

A12 Chelmsford to A120 widening scheme

TR010060

8.7 Statement of Common Ground with The Crown Estate Commissioners

Rule 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 The Crown Estate Commissioners

| | |
|---|--|
| Regulation Reference | Rule 8 (1)(e) |
| Planning Inspectorate Scheme Reference | TR010060 |
| Application Document Reference | TR010060/EXAM/8.7 |
| Author | A12 Project Team and National Highways |

| Version | Date | Status of Version |
|----------------|---------------|--------------------------|
| 1 | February 2023 | Draft for Deadline 2 |
| 2 | April 2023 | Draft for Deadline 4 |

| | | |
|---|-----------|----------------------|
| 3 | June 2023 | Draft for Deadline 6 |
|---|-----------|----------------------|

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STATEMENT OF COMMON GROUND

This Statement of Common Ground has been prepared and agreed by (1) National Highways Company Limited and (2) The Crown Estate Commissioners (TCE)

Signed..... 

Philip Davie

Project Manager

on behalf of National Highways

Date: 12th June 2023

Signed.....

[NAME]

[POSITION]

on behalf of The Crown Estate Commissioners

Date: [DATE]

For the submission of the Statement of Common Ground for Deadline 6, between **National Highways** and **The Crown Estate Commissioners**, updates have been made in the following sections of the document:

| Location | Update made |
|----------------------|---|
| Record of Engagement | Multiple emails exchanged, 2 meetings held and one SoCG informal meeting held |
| Issues agreed | Since Deadline 4 the following issues have been moved into Issues Agreed 3.2.4, 3.2.5, 3.2.6, 3.2.7, 3.2.8, 3.2.9 and 3.2.11. They have been renumbered 3.1.4, 3.1.5, 3.1.6, 3.1.7, 3.1.8, 3.1.9 and 3.1.10 respectively. |
| Issues in discussion | Updates have been added to 3.2.2, 3.2.3 and 3.2.10. Addition of 3.2.12. |

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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 to A120 Widening Scheme ("the Application") 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 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.
- 1.1.3 The SoCG has been produced to confirm to the Examining Authority where agreement has been reached between the parties to it, and where agreement has not (yet) been reached. 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 as the Applicant and (2) The Crown Estate Commissioners (TCE).
- 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.

1.3 Terminology

- 1.3.1 In the tables in the Issues chapter of this SoCG, "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 The Crown Estate Commissioners 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 the Crown Estate Commissioners.

2 Record of Engagement

2.1.1 A summary of the meetings and correspondence that has taken place between National Highways and The Crown Estate Commissioners or their agent Alex Morter (Carter Jonas), Neil Hall (Woods plc) and Bev Coupe (Woods plc) 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) |
|--------------------------------|--------------------------------------|---|
| 8 th November 2019 | Email from TCE to NH | Email from Alex Morter to Jack Bramley. Land at Feering sold to Bloor Homes Limited. Requested an updated plan. Any crop loss of compensation to be due directly to J R Crayston & Sons Ltd (tenant). |
| 29 th November 2019 | Email from NH to TCE | Email from Jack Bramley to Alex Morter. Updated plan sent. |
| 16 th December 2019 | Meeting between the Craystons and NH | Key topics discussed: <ul style="list-style-type: none"> • Discussion of survey access and borrow pits • Expected timeframes • Possible conflict with tramlines • Borage growth • Record of Condition • Appropriate vehicles to be used to alleviate rutting and compaction problems • Compensation • Site visit to agree precise location of boreholes |
| 19 th December 2019 | Emails from NH to TCE | Email from Nick Dexter to Alex Morter Consultation brochure and plan showing the 4 route options between Junction 23 and 25 of the A12 attached. Consultation material attached. |
| 6 th January 2020 | Email from NH to TCE | Email from Charles Ashby to Alex Morter. Update that there were no further issues following the site visit. Land will not be required as a Borrow Pit but some of the land may be required for the scheme depending on which route is decided upon. Intrusive survey work may still be required but this is on hold pending the decision of the final route. |

| Date | Form of correspondence | Key Topic discussed and key outcomes (the topics should align with the Issues tables) |
|---------------------------------|--|--|
| 28 th January 2020 | Meeting between TCE and NH | Key topics discussed: <ul style="list-style-type: none"> • Project overview, timescales and route options • Overview provided of the Crown Estate Land, the tenant and future development of land to the north of the existing A12 • Survey access |
| 28 th August 2020 | Letter from NH | Preferred Route Announcement (PRA) letter. |
| 2 nd September 2020 | Email from TCE to NH | Email from Neil Hall to Nick Dexter. Concept plan attached. |
| 2 nd September 2020 | Microsoft Teams meeting between TCE and NH | Key topics discussed: <ul style="list-style-type: none"> • Project overview and preferred route announcement • Construction sequence • Location of proposed new Junction 24 • Plans for the current A12 • Drainage features • Proposed development • Development timeline • Preliminary design • Borrow Pits • Overbridge which connects Threshelfords Business Park to the Crown Land on east of A12. |
| 15 th September 2020 | Microsoft Teams meeting between the Craystons and NH | Key topics discussed: <ul style="list-style-type: none"> • Preferred Route Announcement (PRA 2) update • Scheme overview • Land use plans • Access to the Crown land and the Crown's proposed development • Access to the field right of New Lane • Land between new bridge and Prested Hall and its feasibility to farm • Access tracks to balancing ponds |

| Date | Form of correspondence | Key Topic discussed and key outcomes (the topics should align with the Issues tables) |
|--------------------------------|--|---|
| | | <ul style="list-style-type: none"> • Non-intrusive surveys |
| 16 th November 2020 | Microsoft Teams meeting between the Craystons and NH | <p>Key topics discussed:</p> <ul style="list-style-type: none"> • Threshelford accommodation overbridge • New bridge alignment • Landowner's requirements for the road and bridge cross sections • Loading requirements of the bridge and vehicle type • Vehicle overhand • Access |
| 16 th February 2021 | Microsoft Teams meeting between the Craystons and NH | <p>Key topics discussed:</p> <ul style="list-style-type: none"> • Archaeological Trial Trenching surveys and non-intrusive geophysical walkover surveys • Access • Utilities and land drains • Fencing trenches, footpath, security, shooting • Access licence • Timescales for compensation |
| 9 th April 2021 | Email from TCE to NH | <p>Email from Hugh Wastenev to Adam Hemingway. Requested details on reinstatement works to the track adjacent to Threshelfords Business Park. Requested for the track to be levelled due to heavy rutting.</p> |
| 9 th April 2021 | Email from NH to TCE | <p>Email from Adam Hemingway to Hugh Wastenev. Confirmed that the track is to be reinstated.</p> |
| 27 th July 2021 | Email from TCE to NH | <p>Email from Neil Hall to Lucy Harrington. Summary of concerns shared with draft DCO plans.</p> |
| 29 th July 2021 | Email from TCE to NH | <p>Email from Alex Morter to Sium Yohannes. Requested confirmation about the carriageway widths, verge widths and weight capacities for area around realigned London Road/Feering East (15/5a, 15/1c) roundabout.</p> <p>Also asked for the angle of the turning head at Prested Hall overbridge/new farm access to be reduced to facilitate large farm machinery turning into the field, and the road surface to be extended</p> |

| Date | Form of correspondence | Key Topic discussed and key outcomes (the topics should align with the Issues tables) |
|-----------------------------|--|--|
| | | to meet the red line boundary so access can be obtained into the neighbouring field. |
| 29 th July 2021 | Microsoft Teams meeting between TCE and NH | <p>Key topics discussed:</p> <ul style="list-style-type: none"> • Land plans • Prested Hall road proposed ownership • Land take • Overbridge • Bridge, 4 arm roundabout, Prested Hall access • Design of road in relation to Tiptree junction • Red line boundary • Drainage and attenuation ponds • Pond • Landscaping • Reducing land take around the pond • Access • Pond tracks and access ownership • Noise levels around the northern parcels and Inworth road |
| 29 th July 2021 | Email from NH to TCE | <p>Email from Sium Yohannes to Alex Morter.</p> <p>Shared details about the current proposed shared section of Prested Hall carriageway and dedicated accesses to Threshelfords access and the farm access. Design traffic load for the new Prested hall overbridge shared.</p> |
| 30 th July 2021 | Email from TCE to NH | <p>Email from Alex Morter to Sium Yohannes.</p> <p>To check with the current farming tenant. Clarified whether the bridge will be strong enough to accommodate maximum abnormal loads applying pressure up to a maximum of 130kN of load on each of the 6 axles.</p> |
| 30 th July 2021 | Email from NH to TCE | <p>Email from Sium Yohannes to Alex Morter.</p> <p>Requested the exact load/wheels layout of the vehicles intended to use the bridge in order to give a definitive answer.</p> |
| 4 th August 2021 | Email from TCE to NH | Email from Bev Coupe to Kaluba Kampandila. |

| Date | Form of correspondence | Key Topic discussed and key outcomes (the topics should align with the Issues tables) |
|-------------------------------|--|---|
| | | Investigating a potential site access off London Road. Requested peak hour directional traffic flow data for the eastern section of London Road. |
| 26 th January 2022 | Email from TCE to NH | Email from Neil Hall to Elliot Chandler. Original August 2021 A12 submissions; latest December 2021 submissions on the changes and unresolved issues; a concept design for northern access on the London Road; extract from the Braintree LP pt 2 re Policy LPP22 Land at Feering attached. |
| 1 st February 2022 | Microsoft Teams meeting between TCE and NH | Key topics discussed: <ul style="list-style-type: none"> • Red line boundary • New connection proposed between London Road and Feering Road • Land north of the roundabout • Slippage • Land plans and land take • GA-099 • Land around the pond • GA-91 • GA-89 |
| 14 th April 2022 | Letter from NH | Early negotiations letter. |
| 27 th April 2022 | Email from NH to TCE | Email from Theresa Tschainer to Neil Hall. Latest draft plans (permanent works) attached. |
| 27 th April 2022 | Email from TCE to NH | Email from Neil Hall to Elliot Chandler. Queried whether the plan fits with the latest Rev 05 November 2021 scheme design and enquired if there was any later iteration to make sense of requests and implications. |
| 27 th April 2022 | Email from NH to TCE | Email from Nick Dexter to Neil Hall. Clarified the plans and early negotiations letter. |
| 27 th May 2022 | Email from TCE to NH | Email from Neil Hall to NH. Completed early negotiations letter returned. |
| 22 nd June 2022 | Microsoft Teams meeting between TCE and NH | Key topics discussed: <ul style="list-style-type: none"> • Timeline update • DCO progress |

| Date | Form of correspondence | Key Topic discussed and key outcomes (the topics should align with the Issues tables) |
|------------------------------|--|--|
| | | <ul style="list-style-type: none"> • The Crown Estate timescale • The Crown Estate proposals • Roundabout • T-junction • Land north of A12 • Road adoption • Access to retained land • Western land • Parcel 14/5b |
| 29 th June 2022 | Email from TCE to NH | Email from Bev Coupe to Hugo Rawstone. 4 arm roundabout proposal drawings shared. |
| 1 st July 2022 | Email from NH to TCE | Email from Hugo Rawstone to Bev Coupe. Cross section for link road junction sent. |
| 12 th July 2022 | Email from NH to TCE | Email from Hugo Rawstone to Alex Morter. Classification of Road Plans and Engineering sections attached. |
| 12 th July 2022 | Microsoft Teams meeting between TCE and NH | Key topics discussed: <ul style="list-style-type: none"> • Project update • The Crown Estate update • Utilities • Overbridge • Shared access • Threshelfords overbridge • Domsey Brook bridge • Ground levels • Compensation • AOB |
| 16 th August 2022 | Email from NH to TCE | Email from Hugo Rawstone to Neil Hall. Land plans and General Arrangement Plans attached. |
| 16 th August 2022 | Microsoft Teams meeting between TCE and NH | Key topics discussed: <ul style="list-style-type: none"> • Previous actions • DCO submission |

| Date | Form of correspondence | Key Topic discussed and key outcomes (the topics should align with the Issues tables) |
|---------------------------------|--|---|
| | | <ul style="list-style-type: none"> • The Crown Estate update • Land plans • Construction timescales • Planning conflict |
| 16 th September 2022 | Email from NH to TCE | Email from Hugo Rawstone to Alex Morter. Haul Road drawings shared. 2D Highways Design of the road shared. |
| 20 th September 2022 | Letter from NH | Section 56 letter. |
| 20 th September 2022 | Microsoft Teams meeting between TCE and NH | Key topics discussed: <ul style="list-style-type: none"> • DCO programme • Roundabout design • Relocation of the foul pipe • Statement of Common Ground • Crown land plans • Heads of Terms • Advanced works |
| 30 th September 2022 | Email from NH to TCE | Email from Hugo Rawstone to Charlotte Sythes. Construction phase plans, Advanced works plans attached. Answers provided regarding timescales, advanced works (surveys, archaeology, utilities), haul roads. |
| 4 th October 2022 | Microsoft Teams meeting between TCE and NH | Key topics discussed: <ul style="list-style-type: none"> • Road solutions • Design timelines • Collaboration agreement • Inworth link • Surveys • Land north of London Road |
| 10 th October 2022 | Email from TCE to NH | Email from Neil Hall to Hugo Rawstone. 15/8a and 15/8b confirmed to belong to TCE. Requested for the whole of sheet 15 to be checked and that nothing in the Order or scheme design impacts fall outside the red line. |

| Date | Form of correspondence | Key Topic discussed and key outcomes (the topics should align with the Issues tables) |
|--------------------------------|---|--|
| 11 th October 2022 | Email from NH to TCE | Email from Hugo Rawstone to Neil Hall. Sheet 15 to be reviewed. Confirmed that currently all the land required for the scheme is within the red line boundary. |
| 19 th October 2022 | Microsoft Teams meeting between TCE and NH | Key topics discussed: <ul style="list-style-type: none"> • Statement of Common Ground • The Crown Estate design and planning • Drainage • Collaboration agreement • Surveys • Land north of London Road • AOB |
| 3 rd November 2022 | Microsoft Teams meeting between TCE and NH | Key topics discussed: <ul style="list-style-type: none"> • Heads of Terms • Statement of Common Ground • Haul Road • Land north of London Road • AOB |
| 17 th November 2022 | Microsoft Teams meeting between TCE and NH | Key topics discussed: <ul style="list-style-type: none"> • Land use, agreements and programme • Workshop proposed to go through each land parcel • Agreement plan |
| 7 th December 2022 | Letter | Early negotiations form returned. |
| 14 th December 2022 | Microsoft Teams meeting between TCE and NH | Key topics discussed: <ul style="list-style-type: none"> • Plot by plot analysis of required rights • Timings • Overages • Section 135 consent |
| 9 th February 2023 | Microsoft Teams meeting between TCE and NH – SoCG meeting | Key topics discussed: <ul style="list-style-type: none"> • SoCG and timings • Compensation |

| Date | Form of correspondence | Key Topic discussed and key outcomes (the topics should align with the Issues tables) |
|-----------------------------|----------------------------|---|
| | | <ul style="list-style-type: none"> • TCE comments pending |
| 1 st March 2023 | Email from TCE to NH | <p>Email from Neil Hall to Hugo Rawstorne.</p> <p>Signal crossroads design option plan, signal controlled staggered junction option plan and a drawing of the southern tie-in shared. Confirmed that the current design(s) do not affect traffic volumes or Prested access locations. Proposals to minimise disruptive/abortive works.</p> |
| 16 th March 2023 | Email from TCE to NH | <p>Email from Hannah Hull to Laura Crumpton. Requested Essex County Council to attend the scheduled call to discuss London Road junction.</p> |
| 17 th March 2023 | Meeting between TCE and NH | <p>Key topics discussed:</p> <ul style="list-style-type: none"> • DCO Update • TCE Update • Southern Bypass • Proposed changes: <ul style="list-style-type: none"> -14/5b – Domsey Brook -15/8b Threshelfords Bridge -15/8g,15/8h – London Road -15/8i, 15/8j – north of A12 • Feering East Junction Layouts • AOB |
| 18 th May 2023 | Meeting between TCE and NH | <p>Hannah Hull, Katie Collins, Simon Peart, Matt Georgi, Andrew Goodwin, Tom Scott, Hugo Rawstorne and Isabel Doyle attended.</p> <p>Key topics discussed:</p> <ul style="list-style-type: none"> • Actions from previous meeting • Existing overbridge • Update from TCE • Utility diversions • Programme • S135 Consent • Individual land parcels:14/5b; 14/7a and 14/7b; 14/5c; 15/1a; 15/8d • Construction of drainage infrastructure 14/5e |

| Date | Form of correspondence | Key Topic discussed and key outcomes (the topics should align with the Issues tables) |
|---------------------------|----------------------------|--|
| | | <ul style="list-style-type: none"> • Pond access track ownership • SoCG • AOB |
| 2 nd June 2023 | Meeting between TCE and NH | Brief catch up on SoCG / HoTs and actions. |
| 9 th June 2023 | Meeting between TCE and NH | <p>Hannah Hull, Neil Hall, Bev Coupe, Matt Georgi, Andrew Goodwin, Tom Scott, Chris Alves-Greenland, Hugo Rawstone and Laura Crumpton attended.</p> <p>Key topics discussed:</p> <ul style="list-style-type: none"> • Technical note – design geometry & utilities. • Footpath design • S135 • Roundabout speed limits. • Connectivity. |

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) The Crown Estate Commissioners or their Agents in relation to the issues addressed in this SoCG.

2.1.3 This statement is The Applicant's draft; it is not agreed with The Crown Estate. The Crown Estate were provided with the latest iteration of the draft statement 26th May 2023. The Applicant is awaiting comments from The Crown Estate. Weekly catch-up meetings are taking place to progress matters.

3 Issues

3.1 Issues agreed

Table 3.1 Issues agreed.

| Ref | Issue | Doc Reference | The Crown Estate (TCE) Position | National Highways Position | Status | Date |
|--------|--|-------------------------|---|--|--------|----------|
| 3.1.1. | Access to retained TCE land to the East of the A12 | Relevant Representation | TCE to comment. | The design has been amended to propose a new access for Prested Hall on the London Road where the southbound A12 off slip embankment currently exists. The new link and overbridge provide alternative access to retained TCE land east of the A12. | Agreed | Feb 2023 |
| 3.1.2. | Land plans - 14/7a (temporary rights) | | Some of the plots are missing on TCE Agreement Plans. There are some mistakes raised on TCE plans. | The reason for the subsoil plots missing from the plans is due to them being a whole plot on the land plans and it would be complex to split these down into half subsoil rights on the plans. They will be included in any discussions with TCE. The issues with TCE plans have been addressed and the DCO documents have been updated accordingly and will be circulated when available. | Agreed | Feb 2023 |
| 3.1.3. | 14/5c (temporary rights) | | There may become a point that slightly different alignments need to be explored if TCE also require access to their land at this point. Even if there was a | This plot allows NH access from Inworth Road to the western side of the A12, to Threshelfords Bridge. It widens in places to allow for a veteran tree on a corner. NH will provide access to the Craystons, TCE's farming tenants, either via | Agreed | Feb 2023 |

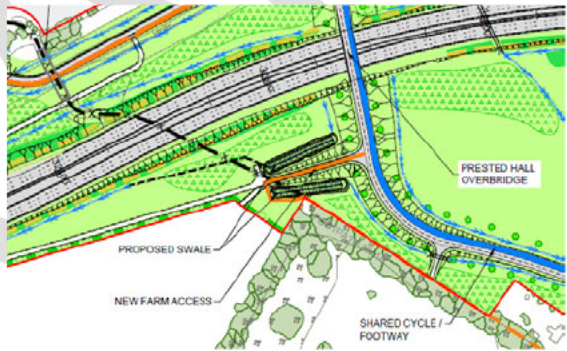
Statement of Common Ground with The Crown Estate Commissioners

| Ref | Issue | Doc Reference | The Crown Estate (TCE) Position | National Highways Position | Status | Date |
|--------|---|-------------------------|--|--|--------|-----------|
| | | | <p>clash on timings, this would coincide with preconstruction works so there's more flexibility.</p> <p>TCE's agricultural tenant will need access across this land parcel before this time.</p> | Threshelfords Bridge or via the new Prested Hall Access Bridge. | | |
| 3.1.4. | Land take – 14/5c, 14/12a, 15/7a, 15/8a, 15/8b, 15/8c | Relevant Representation | <p>The DCO boundary west of the old A12 and towards Threshelfords Business Park includes an area of land proposed for permanent and temporary land take. This includes engineering works to accommodate a new permanent PRoW route and a temporary 'access road' from Inworth Road (not identified as a haul route in the submitted DCO). This impacts on the developable area of LPP21 and in locations that are required for development purposes. The timing of temporary</p> | <p>National Highways will continue to engage with the Interested Party regarding the coordination of the proposed scheme and the developable area for The Crown Estate's LPP21 during the detailed design stage, to enable the timely provision of both schemes.</p> <p>A licence will be taken over 15/8b during construction and thereafter NH will transfer any land required to minimise land acquisition.</p> <p>Access will be provided across the A12 for the farming tenants. National Highways can ensure access is available in the short term for the farming tenants via the old track until the new Prested Hall Bridge is operational.</p> | Agreed | June 2023 |

Statement of Common Ground with The Crown Estate Commissioners

| Ref | Issue | Doc Reference | The Crown Estate (TCE) Position | National Highways Position | Status | Date |
|-----|-------|---------------|--|----------------------------|--------|------|
| | | | <p>works could also impact delivery of the site if not completed in a timely fashion. The acquisition of land across the centre of the site to Threshelfords severs the central parcel of LPP21 and could prevent comprehensive masterplanning and delivery of the site, delivery of the Inworth Road Link and necessary drainage and service infrastructure at the right time. It is considered that some of the land being permanently required could be reduced at the detailed design stage. TCE are therefore working with NH to refine the DCO design and to further minimise permanent land take. Both parties are also working towards an agreement that secures the rights necessary to</p> | | | |

Statement of Common Ground with The Crown Estate Commissioners

| Ref | Issue | Doc Reference | The Crown Estate (TCE) Position | National Highways Position | Status | Date |
|--------|--|---------------|--|--|--------|-----------|
| | | | implement LPP21, minimises land take and ensures temporary land take will not prevent timely delivery of LPP21. | | | |
| 3.1.5. | Access to retained land east of the proposed A12 route at Feering via Prested Hall Link (General Arrangement - Sheet 15) | | Plans show a new field access off the proposed Prested Hall access road, via a turning head at the base of a ramp. As currently designed, the link does connect to the boundary with the retained TCE land. Confirmation is required that access will be available from the turning head to the DCO boundary to allow access to the retained field and is to a suitable standard. The requested detail is to be developed at the detailed design stage and both parties are working to secure such an agreement. | <p>The proposed scheme provides access to the Interested Party's retained land as shown on Sheet 15 of the Streets, Rights of Way and Access Plans, Part 2 [AS-028]. National Highways will continue to engage with the Interested Party to ensure this access is maintained as the detail design progresses.</p>  <p>TCE to confirm suitable standard for access.</p> | Agreed | June 2023 |
| 3.1.6. | Extent of land take east of the | | The extent of permanent land take in this area has been reduced which | National Highways will continue to collaborate With a view to settling and finalising the required land agreements. | Agreed | June 2023 |

Statement of Common Ground with The Crown Estate Commissioners

| Ref | Issue | Doc Reference | The Crown Estate (TCE) Position | National Highways Position | Status | Date |
|--------|---|---------------|--|--|--------|-----------|
| | proposed A12 route at Feering (TCE Parcels 14/5d, 14/5e, 14/5f, 14/7b, 15/8d, 15/8e, 18/8f) | | is welcomed. Land agreements are being progressed. | | | |
| 3.1.7. | Land take along the Domsey Brook north and south of Inworth Road (Parcels 14/5a, 14/5b, 14/6a, 14/7a) | | The A12 plans currently include sections of the Domsey Brook as permanent and temporary land take immediately north and south of the Inworth Road, which could interfere with TCE's ability to make future drainage outfalls into the watercourse. It is considered that the main issue is the timing of and control over these works, and therefore the parties are working to secure the necessary agreements. | <p>National Highways met with WSP on behalf of The Crown Estate to explain the rationale of the permanent and temporary land identified as required for the proposed scheme. The feasibility of drainage outfalls from TCE's development land into the brook was discussed. National Highways clarified any drainage outfalls from TCE's development land would have to be a direct discharge to the brook, and there would not be any connection to the National Highways drainage system. As the proposed scheme progresses, National Highways will continue to engage with WSP on the requirements for future drainage outfalls.</p> <p>National Highways are proposing plot 14/5b to change from permanent acquisition to temporary possession with permanent rights. National Highways is waiting for TCE to confirm their drainage ditch and culvert</p> | Agreed | June 2023 |

Statement of Common Ground with The Crown Estate Commissioners

| Ref | Issue | Doc Reference | The Crown Estate (TCE) Position | National Highways Position | Status | Date |
|---------|---------------------------------|---------------|---|--|--------|-----------|
| | | | | specification and their views on maintenance of this asset. | | |
| 3.1.8. | 14/5a, 14/5b - Timings | | The Domsey Brook is a key location for TCE to be able to discharge into. It is plausible that TCE would want to be doing drainage works by 2026, which may coincide with National Highways' works. | If this circumstance occurs, National Highways will work with TCE and put a mechanism in place for both of these works to happen simultaneously. | Agreed | June 2023 |
| 3.1.9. | 14/5b - Discharge, pipe, access | | <p>It is assumed that there is a licence in place which has a long stop date and then the land is transferred after a final boundary is in place.</p> <p>A wayleave was suggested to protect the pipe and access.</p> <p>TCE will need to go on the land and do surveys. Plenty of notice will be given ahead of any surveys.</p> | <p>This allows National Highways to acquire less land and only acquire what is necessary for the scheme. As long as National Highways can maintain its discharge into Domsey Brook there is the possibility that National Highways may not need to acquire the land.</p> <p>From a health and safety point of view, there are several high-level requirements if TCE needs to cross the land. As long as there are no unsuitable works, it can be arranged as long as plenty of notice is given.</p> | Agreed | June 2023 |
| 3.1.10. | Temporary storage / | | TCE hope that these can be provided elsewhere. | Temporary land take for storage can be reduced on these plots subject to TCE | Agreed | June 2023 |

| Ref | Issue | Doc Reference | The Crown Estate (TCE) Position | National Highways Position | Status | Date |
|-----|-------------------|---------------|---------------------------------|--|--------|------|
| | compounds – 15/8a | | | agreeing latest design changes regarding the footpath. | | |

3.2 Issues in discussion

Table 3.2 Issues in discussion.

| Ref | Issue | Doc Reference | The Crown Estate (TCE) Position | National Highways Position | Status | Date |
|--------|--------------------|-------------------------|---|--|------------------|----------|
| 3.2.1. | Planning for LPP21 | Relevant Representation | WSP has been instructed to prepare a comprehensive planning application for LPP21 aiming for submission toward the end of 2023/early 2024. The pre-application process is underway, and a planning performance agreement is in the process of being finalised. Time limited species surveys were commenced last year and are substantially complete. It is anticipated that construction could commence from 2025 onwards, which would coincide with National Highways' (NH) A12 construction programme. A series of discussions have taken place with the NH team regarding the design of the A12 and planned growth at Feering. TCE is supportive, in principle, of the A12 proposals and specifically the provision of a new 'all-moves' Junction at Feering | National Highways is committed to continuing the ongoing engagement with the Interested Party to resolve the remaining matters outlined in this representation. Meetings with the Interested Party are occurring regularly to resolve the issues raised as soon as is practicable. | Under discussion | May 2023 |

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|--------|-----------------------------|-------------------------|--|---|------------------|----------|
| | | | <p>(Proposed J24). However, TCE has requested clarifications on or improvements to the A12 proposals to ensure that planned growth and infrastructure are aligned. These discussions have indicated that the comments and requested changes set out below could be resolved by either amending the draft DCO design, design refinement as the scheme progresses and/or entering suitable land agreements. While significant progress has been made, at the time of drafting this submission, several matters still need to be resolved. Although, it is acknowledged that both sides are trying to work towards an agreed position. However, until the scheme is amended (or solutions are agreed) significant issues remain. These relate broadly to the extent, timing and use of permanent and temporary land take and impact on the design and deliverability of the strategic allocation at Feering under Policy LPP21.</p> | | | |
| 3.2.2. | London Road Junction Design | Relevant Representation | <p>The new Prested Hall access road and junction onto London Road potentially compromise TCE's ability to provide the northern development access required to serve LPP21. The submitted DCO does not take account of the planned growth,</p> | <p>The traffic model includes the first phase of development at the Feering strategic growth location allocated under Strategic Policy LPP21 in the Braintree District Council Local Plan, containing 162 dwellings. The second</p> | Under discussion | May 2023 |

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| Ref | Issue | Doc Reference | The Crown Estate (TCE) Position | National Highways Position | Status | Date |
|-----|-------|---------------|---|---|--------|------|
| | | | <p>the associated access strategy or the highway improvements required by Policy LPP21 itself. The DCO design interferes with the delivery of LPP21. Ancillary works, such as the location of a new crossing facility on the London Road, and the Prested Hall access road being partly in a cutting, further complicates the delivery of the new Inworth Road link by TCE. A preliminary northern access design will need to be agreed with National Highways and Essex County Council to demonstrate technical feasibility and to enable the successful delivery of LPP21. WSP are currently preparing a design for TCE [Nov 2022].</p> <p>TCE would prefer a signalised crossroads from a planning and design perspective; however, Essex CC would prefer a staggered junction arrangement. TCE will share their junction design proposals once more progress has been made regarding this.</p> <p>TCE requests for A12 locations in this location to be adopted as public highway and to engage in appropriate agreements to ensure delivery of LPP21.</p> <p>TCE are preparing a Traffic Assessment (TA) for the northern access and are</p> | <p>phase is not included because, despite being allocated for development in the Local Plan, no planning application had been submitted for this development when the traffic model was developed to inform the uncertainty log, which was discussed and agreed with the local authorities. The traffic model was agreed with local highways authority ahead of DCO submission. As described in Chapter 5.6 of the Combined Modelling and Appraisal Report, Appendix C: Transport Forecasting Package report [APP-264], only developments classified as 'Near Certain' or 'More than Likely' (ie, those with planning applications) were included in the traffic model in accordance with DfT Transport Analysis Guidance (TAG) unit M4 forecasting and uncertainty. National Highways will work with the Interested Party, Braintree District Council and Essex County Council during the detailed design to reach agreement on the approach to integrate the proposed scheme and The Crown Estate's plans for its land to which Policy LPP21 applies.</p> <p>DCO DOCUMENT</p> | | |

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| Ref | Issue | Doc Reference | The Crown Estate (TCE) Position | National Highways Position | Status | Date |
|--------|--|-------------------------|--|---|------------------|----------|
| | | | looking at junction arrangements. TCE is considering what would be appropriate assumptions for the A12 scheme in the TCE's Environmental Assessment (EA) process | <p>[Above link to Combined Modelling and Appraisal Report, Appendix C: Transport Forecasting Package Report].</p> <p>National Highways will develop utilities design once the TCE junction design is finalised to avoid rebuilding the road.</p> <p>National Highways has drafted a Technical Note on the Feering East Junction Layout. [May 2023]</p> <p>National Highways are unable to design and build the junction on behalf of TCE and are awaiting 3D models of the junction proposals from TCE.</p> | | |
| 3.2.3. | Land take – 15/8g, 15/8h, 15/8i, 15/8j | Relevant Representation | <p>Land take appears excessive and more than the 3-4m needed for proposed pedestrian and cycle mitigation measures or to accommodate temporary utility diversions.</p> <p>The DCO boundary extends into Crown land for a strip of circa (500m along the London Road). This land take appears excessive and more than the 3-4m needed for proposed pedestrian and cycle mitigation measures or to accommodate utility diversions. It is</p> | National Highways is currently undertaking a review of each land plot in collaboration with the Interested Party to identify where optimisation can be achieved to the benefit of the Interested Party and will pursue this within the limits of the submitted DCO documents. For example, National Highways will work with the utility company throughout the detailed design stage to design, if practicable, the diversion of the pumped foul main | Under discussion | May 2023 |

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| Ref | Issue | Doc Reference | The Crown Estate (TCE) Position | National Highways Position | Status | Date |
|-----|-------|---------------|---|---|--------|------|
| | | | <p>considered that there is scope to accommodate utilities within the footpath/cycleway corridor and this should be explored as part of the detailed design process. We are therefore working with National Highways to ensure that the DCO minimises impact on the developable area of LPP21 in this location. The land being required also extends for the full extent of the London Road frontage creating potential problems in achieving future access requirements, providing service connections in London Road itself and for the conveyance of future surface water and services on to TCE land east of London Road as part of a strategic drainage strategy. More detail is therefore required to ensure the delivery and planning of LPP21 is not frustrated. The level of permanent and temporary (with permanent rights) land take should be reduced to the minimum necessary to accommodate improvements to pedestrian and cycle facilities along the London Road frontage. Any land required must also become adopted highway to ensure the delivery of access and services to LPP21 is not frustrated. More detail on the timing of the works will be required in due course and a suitable</p> | <p>(Work No. U156) so that it can be accommodated within the proposed highway verge. National Highways will continue to engage with the Interested Party throughout the detailed design stage regarding TCE's plans for LPP21. Information regarding the extent and timing of the proposed scheme will be provided as the detailed design progresses.</p> <p>. Awaiting 3D models from TCE in order to further investigate through detailed design whether the utilities diversions (15/8g and 15/8h) can be put in the highways verge.</p> <p>Once detailed design has taken place regarding drainage at 15/8i and 15/8j, land take can be further refined. National Highways is aware that TCE also have to attenuate surface water in this location and is factoring this into</p> | | |

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| Ref | Issue | Doc Reference | The Crown Estate (TCE) Position | National Highways Position | Status | Date |
|--------|--|---------------|--|---|------------------|----------|
| 3.2.12 | Landscaping on land take east of the proposed A12 route at Feering (TCE Parcels 14/5d, 14/5e, 14/5f, 14/7b, 15/8d, 15/8e, 18/8f) | | TCE have requested landscaping to be to a TCE Standard at this location. | NH to consider the detailed design of the highway landscaping to take into account TCE's developing landscape design. | Under discussion | May 2023 |

Acronyms

| Abbreviation | Term |
|--------------|---|
| DCO | Development Consent Order |
| DfT | Department for Transport |
| EA | Environmental Assessment |
| LPP21 | Braintree District Local Plan Policy, Strategic Growth Location – Land at Feering |
| MIAG | Messing Inworth Action Group |
| NH | National Highways |
| PRoW | Public Right of Way |
| SoCG | Statement of Common Ground |
| TA | Traffic Assessment |
| TCE | The Crown Estate |
| WSP | Williams Sale Partnership |

Glossary

| Term | Definition |
|------|------------|
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References

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For each of those areas that are in dispute, it would be beneficial if each party would put their estimation as to the likelihood that disagreement will remain by the end of the Annex F

F2 Examination. This should be done on a ‘Low’, ‘Medium’ and ‘High’ traffic light model. This will allow the ExA to assess those areas where oral discussions may be most beneficial.

| | |
|--|--------|
| | Low |
| | Medium |
| | High |

| Issue/ Matters under discussion | RAG Status Estimation | RAG Status Estimation |
|---|-----------------------|------------------------|
| | National Highways | The Crown Estate (TCE) |
| Planning for LPP21 | | |
| London Road Junction Design | | |
| Land take – 15/8g, 15/8h, 15/8i, 15/8j | | |
| New Lane Ditch (15/8i, 15/8j) | | |
| Land take – 14/5c, 14/12a, 15/7a, 15/8a, 15/8b, 15/8c | | |
| Access to retained land east of the proposed A12 route at Feering via Prested Hall Link (General Arrangement - Sheet 15) | | |
| Extent of land take east of the proposed A12 route at Feering (TCE Parcels 14/5d, 14/5e, 14/5f, 14/7b, 15/8d, 15/8e, 18/8f) | | |

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| | | |
|--|--|--|
| Land take along the Domsey Brook north and south of Inworth Road (Parcels 14/5a, 14/5b, 14/6a, 14/7a) | | |
| 14/5a, 14/5b - Timings | | |
| 14/5b - Discharge, pipe, access | | |
| 15/8a | | |
| Temporary storage / compounds – 15/8a | | |
| Landscaping on land take east of the proposed A12 route at Feering (TCE Parcels 14/5d, 14/5e, 14/5f, 14/7b, 15/8d, 15/8e, 18/8f) | | |

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