

A12 Chelmsford to A120 widening scheme

TR010060

8.14 Statement of Common Ground with Braintree District Council

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The Infrastructure Planning
(Examination Procedure) Rules 2010

A12 Chelmsford to A120 widening scheme
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Statement of Common Ground with Braintree District Council

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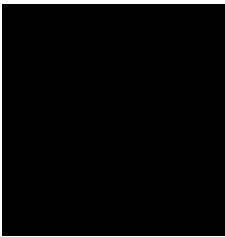
Version	Date	Status of Version
P01.1	February 2023	Draft
P01.2	April 2023	Draft for Deadline 4

P01.3	June 2023	Draft for Deadline 6
P01/4	July 2023	Final version for Deadline 7

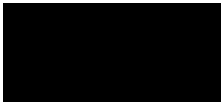
STATEMENT OF COMMON GROUND

This Statement of Common Ground has been prepared and agreed by (1) National Highways Limited and (2) Braintree District Council.

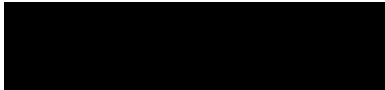
There has been extensive engagement on the Statement of Common Ground as captured in the Record of Engagement (Table 2.1) and below captures the status of these discussions between both parties.



Phil Davie
Project Director
on behalf of National Highways
Date: 30 June 2023



Signed.....
Emma Goodings
Head of Planning and Economic Development
on behalf of Braintree District Council
Date: 30 June 2023



Signed.....
Cllr Gabrielle Spray
on behalf of Braintree District Council
Date: 30 June 2023

For the submission of the Statement of Common Ground for Deadline 7, between **National Highways** and **Braintree District Council**, updates have been made in the following sections of the document.

Location	Update made
Record of Engagement	One SoCG meeting held.
Agreed issues	Two topics (2.1 and 2.2) have been agreed.

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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** (formerly known as Highways England) as the Applicant and (2) **Braintree District 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 Braintree District Council is a prescribed consultee under Section 43 of the PA 2008 as the host local authority.

1.3 Terminology

- 1.3.1 In the tables in the Issues chapter of this SoCG, “In disagreement” 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 SoCG are not of material interest or relevance to Braintree District 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 Braintree District Council.

2 Record of Engagement

- 2.1.1 A summary of the meetings that have taken place between National Highways and **Braintree District 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	To ensure that local political representatives are informed of activity and are aware of the significance and reason for that activity.
27 June 2016	Letter/Email	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 Scheme, communications and understand local plans and issues which might impact the development of options.
w/c 4 July 2016	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 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 Scheme update.
26 Sept 2016	Meeting	To inform forum members about the consultation and the principles of a good consultation, as well as providing a Scheme update.

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
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.
1 Dec 2016	Meeting	To inform forum members about traffic modelling and sifting, as well as providing a Scheme update.
24 Jan 2017	Meeting	Provide early sight of consultation materials and exhibition.
Jan-April 2017	Emails/Meeting	Data collection / input to the assessment (discussions with key stakeholders) - Present the final alignment and gather feedback to inform the detailed design and assessment stages.
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.
19 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.
Jan 2018	Meeting	Fifth round of forums - The purpose of this forum will be to maintain relationships. Topics to be covered include:

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
		Scheme update Forum format going forward Environmental Impact Assessments
May 2018	Email/ Letter	The purpose of the letter is to flag the update to the website and explain timescales where possible.
12 July 2019	Meeting	Members' Forum - Provide an overview of the 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 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 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 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.
22 June 2020	Online Meeting	Meeting with traffic and planning to discuss modelling and local developments
21 July 2020	Online Meeting	To discuss the updates at junctions 20a/20b and the new junction 21.
14 August 2020	Online Meeting	To discuss the updates at junction 22.
19 August 2020	Online meeting	To provide a Scheme update: <ul style="list-style-type: none"> • Project update • Overview of how the schemes will now be drawn back together • Overview of how and when a Preferred Route Announcement (PRA) is announced and will be managed (publicity etc)

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
15 September 2020	Online workshop	To discuss the updates of designing junction 24.
1 October 2020	Online workshop	To discuss the updates of designing junction 24.
24 November 2020	Online workshop	Local Roads workshop - To discuss the road strategy.
4 December 2020	Online meeting	Meeting with LPAs to discuss SoCC draft - To get input on SoCC before we consult on it
4 February 2021	Online workshop	Junction 22 workshop - Provide an update on design fix 1 and get feedback.
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.
11 May 2021	Online workshop	Junction 19 to 22 workshop - Provide an update on design fix 2 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.
9 June 2021	Email	Send final SoCC and explaining any changes following consultation.
7 June 2021	Online meeting	Members Forum – to provide an update on the project
29 September 2021	Online meeting	A12 workshop - To discuss the next steps for the project, including further consultations
7 October 2021	Online meeting	Members Forum – to provide an update on the project
3 March 2022	Online meeting	Members Forum – to provide an update on the project
12 May 2022	Online meeting	SoCG meeting - First meeting on SoCG. Outlined what this series of meetings is to discuss and to start first draft of Braintree

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
		SoCG. Discussed setting up shared Teams channel to share information.
9 June 2022	Online meeting	SoCG meeting – discussed environmental matters.
22 July 2022	Online meeting	Members Forum – to provide an update on the project
1 September 2022	Online meeting	SoCG meeting – discussed detrunking, bypass options and replacement land.
21 September 2022	Online meeting	SoCG meeting – discussed highways issues.
13 October 2022	Online meeting	SoCG meeting – discussed landscape issues, replacement land and overall progress of SoCG.
2 November 2022	Online meeting	SoCG meeting – discussed overall progress of SoCG and discussed advanced works.
14 December 2022	Online meeting	SoCG meeting – discussed detrunking, outline construction management plan and addition of three new topics to the SoCG.
14 December 2022	Online meeting	Replacement land meeting
24 January 2023	Online meeting	Replacement land meeting
1 February 2023	Online meeting	SoCG meeting
20 March 2023	Online meeting	SoCG meeting
30 March 2023	Email	Braintree District Council sent an email of comments on National Highways' response to Braintree District Councils Local Impact Report. This will be used to focus conversations for the next draft of the SoCG.
12 May 2023	Online meeting	SoCG meeting
21 June 2023	Online meeting	Replacement Land meeting
23 June 2023	Online meeting	SoCG meeting

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) Braintree District 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 which have been agreed by Braintree District 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 Braintree District Council and National Highways

Ref No.	Topic	Issue	Status	Date
1.1	Population	Under projecting household and population growth	Agreed.	01/09/2022
1.2	Human Health	Human health study area should include Nounsley	Agreed.	01/09/2022
1.3	Human Health	ES should include socio-economic measures	Agreed.	01/09/2022
1.4	Human Health	Focus on severance issues at these geographical locations	Agreed.	01/09/2022
1.5	Contaminated land	Supports the intention to carry out further investigation	Agreed.	01/09/2022
1.6	Engagement	First options PRA	Agreed.	01/09/2022
1.7	Engagement	Engagement throughout project	Agreed.	01/09/2022
1.8	Construction compounds	Location of the two main construction compound locations at J21 Witham South and J22 Witham North	Agreed.	02/11/2022
1.9	Traffic	Use of traffic modelling	Agreed.	02/11/2022.
1.10	Traffic	Impact of additional congestion at Hatfield Peverel by 2027 and 2042	Agreed.	02/11/2022
1.11	Traffic	Traffic modelling, Maldon Road	Agreed.	02/11/2022

Ref No.	Topic	Issue	Status	Date
1.12	Local plans	Local Plan for all Local Planning Authorities in the area	Agreed.	02/11/2022
1.13	Local plans	Baseline assessment	Agreed.	04/01/2023
1.14	Road closures and diversion	Strategic road diversions	Agreed.	20/03/2023
1.15	Noise	Noise assessment	Agreed.	20/03/2023
1.16	Air Quality	Air quality during construction phase.	Agreed.	20/03/2023
1.17	Noise	Low noise surfacing	Agreed.	12/05/2023
1.18	Arboriculture	Loss of veteran trees	Agreed.	12/05/2023
1.19	Lighting	Removal of street lighting on detrunked sections	Agreed.	23/05/2023
2.2	Replacement land	Replacement land within Braintree	Agreed.	28/06/2023
2.1	Ownership of land	Opening land for public use	Agreed.	28/06/2023

3.2 Summary of issues in disagreement

3.2.1 The below table 3.2 provides a summary of the issues currently in disagreement between Braintree District Council and National Highways. The full table of issues currently in disagreement can be seen in table 4.2.

Table 3.2 Summary of issues in disagreement between Braintree District Council and National Highways

Ref No.	Topic	Issue	Status	Date
2.3	Detrunking	Detrunking for communities in Witham, Rivenhall End and Feering	In disagreement	27/06/2023

4 Issues

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

4.2 Issues agreed

4.2.1 The below table 4.1 details the issues between Braintree District Council and National Highways. This includes any reference to relevant documents, the current Braintree District Council position and the National Highways position.

Table 4.1 Issues agreed between National Highways and Braintree District Council.

Ref	Issue	Doc Reference	Braintree District Council Position	National Highways Position	Status	Date
1.1	Environment - Population	Environmental Statement: Chapter 13: Population and human health [APP-080]	National Highways are under projecting household and population growth in the district. We believe population increase will be around 20% and the assessment should assign High value and sensitivity along with	The assessment in Table 13.8 in Chapter 13: Population and human health, of the Environmental Statement [APP-080] takes on board this local advice and	Agreed.	01/09/2022

Statement of Common Ground with Braintree District Council

Ref	Issue	Doc Reference	Braintree District Council Position	National Highways Position	Status	Date
			Chelmsford, Colchester and Maldon. BDC agree that the Environmental Statement appropriately takes Braintree's growth into account.	considers the sensitivity of the housing resource in Braintree as 'high' in line with the neighbouring districts in the study area.		
1.2	Environment – Human Health	Environmental Statement: Chapter 13: Population and human health [APP-080]	The human health study area in the assessment as shown on figure 13.1 should include Nounsley, although the addition of this village is unlikely to affect overall outcomes. BDC agree that the Environmental Statement takes into account the village of Nounsley.	The village of Nounsley is outside of the study area for air quality and noise, as well as outside of the land use and accessibility study area as defined by DMRB LA 112. It is not considered there would be any likely significant effects for this village that warranted a need to extend the study areas. However, the village has been considered in the wider context of likely origins and destinations for people who may interact with the land use and accessibility study area.	Agreed.	01/09/2022
1.3	Environment – Human Health	Environmental Statement: Chapter 13:	We note that table 13.7 shows that Witham scores significantly poorly across a range of	Socio-economic indicators have been included as part of the human health	Agreed.	01/09/2022

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Ref	Issue	Doc Reference	Braintree District Council Position	National Highways Position	Status	Date
		Population and human health [APP-080]	physical health measures. The Environmental Statement should also include socio-economic measures to show why Witham scores worse than its peers to further understand the matter. Any mitigation measures for inequality (to be included in the Environmental Statement), any legacy improvement funds and accessibility, should improve outcomes at this location. It is acknowledged that consultation with the local Director of Public Health will be undertaken.	baseline in Section 13.15 of Chapter 13: Population and human health, of the Environmental Statement [APP-080]. It should be noted that health indicator data has been updated since the dataset used in the PEIR which show a narrowing of health and socio-economic inequality between wards in Witham compared to average for England.		
1.4	Environment – Human Health	Design and Access Statement [APP-268]	In correlation with existing communities and proposed developments, there should be a focus on severance issues at these geographical locations: between Hatfield Peverel and Witham at Junction 21, Maldon Road underpass to the south of Witham, Braxted Road, south of Rivenhall End, Inworth Road, Feering and Prested Hall, Feering.	The Scheme's walking, cycling and horse-riding (WCH) strategy is outlined in Section 5 of the Design and Access Statement [APP-268]. This document was shared with Braintree District Council on 10 June 2022 and has since been discussed in SOCG meetings, as outlined in the	Agreed.	01/09/2022

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Ref	Issue	Doc Reference	Braintree District Council Position	National Highways Position	Status	Date
			<p>BDC agreed that severance issues have been adequately taken into account in the Environmental Statement.</p> <p>WCH connections at Rivenhall to be considered as part of detrunking the A12.</p> <p>WCH links between Gershwin Boulevard and land south of the A12 considered separately.</p>	<p>Record of Engagement [Table 2.1].</p> <p>Discussions on WCH have been ongoing with Essex County Council who, as the highway authority, take the lead on this aspect of the project.</p>		
1.5	Environment – Contaminated Land	<p>Environmental Statement: Chapter 10: Geology and Soils [APP-077]</p> <p>First Iteration Environmental Management Plan, Appendix D [APP-188]</p> <p>First Iteration Environmental Management Plan Appendix A: Register of</p>	<p>As Braintree District Council is the regulator for contaminated land within the district area, it supports the intention to carry out further investigation (including ground gas monitoring) particularly at the landfill area at Witham (vicinity of Whetmead nature reserve of Blackwater Lane in Witham) so that the construction methodology can be developed to prevent significant risk to end users including construction workers and buildings. It is further noted that</p>	<p>Further ground investigation has been undertaken in this area.</p> <p>No significant effects from contaminated land on surface water or groundwater receptors were identified in Chapter 10: Geology and soils of the Environmental Statement [APP-077].</p> <p>To avoid impacts to sensitive receptors from any land contamination exposed during</p>	Agreed.	01/09/2022

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Ref	Issue	Doc Reference	Braintree District Council Position	National Highways Position	Status	Date
		Environmental Actions and Commitments (REAC) - (Clean) - Rev 2 [REP4-023]	<p>there will be a strategy in the event of unexpected contamination during excavations and further assessment of the potential for contamination of groundwater alongside construction works. It is assumed that assessment of risks to groundwater will include liaison with the Environment Agency.</p> <p>BDC agree that issues of contaminated land can be addressed in the EMP.</p>	<p>construction, risk assessment and method statements would be completed as part of the construction phase with reference to controls identified within GS3 of the First Iteration Environmental Management Plan Appendix A: Register of Environmental Actions and Commitments (REAC) - (Clean) - Rev 2 [REP4-023].</p> <p>Appendix D of the first iteration EMP [APP-188] contains the Land Contamination Management Plan. This includes the procedures that would be followed if unexpected contamination is discovered during construction works. This will be further developed during the detailed design before construction begins.</p>		

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Ref	Issue	Doc Reference	Braintree District Council Position	National Highways Position	Status	Date
				Regular engagement has continued with the Environment Agency. On 3 March 2022 we met to discuss the results of the hydrogeology assessment, including a run-through of the likely effects on groundwater and the proposed mitigation.		
1.6	Engagement	Consultation Report [APP-045]	At the first preferred options consultation, the Council supported the A12 widening in principle and stated preference for strategic offline routes for both options north of Witham, between J22 and J23 to avoid Rivenhall, and also between J24 and J25 to avoid demolition of properties.	Full detail of the options consultation can be viewed in the Consultation Report [APP-045].	Noted.	01/09/2022
1.7	Engagement	Consultation Report [APP-045]	National Highways have engaged stakeholders extensively throughout the informal consultation stages from RIS2 project bidding in 2014, and through two rounds of preferred options consultation between 2017 and 2020, to preliminary design	The project team have continued engagement throughout all stages of development, from early engagement through to consultations and beyond.	Noted.	01/09/2022

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Ref	Issue	Doc Reference	Braintree District Council Position	National Highways Position	Status	Date
			<p>stage. At the first preferred options consultation, the Council supported the A12 widening in principle and stated preference for strategic offline routes for both options north of Witham, between J22 and J23 to avoid Rivenhall, and also between J24 and J25 to avoid demolition of properties.</p>	<p>We will continue to engage with BDC throughout this process.</p>		
1.8	Construction compounds	<p>Outline Construction Traffic Management Plan [APP-272]</p> <p>First Iteration Environmental Management Plan Appendix A: Register of Environmental Actions and Commitments (REAC) - (Clean) - Rev 2 [REP4-023]</p>	<p>Location of the two main construction compound locations at J21 Witham South and J22 Witham North is reasonably logical and generally supported by the Council. We expect a full assessment to be provided and mitigation should be minimised, particularly on residential and PROW receptors. Negative impact from noise and lighting at night during construction phase should be minded, with respect that both compounds are at edge-of settlement locations. We note a lack of detail for the restoration of these sites post construction</p>	<p>The two main compounds have been selected after an optioneering process where consideration was given to a broad range of environmental factors. All our compounds will have mitigation measures in place to minimise the impacts from light, noise and dust pollution, these include the following:</p> <ul style="list-style-type: none"> - Lighting will be directed away from properties and will be provided to enable the safety and security of the compounds. 	Agree.	02/11/2022.

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Ref	Issue	Doc Reference	Braintree District Council Position	National Highways Position	Status	Date
			<p>and request that this is part of the Environment Statement.</p>	<ul style="list-style-type: none"> - Soil bunds will be placed strategically on compound boundaries to shield residents from the activities carried out at the compound. - Noisy activities associated with concrete and asphalt batching plants have been placed further from the residents. - The surface will be a bound surface to reduce dust from moving vehicles, where this is not possible the surface will be subject to dust suppression measures. - Speed limits will be implemented which will help to reduce noise, dust and vehicle emissions. <p>Further details have been provided in GN1 of the First Iteration Environmental Management Plan Appendix A: Register of Environmental Actions and</p>		

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Ref	Issue	Doc Reference	Braintree District Council Position	National Highways Position	Status	Date
				<p>Commitments (REAC) - (Clean) - Rev 2 [REP4-023].</p> <p>Compound arrangements, are available in the Construction Compound Plans</p>		
1.9	Traffic	<p>Environmental Statement: Chapter 13: Population and human health [APP-080]</p> <p>Transport Assessment: Appendix A: Junction Modelling Results Summary [APP-262]</p>	<p>When comparing the baseline household formation used against Local Plan housing growth targets, we believe there is a risk that the assumptions used for population projections in Braintree District, as built into the modelling (including the traffic modelling), underestimates household growth and is flawed. Subsequently, the assessment is also incorrect.</p> <p>This methodology followed has resulted in land south of Feering/west of the A12 and Towerlands which are strategic growth locations for 795 and 575 dwellings being omitted from the core scenario. Additionally, significant sites with planning permission over</p>	<p>The assessment in Chapter 13: Population and Health, of the Environmental Statement [APP-080] (Table 13.6) takes on board this local advice and considers the sensitivity of the housing resource in Braintree as 'high' in line with the neighbouring districts in the study area.</p>	Agreed.	02/11/2022.

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Ref	Issue	Doc Reference	Braintree District Council Position	National Highways Position	Status	Date
			50 (although this threshold does not appear to apply to some core scenario sites) in Cressing and Silver End are not listed which should be modelled.			
1.10	Traffic	Environmental Statement: Appendix 3.2 Maldon Road and Hatfield Peverel Bypass Technical Report [APP-094]	<p>To understand the impact of additional congestion at Hatfield Peverel by 2027 and 2042, we would expect confirmation of queuing times for the junction of B1019 / B1137 as a result of the development.</p> <p>BDC will need to work with National Highways, Maldon District Council and Essex County Council to address local highways issues including the issues related to Maldon traffic entering Hatfield Peverel and the possibilities of a 'Hatfield Peverel bypass'</p>	<p>Environmental Statement: Appendix 3.2 Maldon Road and Hatfield Peverel Bypass Technical Report [APP-094] details the Scheme's position on Maldon Road and Hatfield Peverel Bypass.</p> <p>This has been discussed with Braintree District Council and Essex County Council who, as the Highway authority, take the lead on this aspect on the Scheme.</p>	Agreed.	02/11/2022.
1.11	Traffic	Transport Assessment - Appendix B: Traffic Flow Diagrams –	There would be an additional 6-7% peak hour traffic on Maldon Road by 2042 – we are unclear if rising use is from new	The increase in traffic on Maldon Road by 2042 reflects a change in traffic due to the Scheme, i.e., in	Agreed. BDC defers to the opinion of Essex County	02/11/2022.

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Ref	Issue	Doc Reference	Braintree District Council Position	National Highways Position	Status	Date
		Overall Model Network [APP-255] Transport Assessment [APP-253].	residential development at Hatfield Peverel and Maldon, or induced demand as a result of the route becoming more attractive in comparison to the A414 via Danbury.	comparison to a scenario where the Scheme is not built. Any new residential development is included in both the 'with' and 'without' scenarios, so is not the cause of the increase in traffic on Maldon Road. The increase on Maldon Road is mainly due to people switching from Church Road Hatfield Peverel to Maldon Road, as most traffic would be directed to head east to the new junction 21 to join the A12, instead of heading west to use junction 20a/20b. There is not predicted to be a significant increase in traffic on the A414 route via Danbury, as shown in Transport Assessment [APP-253].	Councils the highway authority with regard to technical design matters.	
1.12	Local plans	Environmental Statement: Chapter 13: Population and	For the period up to 2042, Local Planning Authorities are being expected to deliver their housing need as set out in the standard methodology	The assessment in Chapter 13: Population and Health, of the Environmental Statement [APP-080] takes on board this local advice	Agreed, as above in 1.11.	02/11/2022.

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Ref	Issue	Doc Reference	Braintree District Council Position	National Highways Position	Status	Date
		human health [APP-080]	<p>produced by MHCLG. This provides a consistent baseline, regardless of the actual status of the current Local Plan for all Local Planning Authorities in the area.</p> <p>Housing need in the standard methodology includes an affordability uplift which would result in a step-change increase to past population trends.</p> <p>Chelmsford and surrounding districts are one of the least affordable locations in the country.</p>	and now considers the sensitivity of the housing resource in Braintree as 'high' in line with the neighbouring districts in the study area.		
1.13	Local plans	<p>Environmental Statement: Chapter 13: Population and human health [APP-080]</p> <p>Environmental Statement - Chapter 16: Cumulative Effects Assessment [APP-083]</p>	For the baseline assessment, the housing allocations and planning applications used (Table 13.6) are inaccurately identified and the number of dwellings at each site needs updating. The table should reflect all planning applications granted permission or pending decision: Hatfield Peverel - 224, Gleneagles Way - 100, Wood End Farm - 400, Land at Feering - 795, Land off Inworth Road, Feering – 40, and those	<p>The information provided by Braintree District Council has been used in the assessment in Chapter 13: Population and Health, of the Environmental Statement [APP-080].</p> <p>The long and short lists were sent to BDC on 21 February 2022. These contain the developments that have been used in Chapter 16: Cumulative</p>	Agreed.	04/01/23.

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			<p>likely to be granted planning permission. These residential allocations are not all spatially represented on Figure 13.1 (e.g., Land at Gleneagles Way).</p> <p>We also request that we can fact-check the population, planning data used and the cumulative impact assessment in the draft Environmental Statement before submission into the DCO.</p>	effects assessment, in the Environmental Statement [APP-083].		
1.14	Road closures and diversions	<p>Outline Construction Traffic Management Plan (OCTMP) [REP2-003]</p> <p>Environmental Statement: Chapter 13: Population and human health [APP-080]</p>	<p>During periods of road closure, the proposed strategic diversion routes would be Chelmsford to Marks Tey via Braintree using the A131 and A120.</p> <p>There is not enough detail in the Construction management plan to determine the total amount of time (nights) where a strategic diversion will be in operation.</p> <p>BDC would like to see the use of strategic diversion routes</p>	National Highways plans to mitigate the impact on the local road network (LRN) by keeping construction HGVs on the strategic road network (SRN) where possible as well as utilising internal haul routes. As detailed in Section 7 of the Outline Construction Traffic Management Plan (OCTMP) [REP2-003], purpose-built haul roads and temporary access points would be built from	Agreed.	20/03/2023

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			<p>minimised due to significant noise disturbance for residents on the diversion route. Enhanced signage measures should be utilised to discourage rat running of country roads and smaller lanes. Measures to protect residents from noise disturbance on the diversion routes should be used.</p> <p>BDC agree that details of traffic management will be addressed within working group.</p>	<p>the SRN, where possible. Where this is not possible National Highways has proposed permitted routes, permitted routes with restrictions, and excluded routes (see paragraph 7.1.5 of the OCTMP [REP2-003] for definitions) on the LRN. Please refer to Appendix B of the OCTMP [REP2-004] for plans of these routes.</p> <p>Traffic management working groups have been set-up to discuss arrangements including possible diversion routes, as outlined in Outline Construction Traffic Management Plan (OCTMP) [REP2-003].</p> <p>Further detail on this will be sent to BDC to attend.</p>		
1.15	Environment – Noise assessment	Environmental Statement: Chapter 12: Noise	Where the PIER concludes that noise barriers may not offer value for money – e.g. south of A12 at Hatfield Peverel and at Dengie Farm House or where	National Highways considers the baseline noise surveys undertaken in May 2021 are adequate for the purposes they are	Agreed.	20/03/2023

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		<p>and vibration [APP-079]</p> <p>First Iteration Environmental Management Plan [APP-184]</p> <p>Appendix 12.3: Noise Baseline Survey Results, of the Environmental Statement [APP-149]</p>	<p>there is an increase in noise level due to operational noise, then it would also be appropriate to confirm that there is adequate baseline assessment at such locations and confirmation that the ability to achieve internal noise levels given in BS8233 Table 4 and the ability to control the thermal comfort within the relevant dwellings is not adversely affected more so than the 'do minimum' scenario.</p> <p>BDC agree that follow up ES adequately addressed noise concerns.</p>	<p>used. This is to provide an understanding of the existing noise climate and to set the limits for the construction noise assessment. The results from the baseline noise surveys are not used for the operational noise assessment. The measured baseline noise levels, including the rationale for selection of each location, is presented in Appendix 12.3: Noise Baseline Survey Results, of the Environmental Statement [APP-149].</p> <p>Where increases in noise have been predicted from the assessment, mitigation measures have been examined and implemented where practicable.</p> <p>The assessment of noise within DMRB LA 111 is not based upon internal noise levels as given within BS 8233. BS 8233 is for new</p>		

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				buildings in noisy areas, so not appropriate for use on a road scheme. With over 11,000 dwellings within the noise study area, it would be impractical to investigate each dwelling to determine the glazing specification and then investigate the internal noise levels.		
1.16	Environment – Air Quality	<p>Appendix 6.2: Traffic Data for the Affected Network, of the Environmental Statement [APP-101]</p> <p>Chapter 6: Air quality, of the Environmental Statement [APP-073]</p> <p>First Iteration Environmental Management Plan Appendix A: Register of</p>	<p>It is noted that more reliable input data, particularly for the construction phase will become available as the project progresses to reduce the uncertainties of the model input data mentioned in 6.5.6 of the PEIR. The margin of error might be further considered in a sensitivity study to reduce the likelihood of under prediction where the air quality objective levels is close to exceedance at any relevant sensitive receptor locations.</p> <p>It is noted that the report concludes that significant adverse effects are unlikely</p>	The construction traffic approach is set out in Appendix 6.2: Traffic Data for the Affected Network, of the Environmental Statement [APP-101]. The construction air quality assessment is based on traffic movements in the peak year of construction (2025) and is therefore considered a worst case. There is no planned update of construction traffic volumes, therefore the conclusions from the Environmental Statement stand. The air quality	Agreed.	20/03/2023

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		Environmental Actions and Commitments (REAC) - (Clean) - Rev 2 [REP4-023]	from the construction phase and a comprehensive construction management plan must be agreed and implemented to prevent and control air pollution.	<p>assessment has applied robust long-term trends (LTTE6) emissions factors and followed National Highways DMRB LA 105 long-term trend gap analysis methodology, which uplifts predicted total NO₂ concentrations. Further sensitivity analysis is not considered necessary based on the above.</p> <p>Chapter 6: Air quality, of the Environmental Statement [APP-073] included a construction assessment. Two human health receptors (R189 and R193 – both in Colchester) were found to be at risk of exceeding the annual mean NO₂ Air Quality Objective (40µg/m³) in the peak construction year 2025, in both the Do-Minimum and the Do-Something scenarios. However, the magnitude of change in concentration at these</p>		

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				<p>receptors was 0.1 and 0.2µg/m³ respectively, which is classed as imperceptible in DMRB LA 105. In accordance with the DMRB LA 105 criteria on significance, these effects are likely to be not significant.</p> <p>The construction dust assessment concluded there would be no significant air quality effects with standard construction phase mitigation measures in place. The dust management plan would be developed as part of the second iteration Environmental Management Plan (EMP) prior to construction, based on the standard mitigation included in the First Iteration Environmental Management Plan Appendix A: Register of Environmental Actions and Commitments (REAC) - (Clean) - Rev 2 [REP4-023]</p>		

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				The need to develop and implement the second iteration EMP is secured by Requirement 3 of the draft DCO [APP-039].		
1.17	Environment – Noise	9.36 National Highways' Comments on Braintree District Council's Local Impact Report [REP3-020]	<p>Concerns over the ongoing maintenance regime of the low noise surfacing at Hatfield Peverel.</p> <p>Further detail required on frequency of maintenance and specification of material used.</p>	<p>National Highways provided detail on low noise surfacing within paragraph 9.36 of National Highways' Comments on Braintree District Council's Local Impact Report [REP3-020] as follows:</p> <p>A low-noise surface has been assumed for the new carriageways in certain sections with an RSI of -6.5 dB and where the existing carriageway is resurfaced (as part of the routine maintenance programme), it will also have the same low noise surface. It is assumed that for the Design Year (2042), all carriageways will have a low noise surface. BDC should seek reassurance from the scheme promoter</p>	Agreed.	12/05/2023

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				that the low noise surface will in place for the year 2042. Further, the low noise surface tends to lose the noise 'benefits' with age. BDC should request further information from the scheme promoter on how often the road will be resurfaced against the probable deterioration of the noise benefits of the surfacing.		
1.18	Arboriculture	<p>Environmental Statement: Chapter 9: Biodiversity [APP-076]</p> <p>Retained and Removed vegetation plans [APP-035] [APP-036]</p> <p>Register of Environmental Actions and Commitments (REAC), within the</p>	<p>Loss of veteran trees should be avoided.</p> <p>Loss of groups of trees should be replaced in the same vicinity and utilise native species where possible.</p> <p>At a meeting on 12 May 2023 with National Highways , BDC agreed to the methodology regarding the loss of trees and that a commitment to this is detailed within the REAC.</p>	Where practicable, the design of the proposed scheme was refined to minimise loss of trees including veteran trees, as detailed in Chapter 3: Assessment of alternatives, of the Environmental Statement [APP-070]. However, the potential loss of five veteran trees cannot be mitigated due to the time period over which a veteran tree matures. Paragraph 9.10.38 of Chapter 9: of the	Agreed.	12/05/2023

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		first iteration Environmental Management Plan [APP-185]		<p>Environmental Statement [APP-076] states the measures to compensate for the loss of the five potential veteran trees (as per commitment BI17 of the Register of Environmental Actions and Commitments, within the first iteration Environmental Management Plan [APP-184]), in accordance with the latest guidance from Natural England and the Forestry Commission. The significance of effect with respect to the five veteran trees is assessed as slight adverse (not significant) given that 93% of all potential and verified veteran and ancient trees within 15m of the Order Limits would be retained.</p> <p>Chapter 9: Biodiversity, of the Environmental Statement [APP-076], paragraph 9.10.38, states the measures to compensate for the loss of</p>		

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				<p>the five potential veteran trees (as committed in the Register of Environmental Actions and Commitments (REAC), within the first iteration Environmental Management Plan [APP-185]), in accordance with the latest guidance from Natural England and the Forestry Commission. This mitigation includes planting young trees of the same species as that which is removed with sufficient space around them to encourage development of an open crown. Where practicable, trees would be planted close to the trees they are replacing.</p> <p>More generally, new woodland, tree, shrub and hedge planting are indicated on Figure 2.1 Environmental Masterplan [APP-086, APP-087, APP-088], which will form the basis of the planting design to be developed during the</p>		

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				<p>detailed design stage. Trees and shrubs would be of local provenance where practicable, except where non-native species would be used where required for reinstatement or reinforcement of non-native features. Further information can be found in the Landscape and Ecology Mitigation Plan [APP-193].</p> <p>Where it would be necessary to remove vegetation within temporary works areas, such as construction compounds, utility routes, haul roads and regrading areas, this would be replaced on completion of construction using the same or similar species to that removed where practicable (as per LV7 in the REAC [APP-185]).</p>		
1.19	Lighting		Street lighting use on detrunked roads should be carefully	The section around Rivenhall End to be de-	Agreed.	25/05/2023

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			<p>considered to balance safety with the rural character of areas outside of Towns and Villages.</p> <p>BDC agree this issue subject to detailed design removing lighting where not necessary for safety, as agreed.</p>	<p>trunked is already lit, and that is to remain the case, but the exact layout will be adjusted where the roundabouts are on either end so that the roundabouts themselves are lit as well as the approaches, for safety.</p> <p>The section between Feering and Marks Tey is currently unlit, and the project are proposing to light the immediate approaches to the new roundabouts that are being proposed (namely old J24, Easthorpe Road tie-in, Wishingwell and Easthorpe Green Farm tie-in, and connection with J25), again for safety reasons.</p> <p>Additional existing lights along the proposed to be detrunked sections between Feering and Marks Tey will be discussed with ECC prior to</p>		

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				<p>the asset being handed over.</p> <p>The existing A12 lighting will be removed and only Junction 22 and the new Braxted Road/ Henry Dixon Road junction and roundabout will be light with 8m columns directional led light. These are required for safety reasons to accord with Lighting Standard BS 5.9.</p>		
2.2	Replacement land	Replacement Land Statement [APP-279]	<p>Replacement land has been discussed during ongoing SoCG meetings.</p> <p>BDC have agreed to accept replacement land in principle with future discussions with stakeholders to take place to determine detailed design and long-term management.</p>	<p>Full details of the proposed Replacement Land can be found in the Replacement Land Statement [APP-279].</p> <p>The initial joint meeting between NH, Essex CC, Witham TC and Braintree DC was held on 24th January 2023. A further meeting was held 21 June 2023 with all parties to discuss Replacement Land.</p> <p>The Applicant will work with ECC, BDC, Witham Town Council in the detailed</p>	Agreed.	27/06/2023

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Ref	Issue	Doc Reference	Braintree District Council Position	National Highways Position	Status	Date
				design of the landscaping accommodation works and boundary details to provide a suitable design that meets the objectives of all parties.		
2.1	Environment – Ownership of land	Environmental Statement: Chapter 13: Population and human health [APP-080] Streets, Rights of Way and Access Plans [AS-027, AS-028]	National Highways will become an extensive landowner of areas adjacent to Hatfield Peverel, Witham, Rivenhall End and Feering following the A12 widening scheme. These land uses include areas for drainage attenuation, ecological and landscape mitigation plans within the DCO boundary. These areas would include directly adjacent land to existing settlements and planned developments at: <ul style="list-style-type: none"> • West of Bury Lane, Hatfield Peverel • East of Gleneagles Way, Hatfield Peverel • West of Wood End Farm, Witham • Land adjacent to Meadows, South East Witham 	Chapter 13: Population and human health, of the Environmental Statement [APP-080] provides an assessment of impacts on the wider determinant of health ‘access to greenspace and outdoor recreation’, which is a protective factor for both mental and physical health. Some improvements have been identified to access greenspace for residents in the Braintree District, as outlined in Section 13.7 of Chapter 13: Population and human health, of the Environmental Statement [APP-080]. Discussions on this issue took place with BDC on 12 May 2023 and	Agreed.	28/06/2023

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Ref	Issue	Doc Reference	Braintree District Council Position	National Highways Position	Status	Date
			<ul style="list-style-type: none"> • Land at Inworth Road, Feering <p>In these areas, opportunities for improving access to semi natural and formal greenspace should be explored to contribute positively to physical and mental health. Circular routes for recreational use would contribute to encouraging a healthy, active lifestyle.</p> <p>BDC are looking for confirmation from National Highways as to what these areas of land will be used for and how best they can be utilised post construction.</p> <p>BDC agree and look forward to continued discussions on this matter.</p>	<p>continued on 23 June 2023.</p> <p>The Applicant agrees that these land parcels which would be under the ownership of the Applicant could present future opportunities and is committed to future discussions between National Highways Estates Team and the council.</p>		

4.3 Issues in disagreement

4.3.1 The below table 4.2 details the issues in disagreement between Braintree District Council and National Highways. This includes any reference to relevant documents, the current Braintree District Council position and the National Highways position.

Table 4.2 Issues in disagreement between Braintree District Council and National Highways

Ref	Issue	Doc Reference	Braintree District Council Position	National Highways Position	Status	Date
2.3	Detrunking		<p>Considering the importance of co-ordinating detrunking the A12 with a strategic vision for land use at communities in Witham, Rivenhall End and Feering, our preference would be to establish a legacy fund to be drawn on for detrunking at a later date.</p> <p>BDC will discuss the proposals with Essex County Council as the local highway authority.</p>	<p>As part of the A12 scheme, there are two sections of offline widening where the proposed trunk route is remote from the existing A12, specifically in the vicinity of Rivenhall End, and between Feering and Marks Tey. These existing sections are proposed to be de-trunked and handed to Essex County Council (ECC) as the local highway authority. The Applicant is proposing to retain the existing dual carriageway nature of the A12 and reduce the speed limit to 50mph between Feering and Marks Tey and 40mph in Rivenhall End. Roundabouts are proposed</p>	<p>In disagreement</p> <p>BDC defers to the opinion of Essex County Council as the local highway authority with regard to technical design matters.</p> <p>BDC agree that collaborative dialogue is being undertaken between stakeholders.</p>	23/06/2023

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				<p>at Easthorpe Road and Wishingwell Farm to allow drivers to access both directions of the de-trunked road and act as a traffic calming feature to discourage traffic from driving in excess of the speed limit. The proposed retention of the existing dual carriageway form provides:</p> <ul style="list-style-type: none"> • Resilience for the overall highway network; • A safe alternative route for slow-moving vehicles which does not impede other vehicles' movement; • A high quality route for emergency access; • Public transport route 		

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				<p>reinstatements; and</p> <ul style="list-style-type: none"> • An improved walking/cycling route segregated from the carriageway. <p>Essex County Council has expressed concerns about the Applicant's proposal to retain the dual carriageway form. The Applicant has been engaged in discussions with ECC regarding the approach to de-trunking prior to the submission of the DCO application and throughout the Examination. After the DCO application was submitted in August 2022, ECC stated its belief that <i>"the most pragmatic solution [for de-trunking of the A12] is to retain one side of the dual carriageway as highway (likely to be the current southbound carriageway) and to</i></p>		

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				<p><i>repurpose the other side with green infrastructure and provision for pedestrians and cyclists.”</i> [Appendix A, REP1-002].</p> <p>The Applicant thoroughly considered the feasibility of the solution suggested by ECC in line with the NNNPS paragraph 5.205 to consider reasonable opportunities to support other transport modes in developing infrastructure. The Applicant undertook a design exercise to develop a considered design of the enhancements proposed by ECC to understand the implications of the enhancement proposal when compared with the proposals included within the DCO application. In March 2023, ECC submitted an alternative de-trunking proposal and technical note at Deadline 3 [REP3-081 & REP3-082]. The Applicant</p>		

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				<p>assessed this proposal against the design exercise undertaken in early 2023 as mentioned above. This is documented in the Applicant's Technical Note on De-trunking Proposals [REP4-057]. In this technical note, the Applicant explains in detail the challenges that would be faced by the Applicant if it was to introduce ECC's proposed changes. This includes practical issues such the extent of the works required to construct new accesses to properties who currently access the northern (northbound) carriageway, level differences and permissible gradients for driveways and ECC's proposed cycle track and the need for new drainage infrastructure. More fundamentally, because this would be a significant piece of associated development</p>		

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				<p>linked to a Nationally Significant Infrastructure Project, and has not been assessed, it would require a new Transport Assessment and Environmental Statement. This assessment also included a high-level cost estimate which indicated that ECC's proposal for the de-trunked sections of the A12 would cost significantly more than the Applicant's proposed design in the DCO application. Adopting ECC's proposal would also require the withdrawal and resubmission of the current application for development consent. This would be expected to delay the delivery of the proposed scheme by approximately two years. The additional costs due to increased works and caused by the ensuing delay are disproportionate to the benefits expected to be</p>		

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				<p>realised from the enhancements.</p> <p>The Applicant maintains that the enhancements suggested by ECC are not considered to represent a reasonable opportunity to address existing severance issues that act as a barrier to non-motorised users to include in the DCO-Application. They are not justified in policy terms and present significant and unnecessary costs as well as disruption to frontage owners. Their inclusion in the A12 Scheme would lead to significant additional costs and a lengthy delay to the provision of a modern trunk road between Chelmsford and Colchester.</p> <p>The Applicant's proposal to retain the dual carriageway provides a higher inherent safety level compared to a</p>		

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				<p>single carriageway as it separates opposing traffic flows and removes right-turns at accesses. The addition of appropriately sized roundabouts also provides safer turning manoeuvres and a measure of speed reduction effect. On this basis, the sections of the de-trunked A12 are considered to be safe and serviceable in operational safety terms, and conversion to a single carriageway is not necessary for road safety reasons. Once the de-trunked A12 is handed over to ECC in this safe and serviceable condition, ECC as the local highway authority can undertake the proposed enhancements should they wish to do so.</p> <p>It should be highlighted that the Applicant has also included enhancements to the WCH network in this</p>		

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				<p>area in the proposed scheme:</p> <ul style="list-style-type: none"> • In Rivenhall End, a new 3m wide shared use cycle track is proposed to the north of the de-trunked A12, connecting with the existing cycle tracks and the proposed Snivellers Lane Bridge. A new crossing of the de-trunked A12 is also proposed to connect with Oak Road (south) to address severance issues. • In Feering, a new 3m wide shared use cycle track is also proposed to 		

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				<p>connect the existing cycle track to the north of the de-trunked A12 to Prested Hall Overbridge.</p> <ul style="list-style-type: none"> In Marks Tey, new cycle tracks and footways are proposed at junction 25, including the Marks Tey Bridge replacement and crossing points at London Road roundabout, Coggeshall Road and Old Rectory Junction. <p>These proposed enhancements improve the connectivity of the WCH network in Rivenhall End and from Feering to Marks Tey and is considered</p>		

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				<p>reasonable in accordance with paragraph 5.205 of the NNNPS. Given the proposed scheme retains non-motorised user shared walking and cycling provision adjacent to the de-trunked A12 and removes the current barrier to non-motorised users undertaking journeys between Witham, Rivenhall End, Kelvedon, Feering and Marks Tey, the Applicant considers that the policy tests are met.</p> <p>Following discussions with Essex County Council and the Examining Authority, the Applicant has included a new requirement, Requirement 19, in the draft DCO [REP6-036] regarding de-trunking. This Requirement has several parts, including demonstrating how the proposals maintain a safe</p>		

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				and reliable highway network.		

Acronyms

Abbreviation	Term
BDC	Braintree District Council
CC	County Council
DC	District Council
DCO	Development Consent Order
DMRB	Design Manual for Roads and Bridges
ECC	Essex County Council
LRN	Local Road Network
NH	National Highways
PEIR	Preliminary Environmental Information Report
PROW	Public Rights of Way
REAC	Register of Environmental Actions and Commitments
SoCG	Statement of Common Ground
SRN	Strategic Road Network
TC	Town Council
WCH	Walking, Cycling and Horse-Riding

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.