

ESSEX COUNTY COUNCIL

**THE ESSEX COUNTY COUNCIL
(ARMY AND NAVY JUNCTION)
COMPULSORY PURCHASE ORDER 2026**

**THE ESSEX COUNTY COUNCIL
ARMY AND NAVY JUNCTION
(CLASSIFIED ROAD) (SIDE ROADS) ORDER 2026**

**THE ACQUISITION OF LAND ACT 1981 & THE HIGHWAYS ACT 1980
STATEMENT OF CASE OF THE ACQUIRING AUTHORITY**

AUGUST 2026

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1. INTRODUCTION

1.1. This is the Statement of Case of the Essex County Council (referred to in this Statement as “the acquiring authority”). It is produced to comply with Rule 7 of the Compulsory Purchase (Inquiries Procedure) Rules 2007 and Rule 16 of the Highways (Inquiries Procedure) Rules 1994. It contains particulars of the case which the acquiring authority will put forward at the Public Local Inquiry (PLI) which is to be convened by the Planning Inspectorate on behalf of the Secretary of State into the following orders:

- The Essex County Council (Army and Navy Junction) Compulsory Purchase Order (“CPO”); and
- The Essex County Council Army and Navy Junction (Classified Road) (Side Roads) Order (“SRO”).

which are collectively referred to in this Statement as “the Orders”.

1.2. The land and rights to be acquired by compulsory purchase pursuant to the CPO are referred to in this Statement as “the Order Land”.

1.1. Reference is also made in this Statement to the non-statutory Statement of Reasons served with the Orders and referred to in this Statement as “the Statement of Reasons”.

1.3. The purpose of this Statement is to set out the case which the acquiring authority proposes to put forward at the PLI and to provide a list of the documents which the acquiring authority intends to refer to or put in evidence.

1.4. This Statement and the Statement of Reasons have been prepared in accordance with the guidance set out in:

- “Guidance on Compulsory purchase process and The Crichel Down Rules” issued in July 2019;
- Department of Transport Circular 1/97 “Highways Act 1980: Orders Under Section 14 of the Highways Act 1980 and Opposed Orders Under Section 124 of that Act”; and
- Department of Transport Circular 2/97 “Notes on the Preparation, Drafting and Submission of Compulsory Purchase Orders for Highway Schemes and Car Parks for which the Secretary of State for Transport is the Confirming Authority”.

1.5. Planning permission for the Army and Navy Junction scheme, referred to in this Statement as “the Proposed Scheme”, was granted by the County Planning Authority (Essex County Council) on 26th November 2024 (ref: CC/CHL/108/23).

2. STATUTORY POWERS

2.1. The acquiring authority (Essex County Council) is the local highway authority and local transport authority for the area.

- 2.2. The CPO is made under the Highways Act 1980 Act: sections 239 and 240 (general powers of highway authorities to acquire land for the construction and improvement of highways), section 246 (power to acquire land for mitigating adverse effects of constructing or improving highways) and section 250 (land acquisition powers to extend to creation as well as acquisition of rights).
- 2.3. The SRO is made under the Highways Act 1980: sections 14 (powers of highway authorities as respects roads that cross or join classified roads) and 125 (further powers to stop up private accesses to premises) and Schedule 1.
- 2.4. The making and confirmation of the SRO will enable the acquiring authority to improve, raise, lower, divert or otherwise alter highways; stop up highways; construct new highways; stop up private means of access to premises, required to support the Proposed Scheme.

3. NEED FOR THE PROPOSED SCHEME

- 3.1. The Proposed Scheme is key to a number of place-based strategies, in particular Essex County Council's Chelmsford Future Transport Network (CFTN) strategy (2017), the adopted Chelmsford Local Plan 2013-2036 (CLP) (2020), the Chelmsford Local Plan Pre-Submission (Regulation 19) Document (PSR19D) (February 2025) and the Chelmsford Local Plan Focused Additional Sites (Regulation 19) Document (FAS19D) (November 2025).

- 3.2. The Proposed Scheme forms a key part of the wider vision for Chelmsford, as detailed in the CLP:

'By 2036 Chelmsford will continue to ...:

- Be a place with an improving transport system offering enhanced connectivity and supporting sustainable new development including a railway station in North Chelmsford, further Park and Ride sites, capacity improvements to the Army and Navy Junction and strategic highway improvements ...; and*
- Maximise opportunities for sustainable transport by providing increased opportunities for walking, cycling and public transport ...'.*

- 3.3. The Army and Navy junction improvements, park and ride improvements and the maximising of opportunities for sustainable transport continue to form a key part of the vision for Chelmsford to 2041, as set out in the PSR19D.
- 3.4. The Army and Navy junction is a strategic junction in Chelmsford city and is a critical element of the Chelmsford transport network, providing a vital gateway into and out of the city. It is located approximately 900m south-east of the city centre on the suburban periphery, south of the River Chelmer. It is used by around 70,000 vehicles a day and 70 buses an hour at peak times.
- 3.5. The roundabout takes its name from a public house that stood nearby until its redevelopment in the early 2000s (see Figure 1). Over the years, the Army and Navy roundabout has been enlarged and developed in response to changing transport requirements. It was initially constructed in the early 1930s as part of the original A12 Chelmsford Bypass (Chelmer Road) then enlarged in the early 1970s to accommodate the new Essex Yeomanry Way Great Baddow Bypass. A one-lane tidal flyover was added in 1976 and by the year 2000 traffic signals had been added to the junction

(some of which were subsequently removed). The flyover was removed after it came to the end of its usable life in 2019.

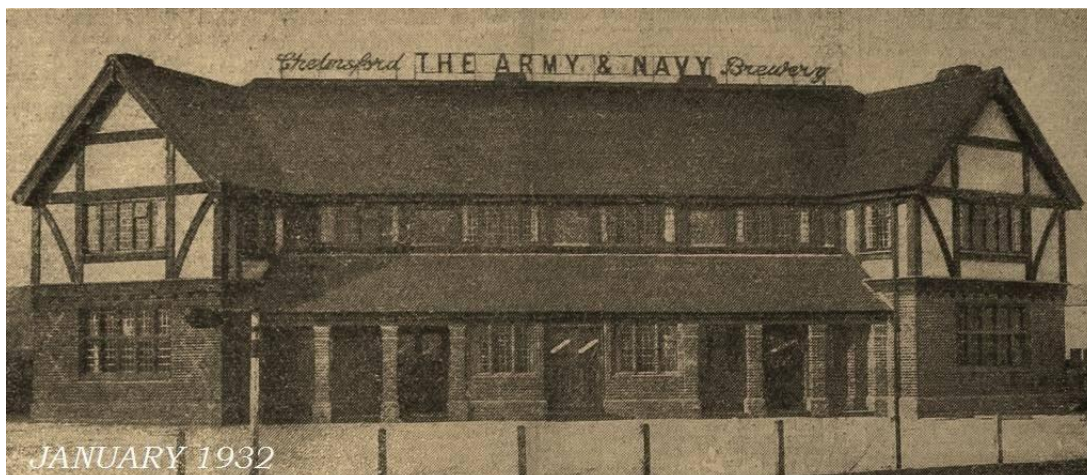


Figure 1: The Army and Navy Public House (copyright: www.essex100.com)

- 3.6. At the inception of the Proposed Scheme, the junction operated over capacity in the morning and evening peak periods, leading to delays, unreliable journey times and poor air quality, with the area, at that time, designated an Air Quality Management Area (AQMA) (which is an area where national air quality objectives that protect people's health and the environment have not been met) in December 2005 due to road traffic emissions. This situation was exacerbated in September 2019, following the permanent closure of the flyover, which served the key traffic movement through the junction, as it came to the end of its usable life. The AQMA designation was only revoked in 2024, following improvements in air quality in the area.
- 3.7. As a result of the severe congestion at the Army and Navy junction and because it is already operating significantly over capacity during the morning and evening peak times, bus passengers, pedestrians, cyclists and drivers regularly experience delays, with impacts on safety and resilience, productivity and the potential future growth of the city.
- 3.8. There are several environmental issues associated with the Army and Navy junction. The junction itself and associated congestion has resulted in a poor-quality environment for all road users and residents in the immediate area and does not reflect its status as a key gateway to the city centre. The site is: within Flood Zones 2 and 3; part of the Chelmer and Blackwater Conservation Area; part of the Chelmsford Watermeadows Local Wildlife Site; part of a designated Green Wedge; and part of an area sensitive to air quality changes and has a history of poor air quality.
- 3.9. There is a high concentration of road traffic collisions related to the existing Army and Navy junction. Thirty collisions were recorded in the immediate vicinity of the junction in the period between 2020 and 2024, five of which were defined as having a Serious severity (i.e. collisions in which at least one person is seriously injured but no person other than a confirmed suicide is killed).
- 3.10. The current junction layout also does not optimise pedestrian and cyclist safety or encourage the use of public transport. The existing subway is an unattractive junction crossing route for pedestrians and cyclists which is prone to flooding and there is a lack of infrastructure to support more sustainable modes of transport, which deters their use.

- 3.11. These problems and underlying causes will all be exacerbated over time as the demand for transport movements through this key gateway to the centre of Chelmsford increases. Planned housing development is happening apace across Chelmsford and Essex more broadly. As the Army and Navy junction is part of a regional network of roads and a key gateway to and from Chelmsford city, which is a regional centre for employment, it is to be expected that this more dispersed housing growth will generate a significant increase in travel demand to the centre of Chelmsford via the Army and Navy junction. It will be a constraint on planned housing and employment growth if associated increases in travel demands cannot be adequately accommodated.
- 3.12. With the Army and Navy junction currently operating well over capacity, any future increase in demand for private vehicle travel will result in a significant increase in delays and queue lengths at the junction. A likely result of this is that vehicles re-route via less appropriate roads (rat-running) to avoid the Army and Navy junction, thereby increasing the negative impacts of traffic on the wider local road network, as well as locally at the Army and Navy junction itself.
- 3.13. The constraint on access to the centre of Chelmsford, if left unaddressed, will have significant negative impacts on economic growth both within Chelmsford, as well as prejudicing plans for growth in the wider Essex and East England region, particularly in south Essex.
- 3.14. The Proposed Scheme is an integral part of the overall 'Army and Navy Sustainable Transport Package' that has been developed for Chelmsford. The package, as originally developed, also includes the expansion and enhancement of Park and Ride provision at Sandon and at Chelmer Valley. Together the schemes provide a complementary set of improvements to public transport, walking and cycling networks to reduce reliance on private vehicle travel. Figure 2 shows the location of the Army and Navy Junction, Sandon Park and Ride and Chelmer Valley Park and Ride schemes in Chelmsford.



Figure 2: Location of the Army and Navy Junction, Sandon Park and Ride and Chelmer Valley Park and Ride schemes

4. OPTIONS CONSIDERED AND SELECTION OF PREFERRED OPTION

- 4.1. A dedicated Army and Navy Task Force (hereafter referred to as 'the task force'), comprising county, city and parish councillors and the local MP, was established in October 2018 as an advisory body to assist with the development of the Army and Navy Sustainable Transport Package. The task force approved objectives for the Army and Navy Sustainable Transport Package, which are aligned with the vision for Chelmsford set out in the CLP.
- 4.2. The following objectives were used to assess options and to select the right long-term solution for Chelmsford:
- Offer inclusive, attractive, and safe active travel measures (walking and cycling) across an improved and comprehensive network to encourage increased use for all.
 - Positively manage resilience and journey time reliability, improving journey times for passenger transport services travelling into/out of the city centre core.
 - Provide enhanced connectivity for communities within and beyond Chelmsford to support and promote sustainable housing and economic growth and regeneration both now and in the future.
 - Increase the attractiveness of the gateway into the city centre through design and public realm enhancements.
 - Improve safety and the perception of safety for all users on the Chelmsford city network to enhance and promote a safe travelling environment.
 - Manage environmental conditions such as air quality and noise.
 - Actively manage resilience and journey time reliability for private transport trips within the core urban area of Chelmsford and, in particular, management of through trips.
- 4.3. It is around these objectives that more detailed assessment was carried out alongside the development of concept designs.
- 4.4. A rigorous design development and assessment process, in line with the Department for Transport's (DfT) Transport Appraisal Process, was undertaken to identify the best performing option at the Army and Navy junction. Three stages of option development were undertaken:
- Options generation: This initial process, drawing on wide stakeholder input and previous studies, identified over 100 potential options for the Army and Navy junction.
 - Options sifting: This was undertaken in a manner that was robust, transparent and auditable to identify the better performing options for further consideration. It reduced the list of potential options down to a shortlist of eight broad major scheme options.
 - Further development and sifting: This identified the five best performing options for the junction to be taken forward for further appraisal.

4.5. Five options were then assessed in detail:

- Option A: Minor Road Layout Improvements
- Option B: Two-Way Flyover
- Option C: Hamburger Roundabout
- Option D: Enlarged Roundabout
- Option E: Separate T-junctions.

4.6. Three options were discounted as a result of this process:

- Option A: Minor Road Layout Improvements – This option was discounted as it does not address delays at the junction as effectively as other options and would not sufficiently help to create the required capacity for sustainable transport modes.
- Option B: Two-Way Flyover – This option was discarded due to several disadvantages, including having the longest construction programme with largest impact, being the least compatible with Essex County Council's Park and Ride strategy, being the most damaging option in landscape and townscape terms and having the lowest opportunity to mitigate the impacts, not including an eastbound bus lane on A1060 Parkway, and having the highest air quality and noise impacts.
- Option D: Enlarged Roundabout – This option was discounted due to its estimated value for money performance being poor.

4.7. The two best performing options, Option C: Hamburger Roundabout and Option E: Separate T-junctions, were taken forward for inclusion in a public consultation exercise for the Army and Navy Sustainable Transport Package, which took place between August and October 2021.

4.8. Following initial analysis of responses to public consultation and having considered both public feedback and the latest option assessment analysis, in December 2021 the task force recommended the Hamburger Roundabout as the preferred option for the Army and Navy junction.

4.9. Option E: Separate T-junctions was discarded due to its relatively low expected value for money compared to Option C: Hamburger Roundabout and because it was much less popular with the public at the non-statutory public consultation. Only 21% of respondents preferred Option E: Separate T-junctions compared to 60% preferring Option C: Hamburger Roundabout.

4.10. Option C: Hamburger Roundabout was chosen as the preferred option because it was the best performing option overall, with the highest score for all four categories in the appraisal - being economic, commercial, managerial, and financial. Specifically, it was the best performing option in terms of economic growth, carbon emissions, wellbeing, value for money, affordability and public acceptability.

4.11. In March 2022, a formal decision was made by Essex County Council's Cabinet to approve the Hamburger Roundabout as the preferred option.

5. DESCRIPTION OF THE PROPOSED SCHEME

5.1. In line with the proposed Orders submitted for confirmation, this section describes the Proposed Scheme:

- A two-way dual carriageway through the central island of the Army and Navy roundabout linking A1060 Parkway and A1114 Essex Yeomanry Way.
- A segregated left turn lane from A138 Chelmer Road to A1114 Essex Yeomanry Way.
- Removal of the existing subway through the Army and Navy roundabout.
- Fully segregated walking and cycling facilities through the Army and Navy junction at ground-level.
- New/improved walking and cycling links to the Army and Navy junction from A1114 Van Diemens Road/Princes Road, Kings Head Walk (Chelmsford City Centre, via the 'Off Parkway Cycleway/Footway'), B1009 Baddow Road, and Meadgate Avenue.
- New bus lanes and bus priority measures on A1060 Parkway.
- A new bus lane on A1114 Van Diemens Road/Princes Road.
- Junction improvements at the Lady Lane / A1114 Van Diemens Road/Princes Road junction.
- The provision of environmental barriers adjacent to A1114 Essex Yeomanry Way and Meadgate Terrace/Tusser Court. These barriers will provide noise attenuation and visual screening for adjacent residents and have been included in the design as an enhancement measure.
- Removal of the left turn only slip between A1060 Parkway and A138 Chelmer Road.
- Removal of one lane northbound on A1114 Van Diemens Road/Princes Road (flaring to two lanes at the Army and Navy junction) to accommodate existing permit parking bays and a new two-way cycleway on the western side of A1114 Van Diemens Road/Princes Road.
- A new drainage attenuation pond.
- A comprehensive landscape planting scheme.

6. THE PLANNING POSITION

6.1. Following notice to, and no intervention by, the Secretary of State, pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992, planning permission for the Proposed Scheme was granted by the County Planning Authority (Essex County Council) on 26th November 2024 (ref: CC/CHL/108/23). Fourteen planning conditions were imposed on the grant of planning permission. The permitted scheme must be implemented within five years of the date of the permission. The decision to grant planning permission was informed by a Planning Statement which assessed the proposal against relevant national and local planning policy.

- 6.2. At the time planning permission was granted, the current version of National Planning Policy Framework (NPPF) was the December 2023 version, which updated the previous version of the NPPF published in September 2023, which was the current version at the time of application submission. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. The NPPF highlights that the purpose of the planning system is to contribute to the achievement of sustainable development. It goes on to state that there are three dimensions to sustainable development: economic, social and environmental. The NPPF places a presumption in favour of sustainable development. Paragraph 47 of the 2023 NPPF (both 2023 versions) states that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 6.3. The adopted development plan for the local area consists of:
- Essex Minerals Local Plan (2014)
 - Essex and Southend-on-Sea Waste Local Plan (2017)
 - CLP 2013-2036 (2020).
- 6.4. The CLP, adopted in 2020, is of particular relevance to the Proposed Scheme. The need for the scheme is established in Strategic Policy S9: Infrastructure Requirements, which advises that 'new highway infrastructure should help reduce congestion, link new development and provide connections in the strategic road network'. The schemes identified in the policy that have a key role in this, include:
- *'Improvements to the Army and Navy junction'*
 - *'New and improved cycling and walking routes'*
 - *'Bus Priority schemes'*
 - *'Improved road infrastructure aimed at reducing congestion and providing more reliable journey times'.*
- 6.5. The CLP sets out a number of growth sites allocated for housing and employment. The Army and Navy junction is located within Growth Area 1 – Central and Urban Chelmsford and lies in the vicinity of sites designated under Strategic Growth Site Policy 1a – Chelmer Waterside. A masterplan for the area has been approved by Chelmsford City Council. Chelmer Waterside comprises six sites, with a potential total residential capacity of around 1,100 new homes, along with some non-residential development. The Army and Navy junction is located close to CLP Site CW1d Baddow Road Car Park and Land to the East of the Car Park, one of the six Chelmer Waterside sites; it will cater for around 190 homes with the main vehicle access being off Baddow Road. The Proposed Scheme has been designed taking into account the masterplan for Site CW1d, in particular the proposed location of walking and cycling routes. The Off Parkway Cycleway will link to the shared cycleway/footway proposed as part of the Chelmer Waterside Access Road and Bridge scheme, ensuring connectivity to Site CW1d.
- 6.6. The PSR19D affirms the importance of the Proposed Scheme to Strategic Policy S9: Infrastructure Requirements and that additional growth sites within Growth Area 1 – Central and Urban Chelmsford, Growth Area 2 – North Chelmsford and Growth Area 3: South and East Chelmsford will benefit from and require access to an improved

Army and Navy junction and expanded Sandon Park and Ride. In particular, the proposed Garden Community at Hammonds Farm and employment site at land adjacent to A12 Junction 18 will maximise and enhance active travel and bus services into the city centre on provision of enhancements to the Sandon Park and Ride and improvements to the Army and Navy junction.

- 6.7. Other supplementary planning documents relevant to the Proposed Scheme include the Chelmsford Town Centre Public Realm Strategy (CTCPRS) (2011), which highlights the Army and Navy junction's importance as a key arrival point into the city centre. Section 1.24 of the CTCPRS advises that 'Key arrival points offer a considerable opportunity to make a good first impression of the city centre' and advocates a range of public realm improvements. The Proposed Scheme will provide public realm enhancements that reinforce the area as a gateway to the city centre.
- 6.8. Taking into account the NPPF and the relevant policies of the Development Plan, the Proposed Scheme, as set out in the planning application and the CPO, represents sustainable development in the context of the NPPF.
- 6.9. The planning application process took account of all the relevant environmental considerations for the Proposed Scheme.
- 6.10. Planning permission was granted subject to the following fourteen conditions:
 - Condition 1 – Date of Commencement
 - Condition 2 – To be carried out in accordance with approved drawings and subsequently approved non-material amendments
 - Condition 3 – Construction Environmental Management Plan (CEMP)
 - Condition 4 – Finalised General Arrangement plans
 - Condition 5 – Hard and soft landscaping scheme
 - Condition 6 – Tree protection
 - Condition 7 – Street lighting scheme
 - Condition 8 – Ecological mitigation
 - Condition 9 – Biodiversity Net Gain Plan
 - Condition 10 – Surface water drainage scheme
 - Condition 11 – Surface Water Drainage System Maintenance Plan
 - Condition 12 – Archaeological Written Scheme of Investigation
 - Condition 13 – Archaeological Mitigation Strategy
 - Condition 14 – Archaeological post-excavation analysis.
- 6.11. The planning permission contains pre-commencement conditions relating to the following matters, none of which have currently been discharged:

- Condition 3 – CEMP
- Condition 4 – Finalised General Arrangement plans
- Condition 5 – Hard and soft landscaping scheme
- Condition 6 – Tree protection
- Condition 9 – Biodiversity Net Gain Plan
- Condition 10 – Surface water drainage scheme
- Condition 11 – Surface Water Drainage Scheme Maintenance Plan
- Condition 12 – Archaeological Written Scheme of Investigation
- Condition 13 – Archaeological Mitigation Strategy.

6.12. The acquiring authority can meet the pre-commencement of development conditions attached to the planning permission and accordingly there are no planning impediments to the Proposed Scheme proceeding if the Orders are confirmed.

7. THE SIDE ROADS ORDER

7.1. The SRO is entitled THE ESSEX COUNTY COUNCIL ARMY AND NAVY JUNCTION (CLASSIFIED ROAD) (SIDE ROADS) ORDER 2026 and is made under sections 14 and 125 of the Highways Act 1980 and will, if confirmed by the Secretary of State for Transport, authorise Essex County Council to make the following changes on the Side Roads Order Site Plan.

- To improve the link between the existing A1060 Parkway and the existing Goldlay Road.
- To improve the link between the existing A1060 Parkway and the existing Baddow Road.
- To improve the link between the existing A1060 Parkway and the existing Lynmouth Avenue.
- To improve the link between the existing A1060 Parkway and the existing Goldlay Avenue.
- To improve the link between the existing Army and Navy Roundabout and the existing B1009 Baddow Road.
- To improve the link between the existing A1114 Princes Road and the existing Lady Lane.
- To improve the link between the existing A1114 Princes Road and the existing Van Diemens Lane.
- To improve the link between the existing A1114 Princes Road and the existing Moulsham Chase.

- To create a new section of Cycle Track facility (A, B, C and D) from Parkway to Kings Head Walk.
- To create a new means of access serving land north of A138 Chelmer Road (1a) replacing the existing access altered by the new classified road (1).
- To create a new means of access serving land south of A138 Chelmer Road (2a) replacing the existing access altered by the new classified road (2).
- To stop up a means of access serving land north of the A1114 Essex Yeomanry Way (3).

7.2. The new means of access which are to be provided as part of the Proposed Scheme are considered to be as suitable as the existing access which it is intended to replace. Although implementing the SRO will result in changes to existing public rights of way locally, changes have been designed to maintain and enhance the connection of the original routes and provide a safe diversion and crossing to re-join the original routes where necessary. Evidence will be presented to show that overall, the diverted routes along with the new provision, will be as suitable as the existing situation.

8. NEED FOR COMPULSORY PURCHASE

- 8.1. The need for compulsory purchase, and the existence of a compelling case in the public interest, will be demonstrated in evidence. In particular, it will be shown why each plot included within the CPO Land is required for the construction of the Proposed Scheme.
- 8.2. Compulsory acquisition powers are sought in order to be able to obtain access to all the land required to allow the Proposed Scheme to be constructed between 2028 and 2031 and opened during 2031. These powers would guarantee that all the land required for the Proposed Scheme can be acquired in a timely manner and that no individual landowner can hold up the Proposed Scheme through a refusal to sell their interest. It would also ensure that no adverse interests in land can prevent the Proposed Scheme going ahead. It is extremely unlikely that it would be possible to assemble all the necessary land interests in a reasonable timescale without the use of such powers, and their use also would prevent the uncertainty for landowners and tenants and for residents in the area, of land being acquired with no guarantee of the Proposed Scheme being implemented.
- 8.3. The land outside the existing highway boundary that needs to be acquired to construct and mitigate the Proposed Scheme is at the following locations and is required for the following purposes:

- Land to the east of the Army and Navy roundabout, south of A138 Chelmer Road and north of the A1114 Essex Yeomanry Way for the construction of the proposed junction widening and all associated infrastructure and mitigation.
 - Land to the north of the Army and Navy roundabout for construction of the proposed junction widening and associated infrastructure and mitigation.
 - Land to the east and north-east of A1060 Parkway and north-east of B&M Home Store and north-west of Moulsham Mill Centre for the construction of the proposed cycleway/footway.
- 8.4. All landowners have been identified. Much of the land required for the Proposed Scheme is already within the highway boundary. Much of the private land required is registered as freehold and principally used for agricultural or commercial purposes and was identified as such in the planning application. The remainder of the land is comprised of small parcels of land adjacent to and accessible from the highway that are not already dedicated.
- 8.5. Although most of the land sought is required for highway construction works, some land is needed for other purposes and ancillary works such as landscape and ecological mitigation, drainage and surface water runoff control as detailed in the Planning Application. Some land contained within the planning application boundary is required temporarily for delivery of the project. This includes utility diversions, construction access, site compounds, materials haulage, including areas necessary to enable construction of the work elements and is intended to be returned to the landowners upon completion of the works.
- 8.6. Easements will be created for access for Essex County Council to maintain a retaining wall. These easements reserve the right to access the structure in perpetuity, regardless of future changes of title and accessibility.
- 8.7. The land which the CPO requires to be purchased is the minimum necessary to achieve the proposed layout, including essential environmental mitigation and the ultimate functionality of the Proposed Scheme.
- 8.8. The acquiring authority's property consultants have been appointed by the acquiring authority to enter into negotiations with landowners to seek to acquire land in advance of the confirmation of the Orders. The consultants have been in contact with the landowners affected by the project, as well as other parties who are impacted by the Proposed Scheme though without land being affected.
- 8.9. The acquiring authority is committed to treating landowners fairly. Most landowners have appointed agents to represent them, and arrangements are in place to cover the costs of discussions regarding the voluntary purchase of land for the Proposed Scheme. The same commitment will be made to landowners who are yet to appoint agents.
- 8.10. The acquiring authority is committed to reaching agreement to acquire land in advance of the exercise of statutory powers where possible, and to making early advance payments of compensation to support landowners in planning for any changes in business operations as a result of the Proposed Scheme. Voluntary agreements have been reached with some landowners, subject to legal completion, and in the case of others, detailed heads of terms have been issued with negotiations on-going where landowners are willing to engage.

- 8.11. Where the Order Land is required for the carrying out of construction works, but not required for permanent works, landowners will be offered the opportunity to grant temporary licences for the acquiring authority's occupation of the land, so that the land can be returned to landowners once construction is complete, and the land taken for the Proposed Scheme kept to a minimum.
- 8.12. All property owners directly affected by the Proposed Scheme will be entitled to claim compensation and the acquiring authority is committed to paying compensation in accordance with the Compensation Code, which provides for a consistent approach to the assessment of fair compensation (as may be varied from time to time by law). In addition to compensation being paid for the value of the land taken, permanently or temporarily, compensation would also be payable in respect of any loss in a landowner's retained property caused by it being severed from the land acquired or by the Proposed Scheme itself, and in respect of any disturbance losses that result from the construction of the Proposed Scheme. The acquiring authority is hopeful that the total of compensation to be paid will be reached by agreement between the respective parties, but in the event that agreement cannot be reached then fair compensation can be independently determined by the Upper Tribunal (Lands Chamber).
- 8.13. Any property owner, not included within the CPO, who feels that the value of their property has been affected by the Proposed Scheme will be able to submit a claim for compensation under Part I of the Land Compensation Act 1973, and the acquiring authority is committed to considering those claims in accordance with the provisions of statute and case law.
- 8.14. The objectives of the Proposed Scheme (as set out in paragraph 4.2 above) as the means of contributing to the management of congestion and improve connectivity as part of an integrated package of transport measures in Chelmsford are considered to constitute compelling reasons in the public interest so as to justify the use of compulsory purchase powers in the event that agreement with affected landowners cannot be reached. The acquiring authority will show that the Order Land is the minimum amount of land necessary to achieve those objectives and that the distance limits referred to in section 249 and schedule 18 of the Highways Act 1980 have not been exceeded. There is accordingly a compelling case in the public interest for the Orders to be confirmed.

9. HUMAN RIGHTS ASSESSMENT

- 9.1. The acquiring authority has considered the provisions of the Human Rights Act 1998 in deciding whether to make the Orders and use of compulsory purchase powers will not constitute an unlawful interference either with property rights protected under Article 1 of the First Protocol of the European Convention on Human Rights, or the respect for private and family life and the home protected under Article 8 of the Convention.
- 9.2. The Orders have been made in accordance with the provisions of national legislation, which provides the public opportunity through the planning application statutory public consultation process to make representations on planning applications to the determining authority. All representations made in relation to the Proposed Scheme were taken into consideration by the County Planning Authority in determining the planning application for the Proposed Scheme.
- 9.3. In addition to the planning processes related to the Proposed Scheme, those affected by the Orders have had the opportunity to make objections and representations in respect of the Orders and are able to appear at a PLI and, if the Orders are confirmed

and the Proposed Scheme constructed, they will be entitled to compensation as provided for under national legislation. Compensation is also available under national legislation in respect the adverse effect on the value of properties arising from the use of the Proposed Scheme, once opened to traffic, including the provision of noise insulation to qualifying properties.

- 9.4. National legislation provides for independent and impartial judicial oversight of the decision-making in respect of the Orders through the statutory challenge and judicial review procedures.

10. MITIGATION AND ENHANCEMENT MEASURES

- 10.1. Measures required to mitigate the adverse effects of the highway on its surroundings are located within the land being acquired for the implementation of the Proposed Scheme. The CPO also includes additional areas of land required for title mitigation to mitigate the adverse effects of the highway on its surroundings above those already included within the land being acquired.
- 10.2. The acquiring authority requires some of the land within the CPO to comply with the landscape and biodiversity mitigation and net gain conditions of the planning permission for the Proposed Scheme.
- 10.3. The acquiring authority will demonstrate in evidence that in designing the Proposed Scheme it has had regard to its duty under the Natural Environment and Rural Communities Act 2006 and the Environment Act 2021, which places a duty on public bodies and statutory undertakers to ensure due regard to the conservation of biodiversity.

11. EFFECTS ON LAND USE

- 11.1. The Order Land consists of existing highway, unadopted land adjacent to the highway, car parking, verges and agricultural land.
- 11.2. The unadopted land adjacent to the highway currently functions in a way that generally aligns with the proposed use.
- 11.3. Private car parks will be impacted during construction only and will be returned to the landowner with an easement in place that secures future access for maintenance purposes. Any future access, which is likely to be very limited, will be planned in discussion with the landowner.
- 11.4. The agricultural land included in the Order Land is mainly suitable for grass crops. Most of the land is not currently farmed but does provide access from the adopted highway to agricultural land beyond it. The accesses from the highway to the agricultural land included in the Order will be maintained during construction, and the Proposed Scheme provides suitable alternatives for them. The agricultural land falls within flood zones 2 and 3 and has the Baddow Brook running through it. The area is not a designated site within the CLP and has not been subject to any recent pre-planning discussions, as far as Essex County Council is aware.

12. SPECIAL CATEGORIES OF LAND

- 12.1. The Order Land does not contain land that is special category land within the meaning of the Acquisition of Land Act 1981 (open space, common land, allotments or field gardens), land held inalienably by the National Trust, consecrated ground, land in a

general improvement area or land in a housing action area, nor is any ecclesiastical property affected, listed building or building of local architectural interest directly affected.

13. SCHEME FUNDING AND VIABILITY

- 13.1. The total available budget secured for the Army and Navy Sustainable Transport Package is circa £81 million. Essex County Council has successfully secured a £68.75 million Major Road Network (MRN) funding contribution from the DfT towards the delivery of the scheme, subject to certain conditions being met. These conditions include securing planning consent for the works, securing the land that is needed to deliver the scheme and receiving a valid tender/s from contractors to deliver the works. Final approval of the MRN funding will be achieved via the submission and approval of the Full Business Case for the scheme prior to contract award. The remaining funding for the package will be provided by Essex County Council (£8.13 million) and Chelmsford City Council (£4.0 million of Community Infrastructure Levy funding) and approximately £54,000 from section 106 planning contributions.
- 13.2. The elements of the Army and Navy Sustainable Transport Package that Essex County Council is taking forward consists of the Proposed Scheme, together with the Sandon Park and Ride expansion scheme. With scheme costs increasing significantly since funding was originally sought from DfT, Essex County Council have taken the decision not to proceed with the Chelmer Valley Park and Ride expansion scheme at this time.
- 13.3. The works at the Army and Navy junction need to be prioritised and therefore expansion of the park and ride sites has had to be considered. Of the two park and ride expansions proposed, Sandon has a greater level of use now and predicted in the future and is in greater need of expansion; the site also offers traffic mitigation during the construction works for the Proposed Scheme. Therefore, the decision has been taken to remove Chelmer Valley Park and Ride expansion from the Army and Navy Sustainable Transport Package going forward, but it remains an important future project for Essex County Council and the land for expansion will continue to be safeguarded for its future development as set out in the CLP.
- 13.4. An analysis has been undertaken that assesses the benefits associated with the investment if the Chelmer Valley Park and Ride expansion is removed from the package. This analysis has confirmed that the package continues to achieve the scheme objectives and benefits and provides a high value for money with a benefit cost ratio (BCR) of over 2, without the Chelmer Valley Park and Ride expansion. The remaining elements of the Army and Navy Sustainable Transport Package – the Sandon Park and Ride expansion scheme and the Proposed Scheme – are fully funded.
- 13.5. The Proposed Scheme will reduce congestion and journey times, improve journey time reliability, provide improved walking and cycling infrastructure, and increase personal safety at the Army and Navy junction and its surroundings. At the same time, increased park and ride provision at Sandon will provide alternative means of travelling to Chelmsford city centre and in so doing provide a long-term and sustainable solution which improves all journeys and the local environment.

14. RELATED WORKS, ORDERS AND PROCEDURES

- 14.1. Orders under the Road Traffic Regulation Act 1984 are proposed to achieve the following. Some additional restrictions will be required for the junction to operate safely.

- Maintain and extend the existing 40mph speed limit on the Junction to include the new through road and new road linking Chelmer Road and Essex Yeomanry Way.
- Permanently reduce the existing speed limit on Essex Yeomanry Way from the Maldon Road overbridge heading towards Chelmsford, to the existing 40mph limit on approach to the new Hamburger Junction to 50mph.
- Permanently reduce the existing speed limit on Essex Yeomanry Way leaving the Hamburger Junction to the Maldon Road overbridge to 50mph.
- Introduce a Clearway restriction on the new section of road through the Hamburger Junction and the new section of road linking Chelmer Road with Essex Yeomanry Way.
- Extend the No Waiting and No Loading restrictions on Baddow Road near Meadgate Avenue to facilitate the relocation of the existing bus stop and zebra crossing.
- Introduce a prohibition of vehicles on new, or altered, Bus Lanes on Essex Yeomanry Way, Parkway and Princes Road, with a new bus gate on Parkway.
- Introduce, remove and upgrade Pedestrian Crossings around the Army and Navy Junction, around the Baddow Road/Meadgate Avenue junction, around the Baddow Road/Chapters junction and at the Lady Lane/Princes Road junction.
- Introduce raised table crossings on Meadgate Avenue and Van Dieman's Lane.
- Alter existing bay parking on Baddow Road near the junction with Meadgate Avenue and remove some permit parking on Lady Lane near the junction with Van Diemans Road/Princes Road.

14.2. In addition, noticing powers under Section 65 of the Highways Act 1980 will be used to introduce prohibitions to align with cyclist and pedestrian user provisions, namely:

- Combined footpath/cycle track (generally 3 meters wide) north of the A1060 Parkway adjacent to the B&M Home Store.
- Segregated footpath/cycle track (generally 5 meters wide) north of the A1060 Parkway and Army and Navy Roundabout adjacent to the Aldi store.
- Combined footpath/cycle track (generally 3 meters wide) north of the A138 Chelmer Road.
- Combined footpath/cycle track (generally 3 meters wide) at the junction of A1060 Parkway and Goldlay Road.
- Combined footpath/cycle track (generally 3 meters wide) south of the A1060 Parkway between Goldlay Road and Army and Navy Roundabout.
- Segregated footpath/cycle track (generally 5 meters wide) west of A1114 Van Dieman's Road between the Army and Navy Roundabout and Lady Lane.

- Segregated footpath/cycle track (generally 5 meters wide) west of A1114 Princes Road between Lady Lane and the pedestrian access serving Fortinbras Way.
 - Combined footpath/cycle track (generally 3 meters wide) east of the A1114 Princes Road between the pedestrian access serving Fortinbras Way and the Princes Road Roundabout.
 - Segregated footpath/cycle track (generally 5 meters wide) south of the Army and Navy Roundabout between the A1114 Van Dieman's Road and B1009 Baddow Road arms.
 - Segregated footpath/cycle track (generally 5 meters wide) south of the Army and Navy Roundabout and A1114 Essex Yeomanry Way between the B1009 Baddow Road arm and Meadgate Avenue.
 - Cycle track (generally 3 meters wide) south of the A1114 Essex Yeomanry Way between Meadgate Avenue and the end of Tusser Court.
 - Combined footpath/cycle track (generally 3 meters wide) south of the A1114 Essex Yeomanry Way from the end of Tusser Court to west end of Meadgate Park.
 - Combined footpath/cycle track (generally 3 meters wide) south of the A1114 Essex Yeomanry Way at the northern limit of Meadgate Avenue up to the junction with Baddow Road.
 - Various footpath and cycle track routes around and through the Army and Navy Roundabout.
- 14.3. In addition, Environment Agency and Lead Local Flood Authority discharge consents (permanent and temporary) will be required to ensure the proposed drainage system operates compliantly.

15. OBJECTIONS RECEIVED AND RESPONSES

- 15.1. A total of four objections have been received to the CPO, all of which remain outstanding. Three are statutory objectors within the meaning of the Highways (Inquiries Procedure) Rules 1994 and the three objections state to be to the SRO and the CPO.
- 15.2. One non-statutory objection was received in relation to the Orders.
- 15.3. The objections are summarised in italics below, together with the acquiring authority's responses, which will be amplified in evidence in respect of any objections that have not been withdrawn as at the date of the PLI. Objections 1, 3 and 4 (as marked with a * below) are statutory objections, with objection 2 being a non-statutory objection.

16. OBJECTION 1*

- 16.1. The objectors raised concerns in relation to inaccuracies in land registration.

Response:

- a. It is acknowledged that the land on which the historic A138 was located is not registered to the objectors. As explained to them and their property advisor during previous discussion, this is because it has never been registered. Essex County Council have never had a title interest in the land, only an interest as the highway authority when the historic A138 was operational. When this obsolete section of A138 was unadopted as part of the viaduct scheme, the interest reverted to the objectors as frontager. As such, it falls to the objectors to register their interest in the land. However, for the purpose of the statutory process, the objectors' interest in these areas of land has been acknowledged under the Plot 9 areas.

A small area of land, accommodating the field access linking the A138 to the land to the north is registered to Essex County Council, when Essex County Council believe it should be registered to the adjacent landowner. This has been acknowledged, with them and their property advisor, as an error. Essex County Council have committed not to challenge registration of this plot in their interest but explained that they cannot do so on their behalf.

The order plan does not reflect the landownership boundaries in the vicinity of the attenuation pond due to the presence of features on the ground. The landownership boundaries used in the preparation of the CPO, as required by guidance, are based on current HM Land Registry Title Plans and validated through a Section 16 questionnaire process. A Section 16 landownership plan was shared with the landowner who did not raise any inaccuracies in their response.

- 16.2. The objectors raised concerns regarding mitigation land requirements, specifically the following (this should be read in conjunction with the Land Reference Plan included in the Statement of Reasons).

- a. *Visual screening planting proposed between Moulsham Mill and A138 Chelmer Road and the impact this would have on future development aspirations.*

Response:

In recognition of the objectors' concerns, the consented scheme was revisited to ascertain if the area could be reduced, whilst maintaining its location specific mitigation requirements. Through reconfiguration of the planting regime, it was possible to remove an area of strip planting, orientated north south on the land parcel, that was seen as the primary blocker to future expansion of the adjacent parking area. It was not possible to remove the narrow strip of mitigation planting running parallel to the A138, required to enhance integration in the landscape. Some of this land is currently adopted highway and its loss does not influence the expansion of parking. Furthermore, redesign of the retained mitigation area has facilitated access that removes the need for an easement, to maintain a retaining structure, that was also seen as an impediment on the operation and future development of the parking area.

- b. *Title mitigation plots 4d and 4q.*

Response:

Plot 4d is a small area of mitigation that will strengthen and extend an existing hedge line to improve connectivity and the value of this existing habitat. As such it is linked to that specific feature and location.

Plot 4q incorporates a small area of existing habitat on the northern bank of the Baddow Brook which it is intended to strengthen. The remainder of the plot is a nonproductive area south of the Baddow Brook and north of the A1114 Essex Yeomanry Way where mitigation measures align with the brook and surrounding environment and is again linked to a specific feature and location.

- c. *Why land to the west of this location cannot be used as an alternative.*

Response:

The basis for this query is unclear as it has been explained to the objectors and their property advisor that the land to the west will also be used for environmental mitigation. However, as it is also required for engineering purposes the hierarchy of Land Referencing plot requirements means it is identified as a title plot. Those areas of title that can be planted will be and have been included within the environmental mitigation that establish the need for plots 4d and 4q.

- d. *Alternative attenuation pond location.*

Response:

The alternative pond location was developed in sufficient detail to assess its viability and support a planning application process to extend the planning application boundary to accommodate it, if proven viable. However, the location of the pond included in the consented scheme is generally on the site of the current attenuation pond, which utilises land currently in the ownership of Essex County Council.

The scheme as consented, and used as the basis for preparation of orders, requires circa 45% less land than the alternative, offers a more robust engineering solution and is the minimum considered necessary to deliver the Proposed Scheme.

- e. *Plots 4d, 4j, 4p, 4q and 9a.*

Response:

CPO powers establish the right to acquire the land and rights necessary to deliver and operate the Proposed Scheme. These powers cannot be used to establish a temporary acquisition. However, as communicated the authority maintains their willingness to negotiate the return of mitigation land (plots 4d, 4p, 4q and 9a) subject to appropriate legal agreement, to the landowner. Plot 4j is identified a Title (private means of access) which is intended to be returned to the landowner post construction subject to establishment on the third party right over it.

- f. *It is not clear why the new attenuation pond must be owned by the acquiring authority.*

Response:

The attenuation pond is a key component in the functioning of the highway drainage network that safeguards the road and wider environment. As failure to maintain this feature correctly risks failure, it is considered necessary to own these assets to establish the necessary level of control. However, in this instance the proposed pond is largely on land that is already in the ownership of the acquiring authority.

- 16.3. The objectors state that the acquiring authority is seeking to acquire land and facilitate work that departs from the planning permission, specifically:

- a. *Plots 4m and 3l (assumed to be 3L).*

Response:

Plots 4m and 3L are temporary working areas that are proposed to be returned to the objector post construction. Both plots were included in the consented design and fall within the planning application boundary, except for a small area of plot 4m, in the vicinity of the existing field access from Essex Yeomanry Way which is to be stopped up. However, the supplementary planning process aligned with the alternative pond location extended the planning application boundary to include the whole of plot 4m. As such, planning consent has been granted for the use of both plots in their entirety in the delivery of the Proposed Scheme.

- b. *Construction access from A1114 Essex Yeomanry Way and the proposal to stop up the field gate it utilises.*

Response:

The Construction Traffic Management Plan considered during the planning process states "...with potential for a secondary egress point onto the eastbound A1114 Essex Yeomanry Way and a temporary crossing of Baddow Brook." This was not relied upon as stated but remains an option as the access would not be stopped up until after the construction phase and complies with planning consent.

- c. *Indicative Satellite Compound.*

Response:

As stated, the satellite compounds are "indicative" and as such maybe subject to change. Plot 4m is included to provide the necessary working area to deliver the Proposed Scheme, which may include a level of compound, material storage/stockpiling or to facilitate vehicle manoeuvres. This is why it was included within the planning application boundary of the consented scheme and the planning permission includes a condition to be discharged in relation to the specifics of compound requirements.

d. *Revised consent required.*

Response:

It is stated that the scheme as defined in the orders differs materially from the consented scheme and further consent will be required. This is incorrect, there are a number of conditions that will need to be discharged as the Proposed Scheme proceeds, but no material amendments have been identified, and the design remains consistent with the consented scheme.

16.4. The objectors state that flood risk was not considered as part of the planning process.

Response:

- a. The consented scheme was subject to flood risk assessment, report accessible [here](#). This concluded the development suitability is acceptable, the flood risk of the Proposed Scheme is considered safe and operational in line with the National Planning Policy Framework and that no compensation measures were required.

16.5. The objectors raised concerns in relation to the field access serving land south of Baddow Brook from A1114 Essex Yeomanry Way, specifically as follows:

- a. *Provision of a Design Manual for Roads and Bridges (DMRB) complaint alternative design proposed by the objectors in replacement of the proposed direct access.*

Response:

During discussions dating back to 2019, safety concerns relating to the existing and proposed replacement field access from the A1114 were raised. It was explained that the basis for the design was like for like and any increase in the specification of the junction increased the likelihood of driver confusion, potential accidents and misuse. As part of the ongoing discussion with the objectors, a hand drawn sketch prepared by their transport planning advisor was presented as a compliant access. This sketch was modelled in line with DMRB requirements and the resulting design appraised and subject to independent Road Safety Audit (RSA). The enhanced access was assessed as being significantly less appropriate than the proposed replacement (direct) access and introduced multiple additional risk factors.

The findings of this activity were discussed with the owner, who did not consider the option to correctly reflect their design. It was explained that the variances between their sketch and the modelled design resulted from the adoption of compliant design requirements.

With an aim of identifying an access that was deemed acceptable to the objector and the acquiring authority, a further five alternative options were developed and subject to RSA. Unfortunately, none of the alternatives offered an improvement on the direct access configuration that was deemed unacceptable by the objector. It is acknowledged that the inclusion of a field access in this location is far from ideal and the clear lack of use as part of the farming activity, supported the decision to stop up the access.

Significant endeavours have been made to identify an access that aligns with the objectors' expectations whilst delivering an appropriate solution in terms of road safety, design requirements and planning consent proportionality based on the

current provision and operation. As measured against such criteria, if it were possible, it would have been included. However, as the inclusion of any access in this location is less than ideal, combined with the landowners safety concerns, the decision has been taken to stop up the access and in so doing remove a potential conflict at the junction.

- b. *It is suggested that alternative suitable and convenient access is not available.*

Response:

The acquiring authority does not agree with this statement as the access that is proposed to be stopped up is not used. The wording of the objection letter suggests the acquiring authority has identified the access further east on the A1114 as the alternative, however this is not case. The facility for access to the land will remain as it currently does from the A138 Chelmer Road. Any evidenced impediment this causes to business activities will be considered as part of compensation discussions.

- c. *Concerns are raised in relation to access during construction.*

Response:

The contractor for the works will be required to engage with the objectors and ensure that reasonable access provision is available to their retained land throughout the construction phase. Post construction access will continue much as it does today without influence on farming practices.

- 16.6. The objectors state that their human rights are being infringed, specifically on the basis that the use of compulsory acquisitions compatibility with Article 1 of the First Protocol to the ECHR.

Response:

- a. The requirements of the Proposed Scheme are to improve a major road junction in a constrained setting on the city fringe. This has a significant influence on what technical solutions can be adopted. However, an approach to assessing impacts and a robust process to ensure a fair balance between public interest and individuals rights to their land has been the foundation scheme delivery.

Evidence of the robustness of this approach and scrutiny the Proposed Scheme as passed is reflected in the following:

- Successfully securing of DfT Major Road Network
- Alignment with Essex County Council policy including Chelmsford Future Transport Network (CFTN) strategy (2017), the adopted CLP 2013-2036 (2020), the Chelmsford Local Plan Pre-Submission (Regulation 19) Document (PSR19D) (February 2025) and the Chelmsford Local Plan Focused Additional Sites (Regulation 19) Document (FAS19D) (November 2025).
- Extensive public consultation
- Planning granted for the Proposed Scheme

The objectors' support of the need for the improvements is acknowledged and welcomed. However, their desire to minimise the impact on their activities is an

important consideration when developing a complex scheme in a constrained location such as this. As stated previously, a significant effort has been made to address concerns the objectors have raised, including, but not limited to:

- A willingness to return mitigation land subject to legal agreements
- Dedication rather than acquisition of land for the cycle track
- Reconfiguration of the cycle track design to avoid a mature tree
- Redesign of screening planting to reduce land take
- Investigation and development of alternative pond location proposal
- Removal of an easement crossing their car park for maintenance access

Unfortunately, it has not been possible to address all the concerns raised, but the Proposed Scheme has been the subject of robust planning process and represents the best solution that is in the public interest to deliver.

16.7. The objectors state that the acquiring authority has failed to demonstrate that the use of compulsory purchase powers is necessary and that engagement has been insufficient:

a. Use of compulsory purchase powers.

Response:

As set out in the Statement of Reasons, delivery of the Proposed Scheme is subject to funding conditions that influence the programme for delivery. This means it is necessary to proceed with the statutory process to acquire the land by compulsion as a back up to achieve these commitments. However, the acquiring authority will continue to engage with all impacted landowners with an aim of reaching a negotiated outcome.

b. Engagement.

Response:

Engagement with the objectors began in 2019 and has continued at regular intervals ever since either directly or through their agent. During these engagements the objectors have requested changes to mitigate the impact of the Proposed Scheme on them. This has given rise to significant work being undertaken to investigate alternative options and planning consents. It has been possible to reach a mutually acceptable outcome for addressing many of the objectors' concerns, but in some instances it has not been possible. Areas where the acquiring authority has failed to reach a mutually acceptable alternative focus on the objectors' desire to develop the land parcel between A138 and A1114. To achieve this, the designers have looked to reconfigure the drainage system so land with the greatest potential for development, not currently in their ownership, can be transferred to them and access provision incorporated that would support a vehicular route through the site commensurate with business operations on it.

It is the acquiring authority's belief that the concerns raised here do not relate to a lack of engagement, rather deficiency in the desired outcome which the objectors are looking to achieve. It is the acquiring authority's view that the scale of the proposed measures is disproportionate to the impact of the Proposed Scheme to such an extent that they cannot be justified or promoted by the acquiring authority.

- 16.8. The objectors state that the Proposed Scheme impacts the existing use and/or potential use or development potential, specifically in two areas.

a. Development

Response:

The land parcels between the A138 Chelmer Road and A1114 Essex Yeomanry Way fall within flood zones 2 and 3 and have the Baddow Brook running through it. The area is not a designated site within the CLP and has not been subject to any recent pre-planning discussions between the objectors and the local planning authority, as far as Essex County Council is aware. Furthermore, the objectors do not own the land over which the access from the A138 Chelmer Road passes; this is in the ownership of the acquiring authority. The position of this land parcel within the highway network is also highly unlikely to support a successful planning application. As such, the development potential of the site is considered to be very low.

b. Filling of attenuation pond for non-mitigation planting

Response:

The details of this point are unclear as it is not proposed to fill the attenuation pond; it will be adapted to meet the requirements of the Proposed Scheme and is largely placed on land that does not belong to the objectors. Furthermore, there looks to be some misunderstanding in the term non-mitigation planting. All planting will provide mitigation, but the type of planting maybe influenced by other factors, such as the provision of forward visibility for the road user which restricts the height of any planting in this area. This is the case between the proposed pond and the dedicated lane linking the A138 and A1114.

An alternative misinterpretation could relate to how plots are categorised in the Land Reference Plan (LRP). Land identified as title on the LRP is firstly required for engineering purposes associated with the Proposed Scheme. This does not mean that any planting of these areas is not mitigation. By contrast, areas specifically identified as Title Mitigation in the LRP are land parcels necessary to mitigate the impact of the Proposed Scheme that are not required for engineering purposes.

17. OBJECTION 2

- 17.1. In relation to Objection 2, two letters have been received – Letter 1 and Letter 2.

17.2. Letter 1:

- 17.3. The objector raises concerns in relationship to an inconsistency in proposed speed limits across the Proposed Scheme, stating that a consistent speed reduction to 40 mph across both carriageways of the A1114 is appropriate to protect residents and vulnerable users. The objectors also raise a linked concern – that the higher 50 mph speed limit results in substantially more traffic noise than a 40 mph limit.

Response:

The proposed speed limit through the junction will generally be 40mph except for Baddow Road (30mph) and both carriageways of the A1114 Essex Yeomanry Way

(A1114) between its junction with Maldon Road to the east and Tusser Court, and the eastbound carriageway only between the proposed dedicated link from the A138 Chelmer Road and Tusser Court (50mph), as shown in Figure 3 below.

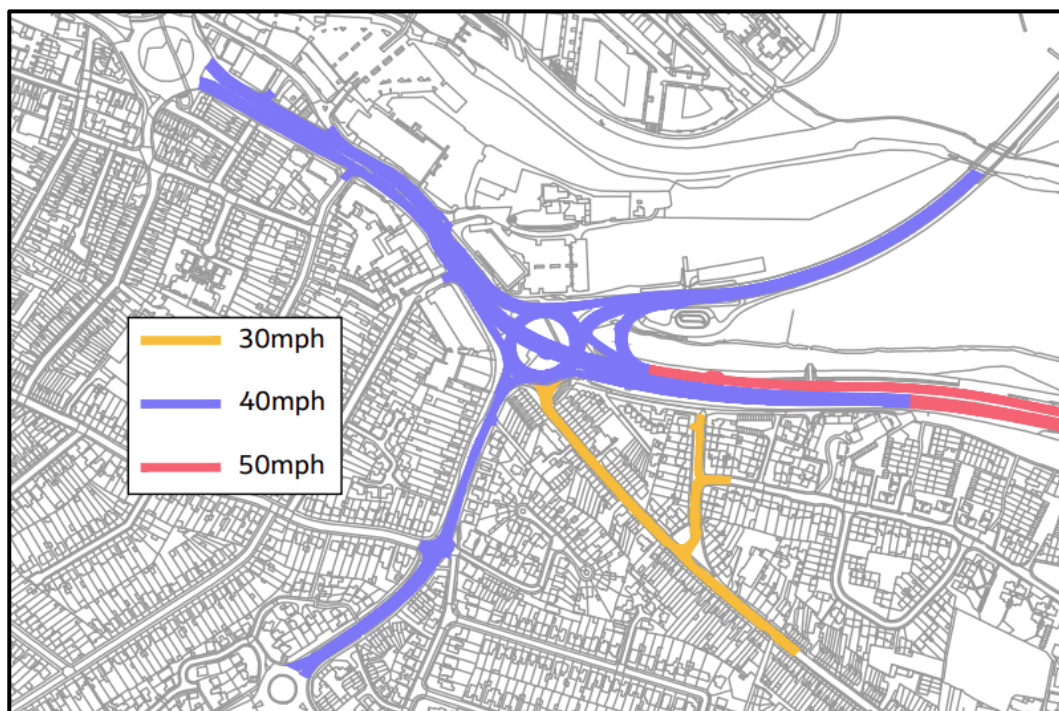


Figure 3: Proposed speed limits

The A1114 forms part of the Primary Route Network (PRN) in the county. As part of the PRN, its purpose is to provide a key arterial route between primary destinations in the county. Aligned with this primary function and due to vehicle numbers using it, the road is a dual carriageway, which is currently subject to the national speed limit for this class of road which is 70mph.

As stated above, the Proposed Scheme proposes to reduce the speed limit on the A1114 from its junction with Maldon Road to the east. When doing this it is important that consideration is given to the road layout, specification, and the wider influence the speed reduction could have on driver behaviour. As a dual carriageway originally designed for vehicles to travel at 70mph, reducing the speed limit to 40mph is likely to cause driver frustration as the speed is significantly below the standard of the road configuration. This is likely to result in many drivers exceeding the speed limit. Speed policing methods such as speed cameras are an option that may address this. However, doing so has the potential to make alternative routes more attractive, which will degrade the function of the PRN and potentially increase the traffic impact on alternative routes.

It is considered that the Proposed Scheme provides the right balance for reducing the A1114 speed limit whilst safeguarding the PRN function and safety on the local road network.

In relation to noise pollution concerns, a Noise Screening Assessment was completed to support the planning application, accessible via the associated documents tab [here](#). This concluded that the Proposed Scheme is not expected to result in significant effects at nearby noise sensitive receptors. Furthermore, a small number of receptors are expected to experience significant benefits primarily resulting from the

environmental barrier adjacent to Meadgate Terrace and Tusser Court. It should be noted that the inclusion of this environmental barrier was not triggered by a need to mitigate noise impact, it was included as an enhancement measure.

- 17.4. The Proposed Scheme lacks clarity regarding the exact nature and extent of the cycle provision design and integration on the B1009 Baddow Road and Meadgate Avenue.

Response:

The incorrect version of the Scheme Plan was placed on deposit and uploaded to the project website, which did not reflect the cycle provision proposed. Extracts from the original and updated in Figure 4 below.

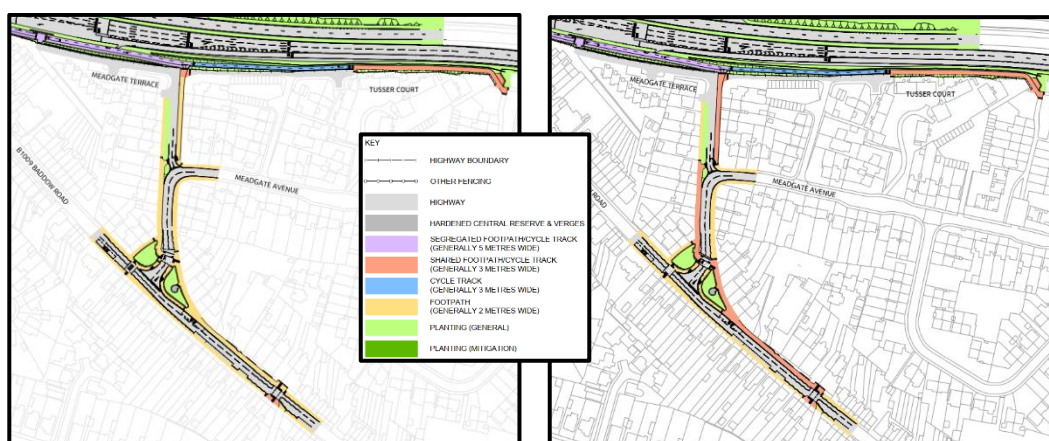


Figure 4: Scheme Plan correction

As shown in the updated Scheme Plan, accessible [here](#), it is proposed that a new cyclist link will be provided between the segregated cycle track running adjacent to the A1114 and the existing cycle route from Waterson Vale to B1009 Baddow Road via a shared footpath/cycle track that runs alongside Meadgate Avenue and Baddow Road (connecting to the existing cycle route adjacent to Baddow News via a new TOUCAN crossing).

The updated Scheme Plan has been placed on deposit and uploaded to the project website. In light of this error, the end date of the objection period was also extended by two weeks to finish on 11th June 2026.

- 17.5. **Letter 2:**

- 17.6. The objector states that the acquiring authority has established numerous precedents for speed reduction in Essex, whereby high-speed arterial corridors transition abruptly to lower speed limits to protect local communities. The objector cites several examples.

Response:

Speed limit appropriateness is influenced by multiple factors such as purpose, configuration, setting, vehicle usage and position/status within the road network. As such, a one size fits all approach cannot be adopted as evidenced in the precedents you suggest where the speed limits vary significantly between those quoted.

With regard to the Army and Navy junction specifically, all arms of the roundabout are proposed to operate at 40mph except for Baddow Road which will operate at 30mph;

the response below therefore focuses on the section of A1114 proposed to operate at 50mph that the objector contests.

This specific section of road provides the primary route into the city from the south, linking London and the east of the county via the A12. This places it in the higher tier of road categorisation, which is reflected in the road's specification, namely all-purpose dual carriageway standard with grade separated junction. This places the A1114 in a very different category to the other arms of the roundabout, which reflect their reduction in the strategic purpose of the roads. However, the A1114 does provide an important staged reduction, that influences driver behaviour, as they travel from higher speed roads onto the more local road network.

Drivers leaving the A12 at 70mph will reduce to 50mph as they pass the Maldon Road Junction, finally reducing to 40mph on the immediate approach to the Army and Navy Roundabout. This is conducive with the reducing status of the road without creating a situation where the rules are likely ignored. The reverse journey towards the A12 sees drivers starting from the lower speed limit and accelerating as the road standard increases. This makes it appropriate to increase the speed limit to 50mph on leaving the roundabout.

It is also worth remembering that the section of A1114 on the approach to the junction will remain 40mph but local residents will benefit from the addition of the environmental barrier and east of the existing 40mph local residents will benefit from the speed limit being reduced from 70mph to 50mph.

- 17.7. The objectors raise concerns about noise pollution, stating that the higher 50mph speed limit results in substantially more traffic noise than a 40mph limit.

Response:

The acquiring authority acknowledges that vehicle speeds of 50mph would cause slightly greater levels of noise than vehicles travelling at 40mph. However, noise levels are a component in the assessment that informs design proposal. As explained previously, focusing on one aspect may result in an unintended knock-on effect elsewhere on the network, the impact of which may be greater. In this instance, the noise assessment for the Proposed Scheme was undertaken in accordance with the necessary guidance. This concluded that Proposed Scheme is not expected to result in significant effects without mitigation with a speed limit of 50mph.

The inclusion of the environmental barrier for enhancement measures has no bearing on the speed limit consideration and proposal. However, it will reduce noise levels for adjoining properties alongside its intended screening purpose, albeit these properties are already adjacent to a 40mph section of road.

- 17.8. The objectors state that the current assessment does not take into account traffic associated with the upcoming Manor Farm Development.

Response:

The traffic model used to inform and assess the Proposed Scheme included all strategic growth sites that influence the current and future traffic flows; this includes the Manor Farm Development.

- 17.9. The objectors state that a uniform 40mph speed limit would not displace traffic onto alternative routes as the acquiring authority asserts.

Response:

To achieve compliance with a 40mph speed limit on the A1114, it is likely that an average speed camera system would be necessary. This has the potential to increase use on roads such as Baddow Road which, unless closely policed in the same way as the A1114, may see speeds increase above 30mph and, potentially 40mph. This is not a given but is a consideration when assessing the appropriateness of speed limits.

In conclusion, we consider the proposed speed limits to offer the best solution that balances the strategic purpose of the road and the environmental impact of it.

18. OBJECTION 3*

- 18.1. The objector requires that an Asset Protection Agreement is in place to ensure that their apparatus and land interests are adequately protected and to include compliance with relevant safety standards.

Response:

The acquiring authority is willing to agree an Asset Protection Agreement. Paige Solutions, acting on behalf of the acquiring authority, has been in regular contact with a view to completing the necessary steps to ensure the appropriate level of control and assurance are complied with, in relation to the objector's assets.

19. OBJECTION 4*

- 19.1. The objector states that the proposed acquisition and associated construction works will have a significant adverse impact on their business operations.

Response:

The primary land acquisition relates to the reconfiguration of the A1060 and the construction of a retaining wall on the southern limit of the objector's car park. The land along the A1060 is non-operational land that is currently planted and will form part of the enhanced walking and cycling provision. The land required for the retaining wall is also non-operational. However, an easement is required that will impact the southern limit of the car park that consists of 13no. spaces. In addition, the access to the site from the A1060 will also be reconfigured as part of the Proposed Scheme.

Minimising the impact of construction on this and neighbouring businesses will be at the forefront of the construction planning. To reflect this, it will be a contractual requirement that reasonable access to the site must be maintained during business operating hours. If it is necessary for road closures outside operating hours, the acquiring authority will discuss these with the objector during the planning phase to ensure the impact is kept to an absolute minimum.

It is acknowledged that the construction will have an impact on the wider road network. The Army and Navy junction is a critical point on the strategic network serving Chelmsford. As such, traffic management will form a critical component of the construction planning. This will include working practices that minimise the restriction on the flow of traffic during peak times, whilst acknowledging the residential influence in the surrounding area. The acquiring authority does not propose to undertake any work that will impact the security of the objector's business premises, and the design will be considerate to and aligned with the setting.

- 19.2. The objector raises concerns about the impact of the proposed permanent easement over plot 5b (part of the car park for their premises) on the ongoing availability and usability of its car parking.

Response:

The need and operation of the easement over plot 5b have been discussed with the objector and their advisors. These discussions informed a scheme review resulting in the removal of a proposed access easement through the car park. The extent of the easement area is the minimum deemed necessary to safely construct the retaining wall.

Once constructed, the easement will provide the ability for the acquiring authority to undertake any maintenance activities during the life of the structure. The easement will be governed by legal requirements, that will include a reasonable notice period for your client and engagement with them during the planning of the works. However, maintenance activities associated with the wall are likely to be very limited. An annual inspection would be undertaken on foot so will have no impact on the parking facility; it is only in the unlikely event that remediation work is required that the easement would be enacted.

- 19.3. The objector states that pre-order negotiations have been inadequate, with several issues remaining unresolved.

Response:

As set out in the Statement of Reasons, delivery of the Proposed Scheme is subject to funding conditions that influence the programme for delivery. This means it is necessary to proceed with the statutory process to acquire the land by compulsion, as a back-up, to achieve these commitments. However, the acquiring authority will continue to engage with all affected landowners with an aim of reaching a negotiated outcome.

Specific engagement has been challenging due to a lack of engagement on the part of the objector. However, recent engagement has been very positive, and the acquiring authority is surprised at the objector's challenge as the acquiring authority has been contacted by objector seeking to finalise negotiations that will secure the land and rights necessary to deliver the Proposed Scheme.

- 19.4. The objector states concerns regarding the Side Roads Order, in particular that any alteration to private means of access to and from their premises may adversely affect their business.

Response:

No private means of access are being stopped up in the vicinity of the objector's premises as part of the Proposed Scheme. Footpath FP 97 215 will be reconfigured as part of the junction works but will remain open. In addition, the Proposed Scheme includes a new dedicated pedestrian and cyclist provision linking footpath FP 97 215, in the vicinity of the objector's premises, with the existing Kings Head Walk which provides a pedestrian/cyclist link to the city centre. This is seen as a significant enhancement in accessibility to the objector's business.

20. DOCUMENTS, MAPS AND PLANS ACCOMPANYING THIS STATEMENT

20.1. The acquiring authority intends to refer to or put in evidence the following documents, these can be accessed via the links provided:

- i. Compulsory Purchase (Inquiries Procedure) Rules 2007 [\(link\)](#)
- ii. Highways (Inquiries Procedure) Rules 1994 [\(link\)](#)
- iii. The Essex County Council (Army and Navy Junction) Compulsory Purchase Order
 - Compulsory Purchase Order Notice [\(link\)](#)
 - Compulsory Purchase Order Schedule [\(link\)](#)
 - Compulsory Purchase Order Map [\(link\)](#)
- iv. The Essex County Council Army and Navy Junction (Classified Road) (Side Roads) Order
 - Side Roads Order Notice [\(link\)](#)
 - Side Roads Order Schedule [\(link\)](#)
 - Side Roads Order Plan [\(link\)](#)
- v. Statement of Reasons [\(link\)](#)
- vi. Guidance on Compulsory purchase process and The Crichel Down Rules [\(link\)](#)
- vii. Department of Transport Circular 1/97 [\(link\)](#)
- viii. Highways Act 1980 [\(link\)](#)
- ix. Department of Transport Circular 2/97 [\(link\)](#)
- x. Planning Permission 26th November 2024 (ref: CC/CHL/108/23) [\(link\)](#)
- xi. Chelmsford Future Transport Network (CFTN) strategy (2017) [\(link\)](#)
- xii. Chelmsford Local Plan 2013-2036 (CLP) (2020) [\(link\)](#)
- xiii. Chelmsford Local Plan Pre-Submission (Regulation 19) Document (PSR19D) (February 2025) [\(link\)](#)
- xiv. Chelmsford Local Plan Focused Additional Sites (Regulation 19) Document (FAS19D) (November 2025) [\(link\)](#)
- xv. Formal decision made by Essex County Council's Cabinet to approve the Hamburger Roundabout as the preferred option [\(link\)](#)
- xvi. Town and Country Planning General Regulations 1992 [\(link\)](#)
- xvii. National Planning Policy Framework (NPPF) September 2023 [\(link\)](#)

- xviii. National Planning Policy Framework (NPPF) December 2023 [\(link\)](#)
- xix. Essex Minerals Local Plan (2014) [\(link\)](#)
- xx. Essex and Southend-on-Sea Waste Local Plan (2017) [\(link\)](#)
- xxi. Chelmsford Town Centre Public Realm Strategy (CTCPRS) (2011) [\(link\)](#)
- xxii. Human Rights Act 1998 [\(link\)](#)
- xxiii. European Convention on Human Rights [\(link\)](#)
- xxiv. The Conservation of Habitats and Species Regulations 2010/490 [\(link\)](#)
- xxv. Wildlife and Countryside Act 1981 (as amended) [\(link\)](#)
- xxvi. Natural Environment and Rural Communities Act 2006 [\(link\)](#)
- xxvii. Acquisition of Land Act 1981 [\(link\)](#)
- xxviii. Road Traffic Regulation Act 1984 [\(link\)](#)
- xxix. Scheme Plan [\(link\)](#)
- xxx. Design Manual for Roads and Bridges [\(link\)](#)

20.2. Copies of these documents (or relevant extracts) may be inspected and copied until the start of the PLI at Chelmsford Library and Great Baddow Library during normal opening hours (they will remain available for inspection and copying at Essex County Council Offices until after the PLI has concluded).

Essex County Council
Council Offices,
County Hall,
Market Road
Chelmsford
CM1 1QH
Contact: 03457 430 430

Chelmsford Library
Ground Floor,
County Hall,
Market Road
Chelmsford
CM1 1QH
Contact: 03457 037 628

Great Baddow Library
27 High Street
Great Baddow
Chelmsford
CM2 7HH
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Dated: August 2026