 2% (100 vehicles per day). On Plantation Road, the daily traffic flow is predicted to increase by 17% (590 vehicles per day). The level of predicted traffic is still within the theoretical capacity of Plantation Road and Church Road, even during peak hours. These are changes predicted for 2027, comparing the traffic predicted without the Scheme against traffic predicted with the Scheme. The traffic model also predicts which routes drivers would take, taking into account both travel time and distance. The travel times estimated by the model include delays caused at busy junctions. The traffic model predicts that, of traffic on the B1019 Maldon Road heading towards either Chelmsford or the A12 southbound towards London, 87% would turn right at the Duke of Wellington miniroundabout and join the A12 at the		



Ref	Issue	Doc Reference	Boreham Parish Council Position	National Highways Position	Status	Date
			volumes through the protected lane (Church Road). In the event that Junction 20A is closed, we welcome proposals which support construction of a new link road from Maldon Road to the proposed Jn 21 at Hatfield Peverel.	proposed new junction 21. Only 13% would travel through Boreham to junction 19. Even though the route via junction 21 is a longer distance than via Boreham, it is predicted to be over one minute quicker. National Highways has been in discussion with Essex County Council, as the highway authority, on this issue.		
2.6	Air quality	Chapter 6 Air Quality of the Environmental Statement [APP-073]	It will make Main Road (B1137), Boreham more dangerous for pedestrians and other road users and will (as also recognised by the developer) increase noise and air pollution in the village. We welcome the monitoring of air quality at Garlands (R225). In the event an Air Quality Objective is to be exceeded then we expect to see mitigation measures proposed to manage this.	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 R225 has been identified via the Air Quality (AQ) assessment undertaken of the Scheme. National Highways are firmly of the view that the assessment is conservative, and, as such, to support that view, and in light of the meeting held on 16 March 2023, National Highways is happy to install three NO ₂ diffusion tubes at Garlands, Main Road, Boreham in accordance with LAQM monitoring criteria. National Highways will confirm a plan for when this monitoring will begin shortly,	Under discussion	06/02/2023



Ref	Issue	Doc Reference	Boreham Parish Council Position	National Highways Position	Status	Date
				but this will be subject to getting agreement from the property owner. National Highways will let Chelmsford City Council know when contact has been made with them, and progress on securing permission. The project 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 Chelmsford City Council on completion. The monitoring will be in place for a maximum of 12 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 Chelmsford City Council and National Highways in accordance with LAQM practices.		
2.7	Noise	Chapter 12 Noise and Vibration of the Environmental Statement [APP-079]	Increased noise levels remain a concern. It is worth remembering that a 3dB increase represents a doubling of the noise level since decibel is not a linear scale.	The predicted increase in noise reported in Chapter 12 Noise and Vibration of the Environmental Statement [APP-079] is due to a predicted increase in traffic along Main Road, as is reported in paragraph 12.11.31 of Chapter 12 [APP-079].	Under discussion	06/02/2023



Ref	Issue	Doc Reference	Boreham Parish Council Position	National Highways Position	Status	Date
				This increase in noise has been mitigated where possible by the reduction in speed limit along Main Road from 40 to 30mph. The predicted increases in noise reported along Main Road are between 1 and 3 dB(A). This increase in noise would generally be considered as not noticeable. However, due to the close proximity of some sensitive receptors to Main Road, the absolute noise level with the Scheme is above the Significant Observed Adverse Effect Level (SOAEL). For circumstances where the absolute noise level is above the SOAEL and there is an increase in noise of more than 1 dB(A), DMRB LA 111 Noise and Vibration instructs these receptors to be classed as experiencing a likely significant adverse effect. As is reported in paragraph 12.11.31 of Chapter 12 Noise and Vibration of the Environmental Statement [APP-079], there are 28 such receptors within Boreham. It should be noted that the character of this noise will not change (ie it will still be noise from road traffic) and the location will not change (it will be on the same façade of the receptor as at present). National Highways does not consider this small		



Ref	Issue	Doc Reference	Boreham Parish Council Position	National Highways Position	Status	Date
				increase in noise would lead to any change in sleep disturbance. Further mitigation is not feasible as is explained within paragraph 12.11.31 of Chapter 12 Noise and Vibration of the Environmental Statement [APP-079]. National Highways considers this is in accordance with the National Networks National Policy Statement (NNNPS), in that all that is possible has been undertaken to avoid the likely significant adverse effects, but the identified 28 will remain.		



Acronyms

Abbreviation	Term
AADT	Annual Average Daily Traffic
AQ	Air Quality
DCO	Development Consent Order
DfT	Department for Transport
DMRB	Design Manual for Roads and Bridges
ExA	Examining Authority
LAQM	Local Air Quality Management Guidance
NNNPS	National Policy Statement for National Networks
PA 2008	Planning Act 2008
PRA	Preferred Route Announcement
SOAEL	Significant Observed Adverse Effect Level
SoCC	Statement of Community Consultation
SoCG	Statement of Common Ground