



Our ref: AE/2022/127507/09-L01 & Interested Party Ref: 20033155
Your ref: TR010060

Date: 12 June 2023

Submitted via portal

APPLICATION BY NATIONAL HIGHWAYS FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR THE A12 CHELMSFORD TO A120 WIDENING

Please find below Deadline 6 comments from the Environment Agency in response to statements made within the **Applicants Written submissions of oral representations made at Hearings (ISH3) [REP5-020]**.

Table 1.2. Post-hearing submissions in response to matters raised at Issue Specific Hearing 3 (ISH3)

Reference 5.4

“The Applicant also notes that the EA have not adopted the approach they are taking on this Scheme anywhere else in the country.”

With regards to the Environment Agency position on the use of culverts and main rivers, our approach is consistent with our long-standing culverting policy, and is an approach applied to proposals across England. A copy of our culverting policy was submitted to this Examination at Deadline 5 [REP5-030]. We would highlight that the Environment Agency has raised an objection on a similar basis to the use of a culvert as part of the National Highways Lower Thames Crossing scheme proposals.

“In the interim, the Environment Agency have offered to provide details of the A47, another National Highways' scheme where culverts have been introduced successfully.”

As highlighted in our Responses to ExQ2 [REP4-074], we were actually referring to the approved National Highways A47 North Tuddenham to Easton dualling scheme in Norfolk (TR010038), where a clear span bridge, not a culvert, with a 5m minimum riparian buffer each side is being provided to cross the River Tud.

“No further issues were raised regarding biodiversity net gain and the Environment Agency are going to look into the difference in approach to the proposed scheme compared with the Lower Thames Crossing.”

This is addressed in our response to document 9.52 Applicant's Comments on Others' Responses to ExQ2 [REP5-003]

Reference 5.5

“We are seeking to understand what the legal and/or policy basis is for EA's position that reasonable and practicable alternatives have to be examined in relation to culverting. At present, our position is that there is no legal or policy requirement to look at open span crossings, this approach is not being adopted elsewhere in the country with the EA relating to other road schemes.”

As highlighted above, our approach is consistent with our national culverting policy [REP5-030]. We have further addressed the need to consider alternatives in our Deadline 5 submission [REP5-031].

Additionally, the Applicant makes a number of points about the appropriateness of the mitigation proposed. We have made comment on some of those points in our Deadline 6 response to document 9.52 Applicant's Comments on Others' Responses to ExQ2 [REP5-003], our Reference AE/2022/127507/10-L01.