
STATUTORY INSTRUMENTS

2024 No. 60

INFRASTRUCTURE PLANNING

**The A12 Chelmsford to A120 Widening
Development Consent Order 2024**

Made - - - - *12th January 2024*

Coming into force - - *9th February 2024*

An application has been made to the Secretary of State under section 37 of the Planning Act 2008⁽¹⁾ (“the 2008 Act”) in accordance with the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009⁽²⁾ for an Order granting development consent.

The application was examined by a Panel of three members (“the Panel”) appointed as an examining authority (appointed by the Secretary of State) in accordance with Chapter 4 of Part 6 of the 2008 Act and the Infrastructure Planning (Examination Procedure) Rules 2010⁽³⁾.

The Panel, having considered the representations made and not withdrawn and the application together with the accompanying documents, in accordance with section 74(2) of the 2008 Act has submitted a report and recommendation to the Secretary of State.

The Secretary of State, having considered the representations made and not withdrawn, and the report and recommendation of the Panel, has decided to make an Order granting development consent for the development described in the application with modifications which in the opinion of the Secretary of State do not make any substantial changes to the proposals comprised in the application.

The Secretary of State is satisfied that replacement land (as that land is defined in section 131(12) of the 2008 Act) has been or will be given in exchange for the special category land (identified in Part 1 of Schedule 8 to this Order), and replacement land has been or will be vested in the person or persons in whom the special category land is vested and subject to the same rights, trusts and incidents as attach to the special category land, and that, accordingly, section 131(4) of the 2008 Act applies.

The Secretary of State, having considered the report and recommendation of the Panel, is satisfied that special category (rights) land identified in Part 3 of Schedule 8 to this Order, when burdened with the new rights authorised for compulsory acquisition under the terms of this Order, will be no less advantageous than it was before such acquisition, to the persons in whom it is vested, other persons, if any, entitled to rights of common or other rights, and the public and that, accordingly, section 132(3) of the 2008 Act applies.

The Secretary of State is satisfied that replacement land (as that land is defined in section 132(12) of the 2008 Act) has been or will be given in exchange for order rights (as defined in that section) to be

(1) 2008 c. 29. Parts 1 to 7 were amended by Chapter 6 of Part 6 and Schedule 13, Para 5 of the Localism Act 2011 (c. 20).
(2) S.I. 2009/2264, amended by S.I. 2010/439, S.I. 2010/602, S.I. 2012/635, S.I. 2012/2654, S.I. 2012/2732, S.I. 2013/522, S.I. 2013/755, S.I. 2014/469, S.I. 2014/2381, S.I. 2015/377, S.I. 2015/1682, S.I. 2017/524, S.I. 2017/572, S.I. 2018/378, S.I. 2019/734, S.I. 2020/764, S.I. 2020/1534, S.I. 2021/978, S.I. 2022/634 and 2023/1071.
(3) S.I. 2010/103, amended by S.I. 2012/635.

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acquired over the special category (rights) land identified in Part 2 of Schedule 8 to this Order, and replacement land has been or will be vested in the persons or persons in whom the special category land is vested and subject to the same rights, trusts and incidents as attach to the special category land, and that, accordingly, section 132(4) of the 2008 Act applies.

The Secretary of State, in exercise of the powers conferred by sections 114(4), 115(5), 117(6), 120(7), 122(8) and 123(9) of, and paragraphs 1 to 3, 10 to 17, 19 to 23, 26, 33, 36 and 37 of Part 1 of Schedule 5(10) to, the 2008 Act, makes the following Order—

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- (4) Section 114 was amended by paragraph 55 of Schedule 13 to the Localism Act 2011 (c. 20).
 - (5) Section 115 was amended by paragraph 56 of Schedule 13 and Part 20 of Schedule 25 to the Localism Act 2011, section 160 of the Housing and Planning Act 2016 (c. 22) and section 43 of the Wales Act 2017 (c. 4).
 - (6) Section 117 was amended by paragraph 58 of Schedule 13 and Part 20 of Schedule 25 to the Localism Act 2011.
 - (7) Section 120 was amended by section 140 and paragraph 60 of Schedule 13 to the Localism Act 2011.
 - (8) Section 122 was amended by paragraph 62 of Schedule 13 to the Localism Act 2011.
 - (9) Section 123 was amended by paragraph 62 of Schedule 13 to the Localism Act 2011.
 - (10) Part 1 of Schedule 5 was amended by paragraph 4 of Schedule 8 and Part 2 of Schedule 22 to the Marine and Coastal Access Act 2009 (c. 23), paragraph 71 of Schedule 13 to the Localism Act 2011 and paragraph 76 of Schedule 6 to the Wales Act 2017.