



## Meeting note

<b>Project name</b>	A12 Chelmsford to A120 Widening Scheme
<b>File reference</b>	TR010060
<b>Status</b>	<b>Final</b>
<b>Author</b>	The Planning Inspectorate
<b>Date</b>	22 January 2021
<b>Meeting with</b>	Highways England
<b>Venue</b>	Microsoft Teams
<b>Meeting objectives</b>	Project update meeting
<b>Circulation</b>	All attendees

### Summary of key points discussed and advice given

The Planning Inspectorate (the Inspectorate) advised that a note of the meeting would be taken and published on its website in accordance with section 51 of the Planning Act 2008 (the PA2008). Any advice given under section 51 would not constitute legal advice upon which applicants (or others) could rely.

### Project update

The Applicant set out the proposed timetable for the scheme and confirmed it had shared the timetable with relevant Local Authorities in November 2020. The Applicant confirmed that based on the timetable currently proposed it expected to submit its application for a Development Consent Order in March 2022.

The Applicant explained that the red line boundary of the Proposed Development had been refined to reflect various updates to the scheme design adopted in the period since options consultations had been carried out in 2017 and 2019, and the combination of the October 2019 and September 2020 Preferred Route Announcements. The Applicant confirmed that it planned to carry out statutory consultation on the overall scheme comprising junction 19 (Boreham interchange) to junction 25 (Marks Tey interchange) of the A12 in summer 2021.

The Applicant confirmed that it continued to maintain close contact with the team within Highways England dealing with the A120 Braintree to A12 scheme. The programmes and interrelationships of the two schemes were being carefully considered by both project teams. The Applicant queried if the Inspectorate could signpost to any examples of documents provided by applicants other than Highways England that dealt with the interrelationships of a scheme with another Nationally Significant Infrastructure Project (NSIP)/major development in the vicinity of a Proposed Development. The Inspectorate confirmed it would investigate and report back to the Applicant after the meeting.

The Applicant provided an update regarding the Chelmsford Garden Village proposals, noting that the Colchester Braintree Borders Garden Community was no longer being pursued by the Local Authority. The Applicant advised that in November 2020 it had met with Chelmsford City Council and Essex County Council to hold a "Development Consent Order and Statement of Community Consultation Workshop" with the above Local Authorities.

The Applicant confirmed it had met with relevant Local Authorities concerning the preparation of its Statement of Community Consultation (SoCC) in December 2020. The Local Authorities had confirmed that in the current circumstances they would be satisfied with the Applicant undertaking a fully digital/online statutory consultation. Notwithstanding this the Applicant would remain flexible and keep open the option of holding physical consultation events if it was safe to do so. The Applicant was finalising its consultation strategy and a decision would be made around the scope for physical events to be held no later than April 2021.

## **Scoping Opinion**

Noting comments raised by Natural England in its scoping consultation response regarding biodiversity net gain, the Applicant confirmed that the Proposed Development would aim to achieve no net loss of biodiversity (with an aspiration to provide a net gain) and that it continued to engage with Natural England.

The Applicant noted that archaeological fieldwork requirements and a draft Written Scheme of Investigation had previously been discussed with Historic England and other relevant consultation bodies, with engagement ongoing.

The Applicant noted an instance in the Scoping Opinion where the Inspectorate had agreed to scope out a matter raised by a consultation body in its response and asked how it should address consultee comments in this circumstance. The Inspectorate advised that whilst matters agreed in the Scoping Opinion as being scoped out did not need to be assessed in the Environmental Statement (ES), it is the Applicant's decision whether to rely on the Secretary of State's view or present an assessment in the ES to avoid a potential Interested Party objection.

The Inspectorate recommended that a table(s) is provided in the ES summarising the scoping responses from the consultation bodies and how they are, or are not, addressed in the ES. The Applicant noted that such tables may form an appendix to the ES. The Applicant explained that whilst Braintree District Council (BDC) did not submit a response to the Inspectorate's statutory scoping consultation, BDC was still intending to provide comments on the Scoping Report and the Applicant confirmed that it would endeavour to give due regard to the comments when these are received.

The small size of text used on Figures 6.2 and 8.3 of the Scoping Report was discussed in terms of ensuring all figures in the ES are clear and legible for the reader. The Inspectorate confirmed that it had no other concerns with the quality of the figures in the Scoping Report.

The transboundary screening process under Regulation 32 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 was discussed, with reference to the Inspectorate's [Advice Note 12](#). The Inspectorate confirmed that it had undertaken

(on behalf of the Secretary of State) a [transboundary screening](#) for the Proposed Development, concluding that it was unlikely to have a significant effect either alone or cumulatively on the environment in a European Economic Area State. Noting that the Secretary of State's duty under Regulation 32 continues throughout the application process, the Inspectorate confirmed that as set out in paragraph 3.3.18 of the Scoping Opinion, the ES should detail how the Applicant has considered the potential for significant transboundary effects where relevant.

The Inspectorate confirmed that the reference to "*photomontages*" in row ID 4.2.3 of the Scoping Opinion was a typographical error and should read "*photographs*". The Applicant sought clarity on how to address the Inspectorate's comments in row ID 4.3.6 of the Scoping Opinion in relation to the Landscape and Visual Impact Assessment. The Inspectorate advised the Applicant to consider how any veteran, ancient or notable trees contribute to landscape character and setting.

The Applicant sought clarity on an apparent discrepancy between row IDs 4.6.3 and 4.6.4 of the Scoping Opinion. The Inspectorate confirmed that row ID 4.6.3 of the Scoping Opinion was correct (with 4.6.4 included in error) ie that impacts associated with material assets and waste during operation of the Proposed Development can be scoped out of the ES.

The Applicant set out how it intended to address comments raised by Local Authorities in their scoping consultation responses regarding potential socio-economic impacts, including those related to the workforce. This included the potential for cumulative impacts with other major developments. The Inspectorate noted the proposed approach, advised that the ES should clearly explain and justify how the potential for significant effects has been considered and that the Applicant should make effort to agree the approach with relevant consultation bodies.

The Applicant stated it had scheduled a meeting with the promoters of the proposed Longfield Solar Farm and this would be the first engagement between the teams. The Applicant explained that the two schemes are separated by a railway with no overlap of the red line boundaries.

The Applicant queried how it should label photographs in the ES. The Inspectorate advised the Applicant to follow the approach set out in its [Advice Note 6](#) and to review the photographs presented within ESs for other NSIP applications.

## **Any Other Business**

The Inspectorate queried the impact of the Proposed Development on existing utilities. The Applicant summarised various utilities affected by the scheme and confirmed that engagement with relevant Statutory Undertakers was ongoing. The Applicant's current understanding was that none of the works required to utilities would trigger the NSIP thresholds set out in the PA2008.

The Applicant confirmed that based on the timetable currently proposed it expected to submit draft documents to the Inspectorate for review in October 2021. The Inspectorate also offered to review the Applicant's draft SoCC/SoCC notice at the appropriate time.