

PINS ref: TR010060

FAO Mr A Hunter
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A12 Chelmsford to A120 widening
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12th July 2023

Dear Mr Hunter

Development Consent Order (DCO) application for the A12 Chelmsford to A120 widening scheme

Deadline 8

This cover letter has been prepared by the Applicant to accompany the Applicant's submission to the Planning Inspectorate for Deadline 8 of the Examination for the A12 Chelmsford to A120 widening scheme. In accordance with the ExA Rule 6 Letter [PD-005], the Applicant is submitting comments on further submissions from other Interested Parties at Deadline 7.

The Applicant will also provide Maldon District Council's Final Signed Statement of Common Ground (SoCG) [TR010060/EXAM/8.11]. The SoCG for Historic England and Crown Estate were additional submissions to the Examining Authority on 6 July 2023 with the respective references REP7-074 and REP7-075.

Some of the matters within the SOCG's for Anglian Water, Essex Police and Essex County Council have been progressed since Deadline 7. The SoCG's have not been re-submitted, rather updates have been provided in the Statement of Commonality [TR010060/EXAM/8.17] and List of Matters not Agreed [TR010060/EXAM/8.22].

You will find with this letter the following documents:

Document Reference	Document Title	Revision
Volume 3. Draft Development Consent Order		
TR010060/APP/3.1	Draft DCO(clean)	9
TR010060/APP/3.1	Draft DCO (tracked)	n/a
TR010060/APP/3.2	Explanatory Memorandum (clean)	9
TR010060/APP/3.2	Explanatory Memorandum (tracked)	n/a
TR010060/APP/3.3	Consents and Licences Position Statement	3
Volume 8. Statements of Common Ground		
TR010060/EXAM/8.11	Final Statements of Common Ground (SoCG) - Maldon District Council	5
TR010060/EXAM/8.17	Final Statement of Commonality Deadline 8	3
TR010060/EXAM/8.22	List of matters not agreed where SoCG could not be finalised	2
Volume 9. Additional Submissions		
TR010060/EXAM/9.6	Application Document Tracker	6
TR010060/EXAM/9.8	Final Status of negotiations CA schedule	6
TR010060/EXAM/9.40	Schedule of Changes to draft DCO	6
TR010060/EXAM/9.65	Errata to the Environmental Statement (clean)	2
TR010060/EXAM/9.65	Errata to the Environmental Statement (tracked)	N/A
TR010060/EXAM/9.78	Applicant's Comments on information received at Deadline 7	1
TR010060/EXAM/9.81	Judgement Boswell v Secretary of State for Transport and National Highways	1
TR010060/EXAM/9.82	Closing Statement Annex 1 – Summary of Applicant's CA Case for objectors' land	1
TR010060/EXAM/9.83	The impact of Covid on traffic model forecasts	1
TR010060/EXAM/9.84	Section 135 Letter - DfT	1

In terms of some of the documents submitted as part of this deadline submission , the Applicant considers these require further explanation, which is given below:

- **TR010060/EXAM/9.83 - The impact of COVID on traffic model forecast:** The Applicant was requested to provide an update on the DfT new traffic model data. A sensitivity test was carried out, and the results are in this technical note submitted at Deadline 8.
- **TR010060/EXAM/9.81 - Dr.Boswell vs SoS Transport judgement:** This is a short note explaining this ruling on how carbon emissions should be assessed for schemes such as the A12.
- **TR010060/EXAM/9.82 - Summary of Applicant's CA case for objector's land:** This document is Annex A of the Applicant's Closing Statement [REP7-078] and sets out the Applicant's position and reasoning for CA powers where landowners object to the inclusion of CA Powers in the DCO.

In terms of documents that the Applicant has not submitted as part of deadline 8 submissions, which the Applicant considers require further explanation, please see the details below:

- **Without Prejudice Water Framework Directive (WFD) Derogation Case:** At ISH5 on 27 June 2023, the Examining Authority requested the Applicant to prepare a WFD Derogation Case without prejudice to the Applicant's position that the proposed scheme is WFD compliant. Notwithstanding the Applicant's position, the Applicant has endeavoured to progress the preparation of a without prejudice derogation case in the very short time available between ISH5 on 27 June 2023 and the close of the Examination on 12 July 2023. A meeting was held with the Environment Agency on 10 July 2023 to discuss the Applicant's proposed structure and approach to the without prejudice derogation case, and the Applicant hopes to continue to engage positively with the Environment Agency in relation to the preparation of the without prejudice derogation case over the coming weeks. Given the limited time available since ISH5 on 27 June 2023, the Applicant is not yet in a position to submit the without prejudice

derogation case to the Examining Authority but intends to submit this to the Secretary of State as soon as it reasonably can, allowing for ongoing engagement with the Environment Agency, following the closure of the Examination.

- **TR010060/APP/3.1 – Draft DCO Validation Report:** As listed above, as part of its Deadline 8 submission the Applicant is providing a revised version of the draft DCO in both clean and track changes to reflect amendments made at the request of Essex County Council. The draft DCO was submitted for validation. However, at the time of this submission the Applicant has not received the validation report, which is not now expected to come through until 13 July 2023. As such, the validation report is not being submitted with the draft DCO but will follow this Deadline 8 submission as soon as it is received.

Yours sincerely,



Tracey Harvey
National Highways
Project Manager – A12 Chelmsford to A120 widening scheme