



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)
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A12 Chelmsford to A120 widening scheme Development Consent Order 202[]

Statement of Common Ground with The Crown Estate Commissioners

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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.....

Phil Davie

Project Manager

on behalf of National Highways

Date: 03rd July 2023

DocuSigned by:

Signed.....
EF01F361C3994E4

NAME: Rhys Thomas

POSITION: Senior Legal Counsel

on behalf of The Crown Estate Commissioners

Date: 03 July 2023

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Statement of Common Ground with The Crown Estate Commissioners

For the submission of the Statement of Common Ground for Deadline 7, 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, TCE comments provided on SoCG.
Issues agreed	Updates have been added to 3.1.1, 3.1.2, 3.1.3 and 3.1.7. Removal of 3.1.5.
Issues in discussion	Updates have been added to 3.2.2. Removal of 3.2.10.

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 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.

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1.3.3 The issues detailed in Table 3.1 and Table 3.2 are further detailed in the Heads of Term agreement between National Highways and 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 agents (Alex Morter (Carter Jonas), Hannah Hull (Savills)), or developers 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.
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.
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

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Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
		<ul style="list-style-type: none"> • 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.
9 th April 2021	Email from TCE to NH	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.
9 th April 2021	Email from NH to TCE	Email from Adam Hemingway to Hugh Wastenev. Confirmed that the track is to be reinstated.
27 th July 2021	Email from TCE to NH	Email from Neil Hall to Lucy Harrington. Summary of concerns shared with draft DCO plans.
29 th July 2021	Email from TCE to NH	<p>Email from Alex Morter to Sium Yohannes.</p> <p>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 to meet the red line boundary so access can be obtained into the neighbouring field.</p>
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

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Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
		<ul style="list-style-type: none"> • 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	Email from Sium Yohannes to Alex Morter. 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.
30 th July 2021	Email from TCE to NH	Email from Alex Morter to Sium Yohannes. 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.
30 th July 2021	Email from NH to TCE	Email from Sium Yohannes to Alex Morter. Requested the exact load/wheels layout of the vehicles intended to use the bridge in order to give a definitive answer.
4 th August 2021	Email from TCE to NH	Email from Bev Coupe to Kaluba Kampanidila. 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

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Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
		<ul style="list-style-type: none"> • 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 resent.
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 • 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

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Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
29 th June 2022	Email from TCE to NH	Email from Bev Coupe to Hugo Rawstorne. 4 arm roundabout proposal drawings shared.
1 st July 2022	Email from NH to TCE	Email from Hugo Rawstorne to Bev Coupe. Cross section for link road junction sent.
12 th July 2022	Email from NH to TCE	Email from Hugo Rawstorne 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 Rawstorne 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 • The Crown Estate update • Land plans • Construction timescales • Planning conflict
16 th September 2022	Email from NH to TCE	Email from Hugo Rawstorne to Alex Morter. Haul Road drawings shared. 2D Highways Design of the road shared.
20 th September 2022	Letter from NH	Section 56 letter.

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Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
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.
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

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Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
		<ul style="list-style-type: none"> • 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 (S135) consent
8 th February 2023	Email from NH to TCE	Email from Hugo Rawstone to Hannah Hull. Draft SoCG attached.
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 • TCE comments pending
16 th February 2023	Email from NH to TCE	Email from Hugo Rawstone to Hannah Hull. Draft SoCG attached. Update provided on design of Feering East Junction. Actions from previous meeting closed.
1 st March 2023	Email from TCE to NH	Email from Neil Hall to Hugo Rawstone. 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

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Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
		volumes or Prested access locations. Proposals to minimise disruptive/abortive works.
16 th March 2023	Email from TCE to NH	Email from Hannah Hull to Laura Crumpton. Requested Essex County Council to attend the scheduled call to discuss London Road junction.
17 th March 2023	Meeting between TCE and NH	<p>Hannah Hull, Neil Hall, Kaluba Kampanidila. Andrew Goodwin, Jarod Williams, Tom Scott, Chris Alves-Greenland, Nuno Fernandes, Morne Cloete, Hugo Rawstorne and Laura Crumpton.</p> <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
31 st March 2023	Email from NH to TCE	Email from Hugo Rawstorne to Hannah Hull. Draft SoCG attached.
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

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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
26 th May 2023	Email from NH to TCE	Email from Hugo Rawstone to Hannah Hull. Draft Heads of Terms, Schedule and SoCG attached.
2 nd June 2023	Meeting between TCE and NH	Brief catch up on SoCG /HoTs and actions.
8 th June 2023	Email from NH to TCE	Email from Laura Crumpton to Hannah Hull. Technical note for Feering East Junction attached.
9 th June 2023	Meeting between TCE and NH	Hannah Hull, Neil Hall, Bev Coupe, Matt Georgi, Andrew Goodwin, Tom Scott, Chris Alves-Greenland, Hugo Rawstone and Laura Crumpton attended. Key topics discussed: <ul style="list-style-type: none"> • Technical note – design geometry & utilities. <ul style="list-style-type: none"> <input type="checkbox"/> Footpath design • S135 <ul style="list-style-type: none"> <input type="checkbox"/> Roundabout speed limits. <input type="checkbox"/> Connectivity.
26 th June 2023	Email from TCE to NH	Email from Neil Hall to Hugo Rawstone. TCE comments provided on draft SoCG.
29 th June 2023	Email from NH to TCE	Email from Isabel Doyle to Charlotte Cunningham and Neil Hall. Final SoCG attached for signature.

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.

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	RR-041-006	<p>A suitable unrestricted vehicular, cycle and footpath access is required to TCE retained land to the east of A12 from the proposed Prested Hall Access Road.</p> <p>The final design and standard of the access to the boundary with the retained land must be agreed with TCE.</p>	<p>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.</p> <p>National Highways will provide a footpath connection to Prested Hall Bridge, and unrestricted vehicular access over Prested Hall Bridge to TCE's retained land to the east of the A12.</p> <p>Subject to securing the required approval, National Highways will realign and upgrade the existing footpath 18 Feering to footpath and cycle standards up to the adopted Prested Hall Bridge.</p> <p>National Highways will investigate relocating the proposed footpath cycle way to the south of the new Prested Hall Bridge so that journeys made from TCE land to the west are not required to cross the road to cross that bridge and then cross</p>	Agreed	Feb 2023

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Ref	Issue	Doc Reference	The Crown Estate (TCE) Position	National Highways Position	Status	Date
				the road again to access TCE retained land to the east of the A12.		
3.1.2.	Land plans - 14/7a (temporary rights)	REP6-016	Some of the plots are missing on TCE Agreement Plans, or are labelled incorrectly as DfT, needs checking to ensure correct. There are therefore 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)	RR-041-005	<p>The proposed temporary access road runs across and bisects one of the main development parcels of LPP21. There may become a point when a slightly different alignment needs to be explored if TCE also require access to their land at this point. If there was a clash on timings, this would most likely coincide with preconstruction works so there is more flexibility to accommodate requirements.</p> <p>TCE's agricultural tenant will need access across this land parcel before this time. An agreement will be required to</p>	<p>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.</p> <p>National Highways have agreed in the Heads of Terms agreement to manage timings for both access to the retained land to the east of the A12 and the access route to Inworth Road.</p>	Agreed	Feb 2023

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Ref	Issue	Doc Reference	The Crown Estate (TCE) Position	National Highways Position	Status	Date
			ensure the temporary access does not unnecessarily delay the delivery of LPP21 as an allocated site.			
3.1.4.	Land take (14/5c, 14/12a, 15/7a, 15/8a, 15/8b, 15/8c)	RR-041-005	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 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 master planning and delivery of the site, delivery of the Inworth Road Link and necessary drainage and service	<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 seek only to take a transfer of land reasonably required for the operation and maintenance of the A12 to minimise land acquisition.</p> <p>Access will be provided across the A12 for the farming tenant. National Highways can ensure access is available in the short term for the farming tenant via the old track until the new Prested Hall Bridge is operational.</p>	Agreed	Jun 2023

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Ref	Issue	Doc Reference	The Crown Estate (TCE) Position	National Highways Position	Status	Date
			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 implement LPP21, minimises land take and ensures temporary land take will not prevent timely delivery of LPP21.			
3.1.6.	Extent of land take east of the proposed A12 route at Feering (14/5d, 14/5e, 14/5f, 14/7b, 15/8d, 15/8e, 18/8f)	RR041-007	The extent of permanent land take in this area has been reduced which is welcomed. Land agreements will need to be progressed and finalised before works commence.	National Highways will continue to collaborate with a view to settle and finalise the required land agreements.	Agreed	Jun 2023
3.1.7.	Land take along the Domsey Brook north and south of Inworth Road (14/5a, 14/5b, 14/6a, 14/7a)	RR041-008	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	National Highways would require any drainage coming from TCE development to discharge directly into the brook and not compromise NH's drainage. . As the proposed scheme progresses, National Highways will continue to engage with WSP	Agreed	Jun 2023

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Ref	Issue	Doc Reference	The Crown Estate (TCE) Position	National Highways Position	Status	Date
			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.	on the requirements for future drainage outfalls. National Highways are proposing to acquire plot 14/5b freehold. National Highways is waiting for TCE to confirm their drainage ditch and culvert specification and their views on maintenance of this asset.		
3.1.8.	Timings (14/5a, 14/5b)	RR041-008	The Domsey Brook is a key location for TCE 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 to co-ordinate the works being carried out to allow both the works to progress in parallel.	Agreed	Jun2023
3.1.9.	Discharge, pipe, access (14/5b)	N/A	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. A wayleave was suggested to protect the pipe and access. TCE will need to go on the land and do surveys. Plenty of notice will be given ahead of any surveys.	These measures will allow National Highways to acquire less land and only acquire what is necessary for the scheme. 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, this can be arranged as long as plenty of notice is given.	Agreed	Jun 2023
3.1.10.	Temporary storage/compound (15/8a)	N/A	TCE hope that the temporary storage/compound can be provided elsewhere.	Temporary land take for storage can be reduced on these plots subject to TCE agreeing latest design changes regarding the footpath.	Agreed	Jun 2023

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	RR-041-002	<p>WSP has been instructed to prepare a comprehensive planning application for LPP21 aiming for submission towards 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-moving' Junction at Feering (Proposed Junction 24). However, TCE has requested clarifications on or improvements to the A12 proposals to ensure that planned growth and infrastructure are aligned.</p>	<p>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.</p>	Under discussion	May 2023

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Ref	Issue	Doc Reference	The Crown Estate (TCE) Position	National Highways Position	Status	Date
			<p>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	RR-041-003, APP-264	<p>The new Prested Hall access road and junction onto London Road potentially compromises TCE's ability to provide the northern development access required to serve LPP21. The submitted DCO does not take account of the planned growth, 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</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 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</p>	Under discussion	May 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>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 (Essex CC) 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. While officers at Essex CC initially expressed a preference for a staggered junction arrangement, they have not ruled out a signalised crossroads subject to testing and design development with regard to capacity and safety. WSP are therefore progressing the design for TCE and will share their junction design proposals once more progress has been made regarding this and as agreed with Essex CC.</p> <p>TCE requests for A12 works and land in this location to be adopted as public highway and to engage in appropriate agreements to ensure delivery of LPP21</p>	<p>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, only developments classified as 'Near Certain' or 'More than Likely' (i.e., those with planning applications) were included in the traffic model in accordance with DfT Transport Analysis Guidance 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>https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010060/TR010060-000377-7.3-Combined-Modelling-and-Appraisal-Report-Appendix-C-Transport-Forecasting-Package-Report.pdf</p>		

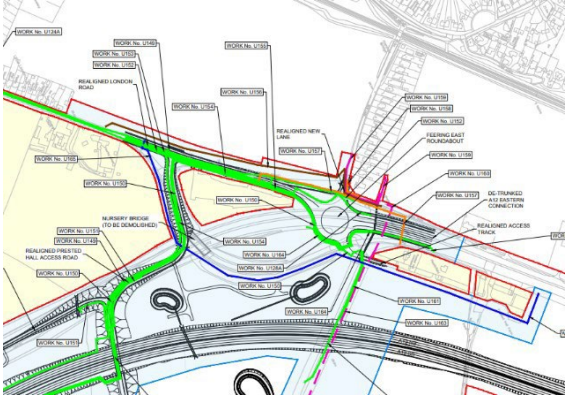
A12 Chelmsford to A120 widening scheme



Statement of Common Ground with The Crown Estate Commissioners

Ref	Issue	Doc Reference	The Crown Estate (TCE) Position	National Highways Position	Status	Date
			<p>and the associated accesses and London Road/Inworth Road development link route as required by the Local Plan is not frustrated or prevented.</p> <p>TCE is preparing a Traffic Assessment (TA) for the northern access and development link route and are looking at junction arrangements on the London Road. TCE is considering what would be appropriate assumptions for the A12 scheme in the TCE's TA and Environmental Assessment process.</p>	<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 shared a Technical Note on the Feering East Junction Layout [June 2023].</p> <p>National Highways is designing the junction with the aim of minimising abortive highways and utility works where practicable.</p>		
3.2.3.	Land take – 15/8g, 15/8h, 15/8i, 15/8j	RR-041-003	<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 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. WSP is therefore working with National Highways to ensure that the DCO minimises impact on the developable area of LPP21 in this location. The land</p>	<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 companies throughout the detailed design stage to design, if practicable, the diversion of the pumped foul main (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</p>	Under discussion	May 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>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 onto 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 agreement will be required to ensure the LPP21 site can be delivered. Agreement will need to be reached with both highways authorities demonstrating that the required access to LPP21 and the creation of the Inworth Link Road are not compromised. WSP are currently</p>	<p>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>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 their proposals.</p> 		

A12 Chelmsford to A120 widening scheme



Statement of Common Ground with The Crown Estate Commissioners

Ref	Issue	Doc Reference	The Crown Estate (TCE) Position	National Highways Position	Status	Date
			progressing such advanced design work on behalf of TCE.			
3.2.3a	New Lane Ditch (15/8i, 15/8j)	N/A	TCE want to minimise possible adverse impacts of NH's drainage on site and ensure the site drainage is not compromised when site developed out. TCE need to attenuate surface water at this location.	National Highways has to provide drainage. The drainage design is to be refined in detailed design which is currently ongoing.	Under discussion	Apr 2023
3.2.12	Landscaping on land take east of the proposed A12 route at Feering (14/5d, 14/5e, 14/5f, 14/7b, 15/8d, 15/8e, 18/8f)	N/A	TCE have requested landscaping to be to a TCE Standard at this location.	National Highways will 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
LPP21	Braintree District Local Plan Policy, Strategic Growth Location – Land at Feering
NH	National Highways
PRoW	Public Right of Way
SoCG	Statement of Common Ground
TA	Traffic Assessment
TCE	The Crown Estate
WSP	Williams Sale Partnership

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 National Highways	RAG Status Estimation 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)		
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)		