

# **A12 Chelmsford to A120 widening scheme TR010060**

## **6.1 ENVIRONMENTAL STATEMENT CHAPTER 1 INTRODUCTION**

APFP Regulation 5(2)(a)

Planning Act 2008  
Infrastructure Planning (Applications: Prescribed  
Forms and Procedure) Regulations 2009

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## Infrastructure Planning

### Planning Act 2008

# **A12 Chelmsford to A120 widening scheme**

## **Development Consent Order 202[ ]**

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## **ENVIRONMENTAL STATEMENT**

### **CHAPTER 1 INTRODUCTION**

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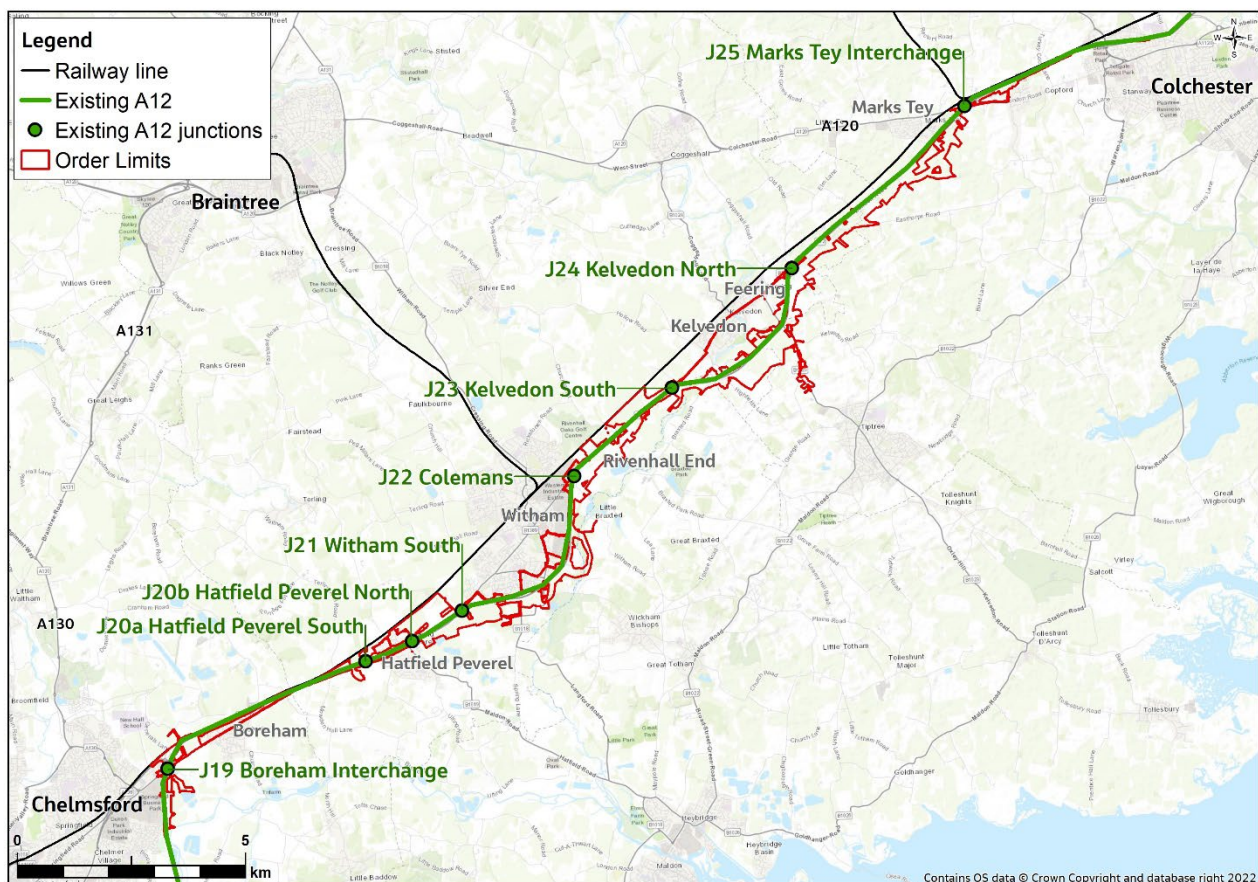
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# 1 Introduction

## 1.1 Proposed scheme overview

- 1.1.1 The A12 Chelmsford to A120 widening scheme (the 'proposed scheme') comprises improvements to the A12 between junction 19 (Boreham interchange) and junction 25 (Marks Tey interchange), a distance of approximately 24km, or 15 miles (Plate 1.1). The proposed scheme involves widening the A12 to three lanes throughout (where it is not already three lanes) with two new sections of three-lane dual carriageway, between junctions 22 and 23 and between junctions 24 and 25. It also includes safety improvements, including closing off existing private and local direct accesses onto the main carriageway, and alterations and improvements for walkers, cyclists and horse riders to existing non-vehicular routes along the A12.
- 1.1.2 The location and extents of the proposed scheme are illustrated on Figure 1.1 of the Environmental Statement [TR010060/APP/6.2] and are described in detail in Chapter 2: The proposed scheme, of the Environmental Statement [TR010060/APP/6.1].

**Plate 1.1 Proposed scheme location**



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## 1.2 Purpose of the Environmental Statement

- 1.2.1 This is the Environmental Statement for the proposed scheme, which has been produced by the Applicant as part of the process of Environmental Impact Assessment (EIA). The purpose of the EIA process is to ensure that information on the likely significant environmental effects of certain projects is taken into account by a decision-maker before determining whether or not to grant development consent. As the proposed scheme is a project for which the EIA process is required, the Environmental Statement has been prepared by competent experts to provide specified information to enable the Examining Authority, the Secretary of State and all stakeholders to understand the likely significant environmental effects of the proposed scheme.
- 1.2.2 The Secretary of State cannot grant the Development Consent Order (DCO) until the consultation, publicity and notifications required by the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regulations) have been undertaken. The Secretary of State must examine the environmental information (including the Environmental Statement and the consultations), reach a reasoned conclusion on the significant effects of the proposed scheme on the environment, integrate that conclusion into the decision as to whether a DCO is to be granted and, if so, consider whether it is appropriate to impose monitoring measures.
- 1.2.3 The Environmental Statement has been prepared in line with the requirements of the EIA Regulations 2017 and guidance provided in the Planning Inspectorate's (2020) Advice Note Seven: Environmental Impact Assessment: Process, Preliminary Environmental Information and Environmental Statements.

## 1.3 The Applicant

- 1.3.1 National Highways Limited (formerly Highways England Company Limited) is the developer of the proposed scheme. National Highways is a government-owned company which plans, designs, builds, operates and maintains England's motorways and major A-roads, known as the strategic road network (SRN).

## 1.4 Legislative and policy overview

### Development Consent Order

- 1.4.1 The proposed scheme would involve alteration of a highway which is wholly in England, where National Highways is the highway authority and the speed limit for any class of vehicle is expected to be 50 miles per hour or greater, and would have a footprint greater than 12.5ha. The proposed scheme is therefore classed as a Nationally Significant Infrastructure Project (NSIP) under the Planning Act 2008, triggering the need to apply for a DCO.
- 1.4.2 The proposed diversion of a high-pressure gas main (Work No. U69) is also within the parameters for works to gas pipelines that qualify as an NSIP under the Planning Act 2008. The Secretary of State for Transport and the Secretary of State for Business, Energy and Industrial Strategy have agreed that in such circumstances the Secretary of State for Transport will be the sole decision

maker. The Secretary of State for Business, Energy and Industrial Strategy will, however, be consulted on the recommendations made by the Examining Authority in relation to the energy NSIP, and their comments will be taken into account when the Secretary of State for Transport takes the final decision on the recommendations made by the Examining Authority. This position is recorded in a letter issued jointly by the departments dated 30 July 2021<sup>1</sup>. See the 'National Policy Statement for Energy' section below for further information.

- 1.4.3 National Highways has made an application for a DCO to the Planning Inspectorate seeking consent for the proposed scheme from the Secretary of State for Transport (Secretary of State). The Planning Inspectorate, as the Examining Authority, will examine the DCO application and will make a recommendation to the Secretary of State on whether development consent for the proposed scheme should be granted or refused.
- 1.4.4 The Environmental Statement is part of a series of documents that comprise the DCO application submitted to the Planning Inspectorate.

### **Environmental Impact Assessment**

- 1.4.5 The proposed scheme falls under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the 'EIA Regulations'), specifically Schedule 2, Section 10(f), infrastructure projects, construction of roads (unless included in Schedule 1 of the EIA Regulations). Section 3(b) of Schedule 2 is also relevant in relation to the gas main diversion. The selection criteria in Schedule 3 of the EIA Regulations have been used to screen the proposed scheme and this identified the potential for significant effects. The application for the DCO for the proposed scheme must therefore be accompanied by an Environmental Statement and the EIA process must be followed.
- 1.4.6 An Environmental Scoping Report (Highways England, 2020a) was submitted to the Planning Inspectorate in October 2020, who in turn adopted a Scoping Opinion in December 2020, republished with an errata sheet on 15 March 2021, setting out the scope of the Environmental Statement (Planning Inspectorate, 2021). Details of the scoping process are included in Chapter 5: Environmental assessment methodology, of the Environmental Statement [TR010060/APP/6.1].
- 1.4.7 A Preliminary Environmental Information Report (PEIR) was produced to support the proposed scheme's statutory consultation (Highways England, 2021), which was held between 22 June 2021 and 16 August 2021. The PEIR presented preliminary results of the assessments undertaken to enable consultees to understand the likely significant environmental effects of the proposed scheme, based on the preliminary environmental information available at the time, to help inform their consultation responses. Further information on the statutory consultation is provided in Chapter 4: Consultation, of the Environmental Statement [TR010060/APP/6.1].

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<sup>1</sup> Letter between DfT and the Department for Business, Energy and Industrial Strategy - Transport Development Consent Orders that include energy elements above the Planning Act 2008 threshold, dated 30 July 2021



- 1.4.8 The information that an Environmental Statement is required to provide, including the environmental assessments undertaken, is documented in the Environmental Statement, which builds on the PEIR by taking into account feedback received from the consultation, and presenting information on likely significant effects and mitigation from further detailed assessment. The Environmental Statement has been submitted as part of the DCO application.

### **National Networks National Policy Statement**

- 1.4.9 Section 104 of the Planning Act 2008 requires applications to be decided in accordance with the relevant National Policy Statement (NPS). The National Networks National Policy Statement (NNNPS) (Department for Transport (DfT), 2014) sets out principles by which applications for road and rail schemes should be assessed. Paragraph 4.3 of the NNNPS states:

*'In considering any proposed development, and in particular, when weighing its adverse impacts against its benefits, the Examining Authority and the Secretary of State should take into account:*

- its potential benefits, including the facilitation of economic development, including job creation, housing and environmental improvement, and any long-term or wider benefits;*
- its potential adverse impacts, including any longer-term and cumulative adverse impacts, as well as any measures to avoid, reduce or compensate for any adverse impacts.'*

- 1.4.10 The proposed scheme has been assessed in accordance with the advice given in the NNNPS. Each environmental aspect chapter in the Environmental Statement [TR010060/APP/6.1] sets out the key NNNPS provisions relevant to the aspect, including the information that the Environmental Statement should provide, the factors that the Secretary of State should consider in decision-making and mitigation considerations.

### **National Policy Statement for Energy**

- 1.4.11 An existing high-pressure gas main, owned and operated by Cadent Gas Limited (Cadent) and named as Little Braxted to Springfield - AIA2, would be affected by the proposed scheme and would therefore need to be diverted (this is referred to as the 'gas main diversion' throughout the Environmental Statement). Due to the scale and location of the gas main diversion, an EIA screening exercise was undertaken by the Applicant against the EIA Regulations, which can be found in Appendix 5.2 of the Environmental Statement [TR010060/APP/6.3].
- 1.4.12 The outcome of the EIA screening exercise was that the gas main diversion works would give rise to likely significant effects, and would therefore satisfy the criteria to be considered an NSIP under Section 20 of the Planning Act 2008 and be treated as an NSIP in its own right.

- 1.4.13 As such, the Environmental Statement has considered the Overarching National Policy Statement for Energy (EN-1) and National Policy Statement for Gas Supply Infrastructure and Gas and Oil Pipelines (EN-4) (Department of Energy and Climate Change, 2011a; 2011b) in relation to the gas main diversion. Draft versions of the updated EN-1 and EN-4 have also been considered (Department for Business, Energy and Industrial Strategy, 2021a; 2021b).

### **National Planning Policy Framework**

- 1.4.14 The National Planning Policy Framework (NPPF) (Ministry of Housing, Communities & Local Government, 2021) sets out the Government's planning policies for England and the requirements for the planning system. Paragraph 1.18 of the NPPF (DfT, 2014) states, '*The NPPF is also likely to be an important and relevant consideration in decisions on nationally significant infrastructure projects, but only to the extent relevant to that project.*' However, paragraph 1.19 goes on to say, '*the NPPF makes clear that it is not intended to contain specific policies for NSIPs where quite particular considerations can apply. The National Networks NPS will assume that function and provide transport policy which will guide individual development brought under it.*'
- 1.4.15 Although NSIPs are determined in accordance with the relevant NPS, the NPPF can be a material consideration in decisions relating to NSIPs, and has therefore been considered where relevant to the proposed scheme.

### **Local planning policy**

- 1.4.16 Local planning authorities are key consultees throughout the DCO process. They will be asked to produce Local Impact Reports during the DCO examination giving details of the likely impact of the proposed scheme on the authority's area (or any part of that area), which must be taken into account by the Examining Authority and Secretary of State.
- 1.4.17 The proposed scheme would be located within the administrative boundaries of Essex County Council, Chelmsford City Council, Braintree District Council, Maldon District Council and Colchester Borough Council. Details of the local planning policy relevant to the proposed scheme are included in Appendix 1.1 [TR010060/APP/6.3] and the relevant aspect chapters of the Environmental Statement [TR010060/APP/6.1].
- 1.4.18 Although local planning policy may be considered important and relevant, it does not have the status afforded to relevant NPS by Section 104 of the Planning Act 2008. If there is any conflict between a designated NPS and any local planning document, the policies in the NPS will prevail (Planning Inspectorate (2015) Advice Note Two, Section 3).

### **Transport policy**

#### **Road Investment Strategy 2**

- 1.4.19 In March 2020, government published its second Road Investment Strategy (RIS2), which covers investment in, and management of, the SRN from April 2020 to March 2025 (DfT, 2020). The proposed scheme is a committed scheme in RIS2.



1.4.20 National Highways developed the following documents to respond to and align with RIS2:

- Strategic Business Plan 2020-2025 (Highways England, 2020b) – This document provides the high-level direction for Road Period 2 (2020 to 2025), including the outcomes and the strategic priorities. The plan identifies the following environmental commitments:
  - Improving the health and wellbeing of people living near its roads
  - Supporting government's ambition to achieve net zero UK carbon emissions by 2050
  - Maximising opportunities for sustainability
  - Improving the natural, built and historic environment
  - Creating a network resilient to a changing climate
- Delivery Plan 2020-2025 (Highways England, 2020c) – This document supports the Strategic Business Plan, providing the detail of specific funding, activities and projects to be delivered on the SRN over Road Period 2. It also includes a performance framework, which brings together commitments and performance indicators for RIS2, including the following key performance indicators for environment:
  - Achieving no net loss of biodiversity across all National Highways activities by the end of Road Period 2
  - Reducing carbon emissions resulting from National Highways electricity consumption, fuel use and other day-to-day operational activities during Road Period 2
  - Bringing agreed sections of the SRN into compliance with legal nitrogen dioxide limit values as soon as possible
  - Delivering road noise mitigation for 7,500 households in noise important areas

1.4.21 Environmental commitments and key performance indicators contained within RIS2 and its associated Strategic Business Plan and Delivery Plan have been considered throughout the proposed scheme design-development and EIA process to-date.

**Other National Highways plans and strategies**

1.4.22 Table 1.1 sets out other National Highways strategies and plans that have been considered as part of the design-development and EIA process. Some of the strategies included in Table 1.1 were produced to support the first Road Investment Strategy (RIS1), and are due to be updated in 2022/2023 for Road Period 2; these are still considered relevant to the proposed scheme until they are updated.

**Table 1.1 Other transport strategies and plans**

Strategy or plan	Description
Environment Strategy: Our approach (Highways England, 2017a)	This strategy outlines National Highways' commitment to improving environmental outcomes. In doing this, it seeks to help protect, manage and enhance the quality of the surrounding environment, with a focus on people and the built, natural and historic environment. Through its Environmental Strategy, National Highways has identified a series of strategic levers and plans which place environment at the heart of design. These have been considered as part of the design-development and EIA of the proposed scheme.
Sustainable development strategy: Our approach (Highways England, 2017b)	This strategy communicates National Highways' approach and priorities for sustainable development. The strategy sets out the vision and ambitions for sustainably managing financial, human, natural, social and manufactured capital. The design-development of the proposed scheme has considered the principles contained in the strategy.
Our strategy to improve air quality (Highways England, 2017c)	This document explains National Highways' strategy to improve air quality on the SRN to deliver a cleaner network and improve the health of its neighbours and customers. Chapter 6 of the Environmental Statement [TR010060/APP/6.1] assesses the impact on air quality from the proposed scheme.
Our plan to protect and increase biodiversity (Highways England, 2015)	This biodiversity plan sets out how National Highways and its suppliers aim to halt overall biodiversity loss and maintain and enhance habitats and ecological networks. Chapter 9 of the Environmental Statement [TR010060/APP/6.1] assesses the impact on biodiversity from the proposed scheme and the measures for reducing and compensating for these impacts.
Highways England: Licence (DfT, 2015)	Sets out important objectives and conditions around how National Highways must exercise its role and statutory functions. Guidance contained in the document relating to environmental protection, enhancement and sustainable design has been considered as part of the design-development and EIA of the proposed scheme.
Net zero highways: Our 2030 / 2040 / 2050 plan (National Highways, 2021)	Compliments the government's Decarbonising Transport: A Better, Greener Britain (DfT, 2021) and Industrial Decarbonisation Strategy (HM Government, 2021) by setting out a road map to decarbonise highway emissions, including from corporate activities, construction and maintenance, and road users. Chapter 15 of the Environmental Statement [TR010060/APP/6.1] assesses the carbon emissions from the proposed scheme and sets out measures for reducing these emissions.

1.4.23 There are additional national transport and environmental policy documents which are relevant to highways developments. These are set out in Appendix 1.1 of the Environmental Statement [TR010060/APP/6.3], as well as the aspect chapters where relevant.

## 1.5 Structure of the Environmental Statement

- 1.5.1 The environmental aspects covered in the Environmental Statement include those within the EIA Regulations and the Design Manual for Roads and Bridges (DMRB). The relationship between DMRB and EIA is provided in Chapter 5: Environmental assessment methodology, of the Environmental Statement [TR010060/APP/6.1]. The structure of this report is set out in Table 1.2.
- 1.5.2 A separate Non-Technical Summary (NTS) for the Environmental Statement has been produced and submitted with the DCO application [TR010060/APP/6.4]. The NTS presents the information in the Environmental Statement in non-technical language.

**Table 1.2 Structure of the Environmental Statement**

Subject	Description
Volume 6.4 – TR010060/APP/6.4	
Non-Technical Summary (NTS)	A summary of the Environmental Statement using non-technical language. The NTS summarises the proposed scheme description, alternatives considered, the likely significant effects, the proposed mitigation and monitoring requirements.
Volume 6.1 – TR010060/APP/6.1	
Chapter 1: Introduction	A brief introduction to the proposed scheme, legislative and policy framework, competent expertise used to undertake the Environmental Statement, and the purpose and structure of the Environmental Statement.
Chapter 2: The proposed scheme	Description of the proposed scheme location, the need for the scheme, scheme objectives and baseline scenario. A description of the proposed scheme is provided comprising information on the site, design and physical characteristics of the development. The scheme description describes both the construction and operation of the proposed scheme, as well as long term management and a statement of whether the Environmental Statement considers decommissioning of the proposed scheme.
Chapter 3: Assessment of alternatives	Description of the main alternatives considered during the design and development of the proposed scheme, and the justification for the choice of the preferred option, including a comparison of environmental effects.
Chapter 4: Consultation	Summary of consultation undertaken throughout the design-development.
Chapter 5: Environmental assessment methodology	Sets out the scope of the Environmental Statement, including a summary of how the scoping process was undertaken. The general assessment approach is detailed, including the guidance and methodologies used, general assessment criteria and terminology, and the approach to mitigation, enhancement and monitoring.

Subject	Description
Chapter 6: Air quality	<p>Chapters 6–15 assess the likely significant effects from the proposed scheme. Each of the aspect chapters includes the following:</p> <ul style="list-style-type: none"> <li>• Topic introduction</li> <li>• Competent expert evidence</li> <li>• Stakeholder engagement</li> <li>• Legislative and policy framework</li> <li>• Assessment methodology</li> <li>• Assessment assumptions and limitations</li> <li>• Study area</li> <li>• Baseline conditions</li> <li>• Potential impacts</li> <li>• Design, mitigation and enhancement measures</li> <li>• Assessment of likely significant effects</li> <li>• Monitoring</li> <li>• Summary</li> <li>• References</li> </ul>
Chapter 7: Cultural heritage	
Chapter 8: Landscape and visual	
Chapter 9: Biodiversity	
Chapter 10: Geology and soils	
Chapter 11: Material assets and waste	
Chapter 12: Noise and vibration	
Chapter 13: Population and human health	
Chapter 14: Road drainage and the water environment	
Chapter 15: Climate	
Chapter 16: Cumulative effects assessment	This chapter assesses the cumulative effects of other major developments which could overlap with the proposed scheme.
Chapter 17: Summary	Summary of the residual effects, highlighting where significant residual effects are predicted, and a summary of mitigation measures and monitoring requirements.
Chapter 18: Glossary and acronyms	Description of acronyms and definitions of technical terms.
Volume 6.2 – TR010060/APP/6.2	
Figures	Figures which support Volume 6.1 of the Environmental Statement, including location, environmental design, and constraints plans.
Volume 6.3 – TR010060/APP/6.3	
Technical appendices	Appendices which support Volume 6.1 of the Environmental Statement, including technical reports and supporting information.

## 1.6 Competent expert evidence

- 1.6.1 The EIA Regulations require that the Environmental Statement be prepared by 'competent experts'. The Environmental Statement has been prepared by Jacobs on behalf of National Highways. Jacobs holds the EIA Quality Mark from the Institute of Environmental Management and Assessment (IEMA), demonstrating competency in the preparation of Environmental Statements.

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- 1.6.2 The Environmental Statement was undertaken, managed and compiled by experienced and competent environmental professionals with the appropriate experience and qualifications for their respective aspects. The overall EIA lead and competent expert responsible for the Environmental Statement is a full member of the Chartered Institute of Water and Environmental Management (CIWEM), a Chartered Environmentalist (CEnv) and Principal EIA Practitioner, with over 30 years of experience undertaking EIAs, including for highway schemes. The experience of the various EIA technical leads responsible for the environmental assessments are summarised at the start of each aspect chapter (Chapters 6 to 16 of the Environmental Statement [TR010060/APP/6.1]).



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