

TR010060 – A12 Chelmsford to A120 widening scheme

Mary Ann Lindsay and John Chilcott Lindsay



Interested Party reference number: 20032403

Supplemental to our presentation to the ExA at CAH3 on 27th June 2023 and our previous submissions.

We would like to reiterate our appreciation of the time and attention given by the Examining Authority to our case and the opportunities afforded to us to speak at the various hearings.

We are still not reassured by, or satisfied with, the response of the Applicant's representatives to our request for adequate mitigation measures to protect our home from the devastating effects of the scheme.

Haul Road

With regard to the Haul Road south of our property, the Applicant explains that this is necessary as it "wished to save the neighbouring property" (Barconn Ltd.), thereby choosing to blight a permanently occupied domestic property in order to save a commercial property. We cannot understand why a commercial property takes precedence over a historic 250-year-old traditional Essex weatherboard house that has been occupied by the same family for over 80 years.

The Applicant's refusal to relocate the haul road means that we shall be subjected to constant noise and visual intrusion. It seems that no measures have even been considered to reduce the impact on the quiet enjoyment of our home and garden.

Construction Work

In its response to ExQ3.5.4, the Applicant states that it has added further controls to the proposed works in the vicinity of Columbyne Cottage. We would like details of these changes and how it is claimed they will further mitigate some of the disruption. The Applicant has not communicated this information to us. The Applicant acknowledges that there will be disturbance during construction but has not communicated any specific measures that it will take to protect us from that.

Boundary Hedge fronting B1023 owned by Columbyne Cottage

The Applicant continues to refuse to guarantee the retention of our hedge fronting the B1023. This hedge was planted over 100 years ago and obviously is within the curtilage of the property. It is generally acknowledged that Land Registry plans can be inaccurate.

Discretionary Purchase

The Applicant sets out the rules governing Discretionary Purchase in situations where the owners have a pressing need to sell their property in which case the owners are required pay all their own costs. If, however, the pressing need to sell is the result of, and only the result of, the aggravation caused by National Highways' road widening scheme, it is patently totally unjust that we should be required to meet the costs of a move that we would otherwise not choose to make. We strongly believe that this makes Columbyne Cottage a unique case that falls outside the normal rules. Additionally, we believe that we are suffering Injurious Affection.

We ask again that the Examining Authority requires the Applicant to mitigate as much as possible the effects of the works during and after completion of the scheme and also to reconsider concessions with regard to the procedures governing Discretionary Purchase should the need arise.

We remain extremely concerned and anxious about the effects of the scheme on our quality of life and our physical and mental health and feel that the Applicant has not properly provided the reassurance and mitigation measures that we need.