

BT-NG-020621-545-0217

Bramford to Twinstead Reinforcement

Volume 8: Examination Submissions

Document 8.4.2 (D): Applicant's Schedule of Changes to the Draft
Development Consent Order

Final Issue D
December 2023

Planning Inspectorate Reference: EN020002

The Infrastructure Planning (Examination Procedure) Rules 2010
Regulation 8(1)(k)

Version History

Date	Issue	Status	Description / Changes
11 October 2023	A	Final	Submitted at Examination Deadline 2 to take account of changes made by the Applicant in response to Section 51 Advice and certain matters arising from the Issue Specific Hearing 1 and Local Impact Reports.
31 October 2023	B	Final	Submitted at Examination Deadline 3 to take account of changes made by the Applicant in response to certain matters arising principally from the Local Impact Reports and from the Examining Authority's First Written Questions (13 October 2023).
16 November 2023	C	Final	Submitted at Examination Deadline 4 to take account of changes made by the Applicant in response to certain matters arising from the Examining Authority's First Written Questions (13 October 2023), third party submissions at Deadline 3, and from Issue Specific Hearing 2 (held on 8 November 2023).
<u>1 December 2023</u>	<u>D</u>	<u>Final</u>	<u>Submitted at Examination Deadline 5 to take account of changes made in response to certain matters raised in third party submissions at Deadline 4 and to reflect ongoing engagement with statutory consultees.</u>

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1. Introduction

1.1 Purpose of this document

- 1.1.1 This document has been prepared by National Grid Electricity Transmission plc (the Applicant) to set out the changes made to the draft Development Consent Order (DCO) from the version submitted to the Planning Inspectorate on 27 April 2023 as part of the application for development consent (**Document 3.1 (A)**) [APP-034].
- 1.1.2 In preparing this document, the Applicant has had regard to Procedural Decision 8 (*Submission of draft Development Consent Orders (dDCO) and Book of Reference (BoR) by the Applicant*) as listed in Annex F of the Rule 6 Letter dated 7 August 2023 [PD-002].
- 1.1.3 This document is therefore submitted together with:
- (a) A revised draft DCO (**Document 3.1 (DE)**) (clean); and
 - (b) A tracked version of the draft DCO showing all changes as between Revision C (~~Document 3.1 (C) [REP3-007]~~) and the new Revision D (**Document 3.1 (D) [REP4-030]**) and the new Revision E (**Document 3.1 (E)**).
- 1.1.4 This document is a 'live' document and will be further updated (on a consolidated basis) by the Applicant at Deadlines ~~5~~, 6, 8 and 9.

1.2 Overview of changes made at Deadline 2 (11 October 2023)

- 1.2.1 Revision B of the draft DCO (**Document 3.1 (B)**) was submitted at Deadline 2.
- 1.2.2 Table 2.1 lists the changes made by the Applicant within Revision B of the draft DCO.
- 1.2.3 The changes made for the purpose of Deadline 2 fall into the following principal categories:
- (a) Amendments (confined to Part 1 of Schedule 7) made in response to Section 51 Advice received from the Planning Inspectorate on 23 May 2023;
 - (b) Correction of certain typographical and other errors identified as part of the Applicant's own consistency checks and noted during the first Issue Specific Hearing held on 14 September 2023; and
 - (c) Amendments made in response to certain matters raised in the joint Local Impact Reports submitted at Deadline 1 by Braintree District Council and Essex County Council [REP1-039] and Suffolk County Council and Babergh and Mid Suffolk District Councils [REP1-045].

1.3 Overview of changes made at Deadline 3 (31 October 2023)

- 1.3.1 Revision C of the draft DCO (**Document 3.1 (C)**) is submitted at Deadline 3.
- 1.3.2 Table 3.1 lists the changes made by the Applicant within Revision C of the draft DCO.

- 1.3.3 The changes made for the purpose of Deadline 3 fall into the following principal categories:
- (a) Amendments made in response to certain matters raised in the joint Local Impact Reports submitted at Deadline 1 by Braintree District Council and Essex County Council [REP1-039] and Suffolk County Council and Babergh and Mid Suffolk District Councils [REP1-045]; and
 - (b) Amendments made in response to the Examining Authority's First Written Questions (13 October 2023) [PD-005].

1.4 Overview of changes made at Deadline 4 (16 November 2023)

- 1.4.1 Revision D of the draft DCO (**Document 3.1 (D)**) is submitted at Deadline 4.
- 1.4.2 Table 4.1 lists the changes made by the Applicant within Revision D of the draft DCO.
- 1.4.3 The changes made for the purpose of Deadline 4 fall into the following principal categories:
- (a) Amendments made in response to the Examining Authority's First Written Questions (13 October 2023) [PD-005];
 - (b) Amendments made in response to third party submissions at Deadline 3; and
 - (c) Amendments made in response to matters arising from Issue Specific Hearing 2 (ISH2) held on 8 November 2023 in relation to the draft DCO and related matters.

1.5 Overview of changes made at Deadline 5 (1 December 2023)

- 1.5.1 Revision E of the draft DCO (**Document 3.1 (E)**) is submitted at Deadline 5.
- 1.5.2 Table 5.1 lists the changes made by the Applicant within Revision E of the draft DCO.
- 1.5.3 The changes made for the purpose of Deadline 5 fall into the following principal categories:
- (a) Amendments made in response to third party submissions at Deadline 4; and
 - (b) Amendments made in response to ongoing engagement with statutory consultees, including Cadent Gas Limited.

2. Schedule of Changes at Deadline 2 (11 October 2023)

Table 2.1 – Schedule of Changes to Version A of the draft DCO [APP-034]

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
1.	Article 11, Street works	<p>Article 11(3) has been amended in order to allow for the undertaker and the street authority to agree, on a case by case basis, an alternative period of time within which the street authority is permitted to determine an application for consent made pursuant to Article 11(2) before consent is deemed to have been given.</p> <p>This change responds to matters raised in the joint Local Impact Reports submitted by Braintree District Council and Essex County Council [REP1-039] and Suffolk County Council and Babergh and Mid Suffolk District Councils [REP1-045], and is intended to provide greater flexibility to all concerned.</p>	(3) If a street authority that receives an application for consent under paragraph (2) fails to notify the undertaker of its decision within 28 days beginning with the date on which the application was made, that authority will <u>unless otherwise agreed</u> , be deemed to have granted consent.	B
2.	Article 14, Power to alter layout etc. of streets	<p>Article 14(5) has been amended in order to allow for the undertaker and the street authority to agree, on a case by case basis, an alternative period of time within which the street authority is permitted to determine an application for consent made pursuant to Article 14(4) before consent is deemed to have been given.</p> <p>The rationale for this change is set out above in response to Change Ref. 1.</p>	(5) <u>Unless otherwise agreed, if</u> a street authority which receives an application for consent under paragraph (4) fails to notify the undertaker of its decision before the end of the period of 28 days beginning with the date on which the application was made, it is deemed to have granted consent.	B
3.	Article 15, Temporary stopping up of streets and public rights of way	<p>Article 15(9) has been amended in order to allow for the undertaker and the street authority to agree, on a case by case basis, an alternative period of time within which the street authority is permitted to determine an application for consent made pursuant to Article 15(5)(b) before consent is</p>	(9) <u>Unless otherwise agreed, if</u> a street authority which receives an application for consent under sub-paragraph (5)(b) fails to notify the undertaker of its decision before the end of the period of 28 days beginning with the date on which the application was made, it is deemed to have granted consent.	B

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
		deemed to have been given. The rationale for this change is set out above in response to Change Ref. 1.		
4.	Article 16, Access to Works	Article 16(2) has been amended in order to allow for the undertaker and the relevant planning authority to agree, on a case by case basis, an alternative period of time within which the relevant planning authority is permitted to determine an application for consent made pursuant to Article 16(1)(b) before consent is deemed to have been given. The rationale for this change is set out above in response to Change Ref. 1.	(2) <u>Unless otherwise agreed, if</u> a relevant planning authority which receives an application for consent under sub-paragraph (1)(b) fails to notify the undertaker of its decision before the end of the period of 28 days beginning with the date on which the application was made, it is deemed to have granted consent.	B
5.	Article 19, Discharge of Water	Article 19(9) has been amended in order to allow for the undertaker and the relevant person to agree, on a case by case basis, an alternative period of time within which the relevant person is permitted to determine an application for consent or approval made pursuant to Article 19(3) and 19(4)(a) (respectively) before consent or approval is deemed to have been given. The rationale for this change is set out above in response to Change Ref. 1.	(9) <u>Unless otherwise agreed, if</u> a person who receives an application for consent under paragraph (3) or approval under sub-paragraph (a) fails to notify the undertaker of a decision within 28 days of receiving an application, that person is deemed to have granted consent or given approval, as the case may be.	B
6.	Article 21, Authority to survey and investigate the land	Article 21(8) has been amended in order to allow for the undertaker and the highway authority or street authority to agree, on a case by case basis, an alternative period of time within which the highway authority or street authority is permitted to determine an application for consent made pursuant to Article 21(5)(a) or (b) before consent is deemed to have been given. The rationale for this change is set out above in response to Change Ref. 1.	(8) <u>Unless otherwise agreed, if</u> a highway authority or street authority which receives an application for consent fails to notify the undertaker of its decision within 28 days of receiving the application for consent— (a) under sub-paragraph (5)(a) in the case of a highway authority; or (b) under sub-paragraph (5)(b) in the case of a street authority, that authority is deemed to have granted consent.	B
7.	Article 41, Crown rights	Sub-paragraphs (a), (b) and (c) of Article 41(1) have been amended to refer to <i>'His Majesty in right</i>		B

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
		<i>of the Crown</i> '. This change takes account of the Accession of His Majesty, King Charles III in September 2022.	<p>41.—(1) Nothing in this Order affects prejudicially any estate, right, power, privilege, authority or exemption of the Crown and, in particular, nothing in this Order authorises the undertaker or any licensee to take, use, enter on or in any manner interfere with any land or rights of any description (including any part of the shore or bed of the sea or any river, channel, creek, bay or estuary)—</p> <ul style="list-style-type: none"> (a) belonging to Her<ins>His</ins> Majesty in right of the Crown and forming part of the Crown Estate, without the consent in writing of the Crown Estate Commissioners; (b) belonging to Her<ins>His</ins> Majesty in right of the Crown and not forming part of the Crown Estate, without the consent in writing of the government department having the management of that land; or (c) belonging to a government department or held in trust for Her<ins>His</ins> Majesty for the purposes of a government department, without the consent in writing of that government department. 	
8.	Article 42, Special category land	<p>Correction of a minor typographical error in Article 42(1) noted during the first Issue Specific Hearing (at time stamp 23.21 in the transcript for Session 4 [EV-017]).</p> <p>The change reflects the fact that use of the word 'must' is not appropriate in the context of Article 42(1), notwithstanding the extant guidance at Paragraph 3.3 of Advice Note 15 (Drafting Development Consent Orders).</p>	<p>42.—(1) So much of the special category land that is required for the purposes of the exercising by the undertaker of the Order rights must<ins>shall</ins> be discharged from all rights, trusts and incidents to which it was previously subject so far as their continuance would be inconsistent with the exercise of the Order rights.</p>	B
9.	Article 46, Defence to proceedings in respect of statutory nuisance	<p>Correction of minor typographical errors in Article 46(1)(a)(ii) and (3) identified in the Local Impact Report submitted by Suffolk County Council and Babergh and Mid Suffolk District Councils [REP1-045].</p> <p>The changes reflect the fact that a detailed Construction Environmental Management Plan is to be approved by the Secretary of State at the point at which the draft DCO is made rather than at a later date pursuant to Schedule 3.</p>	<p>(ii) relates to premises used by the undertaker for the purposes of or in connection with the construction, maintenance or operation of the authorised development and that the nuisance is attributable to the carrying out of the authorised development in accordance with the controls and measures relating to noise as described in the Construction Environmental Management Plan approved under Schedule 3 (Requirements) or in accordance with the noise levels set out in an environmental permit relating to the construction, maintenance or operation of the authorised development; or</p> <p>(3) Where a relevant planning authority is acting in accordance with section 60(4) and section 61(4) of the Control of Pollution Act 1974 in relation to the construction of the authorised development then the local authority must also have regard to the controls and measures relating to noise referred to in the Construction Environmental Management Plan approved under Schedule 3 (Requirements).</p>	B
10.	Article 47, Traffic regulation	<p>Article 47(8) has been amended in order to allow for the undertaker and the traffic authority to agree, on a case by case basis, an alternative period of time within which the traffic authority is permitted to determine an application for consent made</p>	<p>(8) if<ins>Unless otherwise agreed, if</ins> the traffic authority fails to notify the undertaker of its decision within 28 days of receiving an application for consent under paragraph (2) the traffic authority is deemed to have granted consent.</p>	B

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
		<p>pursuant to Article 47(2) before consent is deemed to have been given.</p> <p>The rationale for this change is set out above in response to Change Ref. 1.</p>		
11.	Article 48, Felling or lopping	<p>Article 48(5) has been amended in order to allow for the undertaker and the relevant highway authority to agree, on a case by case basis, an alternative period of time within which the relevant highway authority is permitted to determine an application for consent made pursuant to Article 48(4) before consent is deemed to have been given.</p> <p>The rationale for this change is set out above in response to Change Ref. 1.</p>	<p>(5) Unless otherwise agreed, if the relevant highway authority fails to notify the undertaker of its decision within 28 days of receiving an application for consent under paragraph (4) the relevant highway authority is deemed to have granted consent.</p>	B
12.	Schedule Associated Development	<p>1, Correction of a minor typographical error in sub-paragraph (r) of the list of Associated Development in Schedule 1.</p> <p>The inadvertent omission of the words “<i>materially new</i>” in sub-paragraph (r) was identified in the Local Impact Report submitted by Suffolk County Council and Babergh and Mid Suffolk District Councils [REP1-045].</p>	<p>(r) such other works, including scaffolding, working sites storage areas, and works of demolition (which includes but is not limited to demolition of residential properties), as may be necessary or expedient for the purposes of or in connection with the construction of the authorised development and which do not give rise to any materially <u>new or materially</u> different environmental effects from those assessed in the Environmental Statement.</p>	B
13.	Schedule Requirements (Paragraphs 1(2) and 1(3))	<p>3, Minor amendments have been made to paragraphs 1(2) and 1(3)) of Schedule 3 in order to reflect the fact that approval or agreement may, in certain circumstances, be provided by the relevant highway authority.</p> <p>This addresses a matter raised in the Local Impact Report submitted by Suffolk County Council and Babergh and Mid Suffolk District Councils [REP1-045].</p>	<p>(2) Where under any of the Requirements the approval or agreement of the relevant planning authority <u>or the relevant highway authority</u> is required, that approval or agreement must be given in writing.</p> <p>(3) Where any Requirement requires the authorised development to be carried out in accordance or general accordance with matters including a plan, document, or details approved by the relevant planning authority <u>or the relevant highway authority</u>, those matters are to be taken to include any amendments that may subsequently be approved in writing by the relevant planning authority <u>or the relevant highway authority</u>.</p>	B
14.	Schedule	3, Minor amendments have been made to		B

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO												
	Requirements (Requirement 4)	<p>sub-paragraphs (1) and (3) of Requirement 4 of Schedule 3 in order to reflect the fact that any departure from the approved Construction Traffic Management Plan will need to be agreed with the relevant highway authority.</p> <p>This addresses a matter raised in the Local Impact Report submitted by Suffolk County Council and Babergh and Mid Suffolk District Councils [REP1-045].</p>	<p>4. —(1) All construction works forming part of the authorised development must be carried out in accordance with the plans listed in sub-paragraph (2) below, unless otherwise agreed with the relevant planning authority or other discharging authority as may be appropriate to the relevant plan concerned, <u>and in the case of the Construction Traffic Management Plan, the relevant highway authority.</u></p> <p>(3) For the avoidance of doubt, all pre-commencement operations must be carried out in accordance with the plans listed in sub-paragraph (2) unless otherwise agreed with the relevant planning authority or other discharging authority as may be appropriate to the relevant plan concerned, <u>and in the case of the Construction Traffic Management Plan, the relevant highway authority.</u></p>													
15.	Schedule Discharge Requirements (Paragraph 3(2))	<p>4, Paragraph 3(2) (which provided for the return of fees paid pursuant to Paragraph 3(1) where an application made pursuant to Schedule 4 was rejected as having been invalidly made or was not determined within the specified period) has been deleted in its entirety.</p> <p>This is in response to comments raised in the Local Impact Report submitted by Suffolk County Council and Babergh and Mid Suffolk District Councils [REP1-045].</p>	<p>(2) Any fee paid under this Schedule must be refunded to the undertaker within 35 days of—</p> <p>(a) the application being rejected as invalidly made; or</p> <p>(b) the relevant planning authority failing to determine the application within 28 days from the date on which it is received,</p> <p>unless within that period the undertaker agrees in writing that the fee may be retained by the relevant planning authority and credited in respect of a future application.</p>	B												
16.	Schedule 7, Streets or Public Rights of Way to be Temporarily Stopped Up	<p>Correction of several minor cross-referencing errors identified in Part 1 of Schedule 7 following a further review of the Access Rights of Way and Public Rights of Way Navigation Plans [APP-012] and Schedule 7 of the draft DCO (Streets or public rights of way to be temporarily stopped up).</p> <p>The further review was undertaken by the Applicant in response to Section 51 Advice received from the Planning Inspectorate on 23 May 2023.</p> <p>Corrections made are limited to four row entries in Part 1 of Schedule 7 (Streets or public rights of way to be temporarily stopped up for which a diversion is to be provided).</p>	<table><tr><td>Suffolk County Council</td><td>W-362/001/0</td><td>Between points P-F-3 and P-F-3 as shown on Sheet 15 <u>and Plan A</u></td><td>Between points P-F-3 and P-F-3 via line PD-F-3 as shown on Sheet 15 <u>and Plan A</u></td></tr><tr><td>Suffolk County Council</td><td>Clay Hill</td><td>Between points SM-AB-19 and SM-AB-20 as shown on Sheet 7 <u>and Plan A</u></td><td>Between points SM-AB-19 and SM-AB-20 via line SMD-AB-12 as shown on Sheets 3, 5, 7 and Plan A</td></tr><tr><td>Essex County Council</td><td>Lorkin's Lane</td><td>Between points SM-H-4 and SM-H-5 as shown on Sheets 28 and 29</td><td>Between points SM-H-4 and SM-H-5 via line SD-HSMD-H-2 as shown on Sheets 22, 23, 25, 28, 29 and Plan B</td></tr></table>	Suffolk County Council	W-362/001/0	Between points P-F-3 and P-F-3 as shown on Sheet 15 <u>and Plan A</u>	Between points P-F-3 and P-F-3 via line PD-F-3 as shown on Sheet 15 <u>and Plan A</u>	Suffolk County Council	Clay Hill	Between points SM-AB-19 and SM-AB-20 as shown on Sheet 7 <u>and Plan A</u>	Between points SM-AB-19 and SM-AB-20 via line SMD-AB-12 as shown on Sheets 3, 5, 7 and Plan A	Essex County Council	Lorkin's Lane	Between points SM-H-4 and SM-H-5 as shown on Sheets 28 and 29	Between points SM-H-4 and SM-H-5 via line SD-HSMD-H-2 as shown on Sheets 22, 23, 25, 28, 29 and Plan B	B
Suffolk County Council	W-362/001/0	Between points P-F-3 and P-F-3 as shown on Sheet 15 <u>and Plan A</u>	Between points P-F-3 and P-F-3 via line PD-F-3 as shown on Sheet 15 <u>and Plan A</u>													
Suffolk County Council	Clay Hill	Between points SM-AB-19 and SM-AB-20 as shown on Sheet 7 <u>and Plan A</u>	Between points SM-AB-19 and SM-AB-20 via line SMD-AB-12 as shown on Sheets 3, 5, 7 and Plan A													
Essex County Council	Lorkin's Lane	Between points SM-H-4 and SM-H-5 as shown on Sheets 28 and 29	Between points SM-H-4 and SM-H-5 via line SD-HSMD-H-2 as shown on Sheets 22, 23, 25, 28, 29 and Plan B													

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
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			Essex County Council	Old Road	Between points SM-H-17 and SM-H-18 as shown on Sheet 23	Between points SM-H-17 and SM-H-18 via line SM-H <u>SMD-H</u> -10 as shown on Sheets 23, 25 and 26	
17.	Schedule 10, Land of which only temporary possession may be taken	Minor updates made to Schedule 10 in order to correct certain typographical errors and also to correspond with changes made by the Applicant at Deadline 1 to the Land Plans (Document 2.3(B)) [REP1-004] and to the Book of Reference (Document 4.3(B)) [REP1-005].	3-11, 3-12, 3-51, 3-52, 3-53, 3-55, 3-57, 3-58, 3-60, 3-62, 3-63, 3-64, 3-67, 3-68, 3-69, 3-70, 3-71, 3-73, 3-74, 3-78, 3-80, 3-81, 3-82, 3-83, 3-87, 3-88, 3-96, 3-99, 3-106, <u>3-108</u> , 3-109, 3-110,	Temporary use for construction, mitigation, maintenance, and dismantling of redundant infrastructure	Work No 1 and Work No. 2	3-11 – planting 3-12 – planting 3-51 – planting 3-53 – planting 3-55 – planting 3-57 – planting 3-62 – planting 3-63 – planting 3-64 – planting 3-68 – planting	B
			14-06, <u>14-08</u>	Temporary use for construction, mitigation, maintenance, and dismantling of redundant infrastructure	Work No. 3 and Work No. 8	14-06 – planting <u>14-08 – planting</u>	
			14-17, <u>14-18</u> , 14-20, 14-21, 14-22, 14-24, 14-27, 14-30, 14-31, 14-32, 14-33, 14-34	Temporary use for construction, mitigation, maintenance, and dismantling of redundant infrastructure	Work No. 3 and Work No. 8	14-18 – planting 14-24 – planting 14-31 – removal of pylon foundations only to a depth of 1.5m	
			<u>17-70</u>	<u>Temporary use for access</u>	<u>Work No. 4 and Work No. 8</u>		
			27-09, 27-10 , 27-12 , 7-30 <u>27-30</u> , 27-31, 27-33, 27-36, 27-38,	Temporary use for construction, mitigation, maintenance, and	Work No. 5 and Work No. 7		
			27-46, 27-47, 27-48, 27-56	dismantling of redundant infrastructure			

18.	Schedule 11,	Minor updates made to Schedule 11.					B
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Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO				
	Extinguishment of private rights and restrictive covenants etc.	<p>The inclusion of Plot 3-108 reflects a change in the class of rights sought in respect of this plot (to which see further in the updated Land Plans (Document 2.3(B)) [REP1-004] and the Book of Reference (Document 4.3(B)) [REP1-005] submitted at Deadline 1).</p> <p>The inclusion of Plot 14-08 corrects a minor typographical error.</p>	<table><tr><td>District of Babergh</td><td>3-15, 3-19, 3-27, 3-55, 3-57, 3-60, 3-64, 3-69, 3-108, 3-109, 3-115</td></tr><tr><td>District of Babergh</td><td>14-06, 14-08, 14-18, 14-24, 14-30, 14-31, 14-32, 14-33, 14-36, 14-38, 14-39</td></tr></table>	District of Babergh	3-15, 3-19, 3-27, 3-55, 3-57, 3-60, 3-64, 3-69, 3-108 , 3-109, 3-115	District of Babergh	14-06, 14-08 , 14-18, 14-24, 14-30, 14-31, 14-32, 14-33, 14-36, 14-38, 14-39	
District of Babergh	3-15, 3-19, 3-27, 3-55, 3-57, 3-60, 3-64, 3-69, 3-108 , 3-109, 3-115							
District of Babergh	14-06, 14-08 , 14-18, 14-24, 14-30, 14-31, 14-32, 14-33, 14-36, 14-38, 14-39							

3. Schedule of Changes at Deadline 3 (31 October 2023)

Table 3.1 – Schedule of Changes to Version B of the draft DCO [REP2-004]

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
1.	Article Interpretation	2, A new definition of ‘Public Rights of Way Management Plan’ has been included in Article 2(1). This is a consequential amendment which responds to the change made to Requirement 4 (to which see Change Ref. 6 below).	<u>“Public Rights of Way Management Plan” means the document of that description (together with its appendices) (Document 8.5.8) certified by the Secretary of State as the Public Rights of Way Management Plan for the purposes of this Order under 57 (certification of documents);</u>	C
2.	Article Interpretation	2, The definitions of ‘Construction Traffic Management Plan’ and ‘Landscape and Ecological Management Plan’ have been amended to specifically reference their appendices. This change responds to Question Ref: DC1.6.116 in the Examining Authority’s First Written Questions (13 October 2023) [PD-005], and is intended to ensure consistency with the approach taken in respect of the definition of ‘Construction Environmental Management Plan’. The definition of ‘Materials and Waste Management Plan’ has not been so amended, as there are no associated appendices.	<u>“Construction Traffic Management Plan” means the document of that description (together with its appendices) (Document 7.6 (B)) certified by the Secretary of State as the Construction Traffic Management Plan for the purposes of this Order under article 57 (certification of documents);</u> <u>“Landscape and Ecological Management Plan” means the document of that description (together with its appendices) (Document 7.8 (B)) certified by the Secretary of State as the Landscape and Ecological Management Plan for the purposes of this Order under article 57 (certification of documents);</u>	C
3.	Article Interpretation	2, Document reference numbers in respect of the Book of Reference (Document 4.3 (C)), the Construction Environmental Management Plan (Document 7.5 (B)), the Construction Traffic Management Plan (Document 7.6 (B)), the Landscape and Ecological Management Plan (Document 7.8 (B)), and the Materials and Waste Management Plan (Document 7.7 (B)) have been updated in order to correlate with submissions made at Deadline 3.	<u>“Book of Reference” means the Book of Reference (Document 4.3 (C)) certified under article 57 (certification of documents) by the Secretary of State as the Book of Reference for the purposes of this Order;</u>	C

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO															
		A consequential amendment has been made to Schedule 17 (Certified documents) (to which see Change Ref. 10 below).	<p>“Construction Environmental Management Plan” means the document of that description (together with its appendices) (Document 7.5 (B)) certified by the Secretary of State as the Construction Environmental Management Plan for the purposes of this Order under article 57 (certification of documents);</p> <p>“Construction Traffic Management Plan” means the document of that description (Document 7.6 (B)) certified by the Secretary of State as the Construction Traffic Management Plan for the purposes of this Order under article 57 (certification of documents);</p> <p>“Landscape and Ecological Management Plan” means the document of that description (together with its appendices) (Document 7.8 (B)) certified by the Secretary of State as the Landscape and Ecological Management Plan for the purposes of this Order under article 57 (certification of documents);</p> <p>“Materials and Waste Management Plan” means the document of that description (Document 7.7 (B)) certified by the Secretary of State as the Materials and Waste Management Plan for the purposes of this Order under article 57 (certification of documents);</p>																
4.	Article 15, Temporary stopping up of streets and public rights of way	<p>Article 15(6) has been amended to refer to ‘....temporarily <u>stopped up</u> street or public right of way....’ (as opposed to ‘....temporarily <u>closed</u> street or public right of way....’).</p> <p>This is in response to comments raised in the Local Impact Report submitted by Suffolk County Council and Babergh and Mid Suffolk District Councils [REP1-045], and ensures consistency with the remainder of Article 15 and Schedule 7.</p>	<p>(6) Where the undertaker provides a temporary diversion under paragraph (4), the temporary alternative route is not required to be of a higher standard than the temporarily closed<u>stopped up</u> street or public right of way in columns (1) and (2) of Parts 1 and 2 of Schedule 7 (streets or public rights of way to be temporarily stopped up).</p>	C															
5.	Schedule 2, Part 2 (Land Plans)	<p>Revision information in respect of the Land Plans (Document 2.3 (B)) has been updated to reflect submissions made at Deadline 1 [REP1-004].</p> <p>A consequential amendment has been made to Schedule 17 (Certified documents) (to which see Change Ref. 10 below).</p>	<div>PART 2</div> <div>LAND PLANS</div> <table><tr><th>Drawing Title</th><th>Drawing Number</th><th>Revision</th></tr><tr><td>Key Plan for Land Plans</td><td>BT-NG-020621-545-0007</td><td>A<u>B</u></td></tr><tr><td>Land Plans – Sheet 1 of 30</td><td>BT-NG-020621-545-0007</td><td>A<u>B</u></td></tr><tr><td>Land Plans – Sheet 2 of 30</td><td>BT-NG-020621-545-0007</td><td>A<u>B</u></td></tr><tr><td>Land Plans – Sheet 3 of 30</td><td>BT-NG-020621-545-0007</td><td>A<u>B</u></td></tr></table>	Drawing Title	Drawing Number	Revision	Key Plan for Land Plans	BT-NG-020621-545-0007	A <u>B</u>	Land Plans – Sheet 1 of 30	BT-NG-020621-545-0007	A <u>B</u>	Land Plans – Sheet 2 of 30	BT-NG-020621-545-0007	A <u>B</u>	Land Plans – Sheet 3 of 30	BT-NG-020621-545-0007	A <u>B</u>	C
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Land Plans – Sheet 3 of 30	BT-NG-020621-545-0007	A <u>B</u>																	
6.	Schedule 3, Requirements (Requirement 4)	Sub-paragraph (2) of Requirement 4 (Management Plans) has been updated to include reference to the Public Rights of Way Management Plan		C															

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
		<p>(Document 8.5.8) published at Deadline 3.</p> <p>Compliance with the Public Rights of Way Management Plan is secured through Requirement 4.</p> <p>This change responds to comments raised, principally, in the joint Local Impact Reports submitted by Braintree District Council and Essex County Council [REP1-039] and Suffolk County Council and Babergh and Mid Suffolk District Councils [REP1-045].</p>	<p><i>Management Plans</i></p> <p>4. —(1) All construction works forming part of the authorised development must be carried out in accordance with the plans listed in sub-paragraph (2) below, unless otherwise agreed with the relevant planning authority or other discharging authority as may be appropriate to the relevant plan concerned, and in the case of the Construction Traffic Management Plan, the relevant highway authority.</p> <p>(2) The plans referred to in sub-paragraph (1) above comprise the following—</p> <p>(a) Construction Environmental Management Plan (CEMP);</p> <p>(b) Materials and Waste Management Plan (MWMP);</p> <p>(c) Construction Traffic Management Plan (CTMP); and</p> <p>(d) Landscape and Ecological Management Plan (LEMP); and</p> <p>(e) <u>Public Rights of Way Management Plan (PROWMP).</u></p>	
7.	Schedule 3, Requirements (Requirement 10)	<p>The title of Requirement 10 has been amended to: 'Reinstatement planting plan – implementation, compliance and replacement planting'.</p> <p>This change responds to Question Ref: DC1.6.90 in the Examining Authority's First Written Questions (13 October 2023) [PD-005].</p>	<p>Implementation and maintenance of reinstatement <u>Reinstatement planting plan – implementation, compliance and replacement planting</u></p> <p>10.—(1) Unless otherwise agreed with the relevant planning authority, all reinstatement planting works referred to in Requirement 9 must be implemented at the earliest opportunity and no later than</p>	C
8.	Schedules 5, 6, 7, 8 and 12	<p>Various typographical and other similar amendments have been made to Schedule 5 (Streets subject to street works), Schedule 6 (Streets subject to alteration of layout), Schedule 7 (Streets or public rights of way to be temporarily stopped up), Schedule 8 (Access to works) and Schedule 12 (Traffic regulation orders).</p> <p>These changes, which comprise the correction of street references and the addition of certain new row entries, respond to comments raised in the joint Local Impact Reports submitted by Suffolk County Council and Babergh and Mid Suffolk District Councils [REP1-045] and also ensure alignment with information presented in the Access, Rights of Way and Public Rights of Navigation Plans [APP-012].</p> <p>(NB: the 'Change Made' column provides an example of the changes made in each of the abovementioned Schedules. All other changes to those Schedules are of an equivalent nature and</p>		C

are shown in the tracked version of the draft DCO
(document 3.1 (C)) submitted at Deadline 3).

SCHEDULE 5

Article 11

STREETS SUBJECT TO STREET WORKS

(1) Authority	(2) Streets subject to works	(3) Plan Reference
Suffolk County Council	Bullen Lane	Sheet 1 of the Access, Rights of Way and Public Rights of Navigation Plans
Suffolk County Council	Church <u>Burstable</u> Hill	Sheets 1 and 2 of the Access, Rights of Way and Public Rights of Navigation Plans
Suffolk County Council	<u>Burstable</u> Church Hill	Sheet 2 of the Access, Rights of Way and Public Rights of Navigation Plans
Suffolk County Council	A1071 (Ipswich <u>Back</u> Road)	Sheets 3 and 6 of the Access, Rights of Way and Public Rights of Navigation Plans
Suffolk County Council	A1071 (Thorpe Hill <u>Hadleigh Road</u>)	Sheet 4 of the Access, Rights of Way and Public Rights of Navigation Plans
Suffolk County Council	Pigeon's Lane <u>Washbrook Road</u>	Sheet 4 of the Access, Rights of Way and Public Rights of Navigation Plans
Suffolk County Council	Lower Barn Road	Sheet 5 of the Access, Rights of Way and Public Rights of Navigation Plans
Suffolk County Council	Chattisham Lane	Sheet 5 of the Access, Rights of Way and Public Rights of Navigation Plans
<u>Suffolk County Council</u>	<u>Mill Lane</u>	<u>Sheet 5 of the Access, Rights of Way and Public Rights of Navigation Plans</u>
<u>Suffolk County Council</u>	<u>A1071 (Ipswich Road)</u>	<u>Sheet 6 of the Access, Rights of Way and Public Rights of Navigation Plans</u>

PART 2

STREETS SUBJECT TO TEMPORARY ALTERATION OF LAYOUT

SUFFOLK COUNTY COUNCIL

(1) Street Subject to alteration of layout	(2) Description of alteration of layout as shown on the Access, Rights of Way and Public Rights of Navigation Plans
Bullen Lane	At access point AB-AP1 a temporary bellmouth will be created (as shown on Sheet 1) to enable access/egress with sufficient size to accommodate a HGV vehicle. Comprising the installation of a new road surface, white lining <u>road markings</u> , kerbing and a suitable drainage system, where required.
Church <u>Burstable</u> Hill	At access points AB-AP2A, AB-AP3, AB-AP4, AB-AP5, four <u>and AB-AP2B, two</u> temporary bellmouths will be created (as shown on Sheets 1 and 2) to enable access/egress with sufficient size to accommodate a HGV vehicle. Comprising the installation of a new road surface, white lining <u>road markings</u> , kerbing and a suitable drainage system, where required.
Burstable <u>Church</u> Hill	At access point AB-AP2B, a <u>AB-AP3, AB-AP4, AB-AP5, three</u> temporary bellmouth <u>bellmouths</u> will be created (as shown on Sheet 2) to enable access/egress with sufficient size to accommodate a HGV vehicle. Comprising the installation of a new road surface, white lining <u>road markings</u> , kerbing and a suitable drainage system, where required.
A1071 (Ipswich <u>Back</u> Road)	At access points AB-AP6, AB-AP7, AB-AP8, AB-EAP1, <u>and</u> AB-EAP2a, AB-EAP2b, six <u>five</u> temporary bellmouths will be created (as shown on Sheets 3 and 6) to enable access/egress with sufficient size to accommodate a HGV vehicle. Comprising the installation of a new road surface, white lining <u>road markings</u> , kerbing and a suitable drainage system, where required.

SCHEDULE 7

Article 15

STREETS OR PUBLIC RIGHTS OF WAY TO BE TEMPORARILY
STOPPED UP

PART 1

STREETS OR PUBLIC RIGHTS OF WAY TO BE TEMPORARILY STOPPED UP
FOR WHICH A DIVERSION IS TO BE PROVIDED

(1) Area	(2) Street or public right of way to be temporarily stopped up	(3) Extent of temporary stopping up as shown on the Access, Rights of Way and Public Rights of Navigation Plans	(4) Temporary diversion Route as shown on the Access, Rights of Way and Public Rights of Navigation Plans
Suffolk County Council	W-155/001/0 (Bramford footpath 001)	Between points P-AB-1 and P-AB-1 as shown on Sheet 1	Between points P-AB-1 and P-AB-1 via line PD-AB-1 as shown on Sheet 1
Suffolk County Council	W-174/010/0 (Burstall footpath 010)	Between points P-AB-4 and P-AB-4 as shown on Sheets 1 and 2	Between points P-AB-4 and P-AB-4 via line PD-AB-4 as shown on Sheets 1 and 2
Suffolk County Council	W-174/011/0 (Burstall footpath 011)	Between points P-AB-5 and P-AB-5 as shown on Sheet 2	Between points P-AB-5 and P-AB-5 via line PD-AB-5 as shown on Sheet 2
Suffolk County Council	Burstall Hill, Ipswich Road and Church Hill	Between points SM-AB-3 and SM-AB-4 as shown on Sheet 2	Between points SM-AB-3 and SM-AB-4 via line SMD-AB-2 as shown on Sheets 1, 2 and Plan A

SCHEDULE 8
ACCESS TO WORKS

Article 16

SUFFOLK COUNTY COUNCIL

(1) Street	(2) Access to works reference	(3) Plan Reference
Bullen Lane	Access AB-AP1	Sheet 1 of the Access, Rights of Way and Public Rights of Navigation Plans
Church Burstall Hill	Access AB-AP2A, Access AB-AP3, Access AB-AP4, Access AB-AP5	Sheets 1 and 2 of the Access, Rights of Way and Public Rights of Navigation Plans
Burstall Church Hill	Access AB-AP2B AB-AP3 , Access AB-AP4, Access AB-AP5	Sheet 2 of the Access, Rights of Way and Public Rights of Navigation Plans
A1071 (Ipswich Back Road)	Access AB-AP6, Access AB-AP7, Access AB-AP8, Access AB-EAP1, Access AB-EAP2a, Access AB-EAP2b	Sheets 3 and 6 of the Access, Rights of Way and Public Rights of Navigation Plans
A1071 (Thorpes Hill Hadleigh Road)	Access AB-DAP1	Sheet 4 of the Access, Rights of Way and Public Rights of Navigation Plans
Pigeon's Lane Washbrook Road	Access AB-DAP2, Access AB-DAP3	Sheet 4 of the Access, Rights of Way and Public Rights of Navigation Plans
Lower Barn Road	Access AB-DAP4	Sheet 5 of the Access, Rights of Way and Public Rights of Navigation Plans
Chattisham Mill Lane	Access AB-DAP5	Sheet 5 of the Access, Rights of Way and Public Rights of Navigation Plans
A1071 (Ipswich Road)	Access AB-EAP-2b	Sheet 6 of the Access, Rights of Way and Public Rights of Navigation Plans

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
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SCHEDULE 12
TRAFFIC REGULATION ORDERS

Article 47

PART 1

TEMPORARY RESTRICTION OF WAITING AND RESTRICTION OF SPEED

(1) Area	(2) Road	(3) Extent as shown on the Traffic Regulation Order Plans	(4) Note
Suffolk County Council	Church Hill Burstall Hill	Between points TRO-AB-1 and TRO-AB-2 as shown on Sheets 1 and 2	No waiting restriction between 7:00am to 7:00pm Monday to Sunday. Speed limit to be restricted to 30mph.
Suffolk County Council	Burstall Hill	Between points TRO-AB-2 and TRO-AB-3 as shown on Sheet 2	No waiting restriction between 7:00am to 7:00pm Monday to Sunday. Speed limit to be restricted to 30mph.
Suffolk County Council	Church Hill Ipswich Road	Between points TRO-AB-2 and TRO-AB-4 as shown on Sheet 2	No waiting restriction between 7:00am to 7:00pm Monday to Sunday. Speed limit to be restricted to 30mph.
Suffolk County Council	A1071 (Ipswich Road) and A1071 (Back Road)	Between points TRO-AB-5 and TRO-AB-6 as shown on Sheets 3 and 6	No waiting restriction between 7:00am to 7:00pm Monday to Sunday. Speed limit to be restricted to 30mph.
Suffolk County Council	A1071 (Thorpes Hill Hadleigh Road)	Between points TRO-AB-7 and TRO-AB-8 as shown on Sheet 4	No waiting restriction between 7:00am to 7:00pm Monday to Sunday. Speed limit to be restricted to 30mph.

9. Schedule 6, Streets subject to alteration of layout
- 6, All references to 'white lines' in Column 2 of Part 1 and Part 2 of Schedule 6 have been amended to refer instead to 'road markings'.

This change responds to comments raised in the Local Impact Report submitted by Suffolk County

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO																												
		<p>Council and Babergh and Mid Suffolk District Councils [REP1-045], and is intended to allow the implementation, where necessary, of other road surface markings beyond simply 'white lines'.</p> <p>(NB: the 'Change Made' column provides an example of the changes made in Schedule 6. All other changes to Schedule 6 are identical and are shown in the tracked version of the draft DCO (document 3.1 (C)) submitted at Deadline 3).</p>	<table><tr><th colspan="2">SUFFOLK COUNTY COUNCIL</th></tr><tr><th>(1) Street Subject to alteration of layout</th><th>(2) Description of alteration of layout as shown on the Access, Rights of Way and Public Rights of Navigation Plans</th></tr><tr><td>Millwood Road</td><td>At access point D-DAP2 a permanent bellmouth will be created (as shown on Sheet 12) to enable access/egress with sufficient size to accommodate a HGV vehicle. Comprising the installation of a new road surface, white liningroad markings, kerbing and a suitable drainage system, where required.</td></tr><tr><td>B1068 (Stoke Road)</td><td>At access point F-LAP4 a permanent bellmouth will be created (as shown on Sheet 15) to enable access/egress with sufficient size to accommodate a HGV vehicle. Comprising the installation of a new road surface, white liningroad markings, kerbing and a suitable drainage system, where required.</td></tr></table>	SUFFOLK COUNTY COUNCIL		(1) Street Subject to alteration of layout	(2) Description of alteration of layout as shown on the Access, Rights of Way and Public Rights of Navigation Plans	Millwood Road	At access point D-DAP2 a permanent bellmouth will be created (as shown on Sheet 12) to enable access/egress with sufficient size to accommodate a HGV vehicle. Comprising the installation of a new road surface, white lining road markings, kerbing and a suitable drainage system, where required.	B1068 (Stoke Road)	At access point F-LAP4 a permanent bellmouth will be created (as shown on Sheet 15) to enable access/egress with sufficient size to accommodate a HGV vehicle. Comprising the installation of a new road surface, white lining road markings, kerbing and a suitable drainage system, where required.																					
SUFFOLK COUNTY COUNCIL																																
(1) Street Subject to alteration of layout	(2) Description of alteration of layout as shown on the Access, Rights of Way and Public Rights of Navigation Plans																															
Millwood Road	At access point D-DAP2 a permanent bellmouth will be created (as shown on Sheet 12) to enable access/egress with sufficient size to accommodate a HGV vehicle. Comprising the installation of a new road surface, white lining road markings, kerbing and a suitable drainage system, where required.																															
B1068 (Stoke Road)	At access point F-LAP4 a permanent bellmouth will be created (as shown on Sheet 15) to enable access/egress with sufficient size to accommodate a HGV vehicle. Comprising the installation of a new road surface, white lining road markings, kerbing and a suitable drainage system, where required.																															
10.	Schedule Certified documents	<p>17, Document reference numbers in respect of the Land Plans (Document 2.3 (B)), the Book of Reference (Document 4.3 (C)), the Construction Environmental Management Plan (Document 7.5 (B)), the Construction Traffic Management Plan (Document 7.6 (B)), the Landscape and Ecological Management Plan (Document 7.8 (B)), and the Materials and Waste Management Plan (Document 7.7 (B)) have been updated in order to correlate with submissions made at Deadline 3.</p> <p>This is a consequential amendment which responds to Change Ref. 3 above.</p>	<table><tr><th>(1) Document Title</th><th>(2) Document Reference</th></tr><tr><td>Access, Rights of Way and Public Rights of Navigation Plans</td><td>2.7</td></tr><tr><td>Land Plans</td><td>2.3 (B)</td></tr><tr><td>Special Category Land Plans</td><td>2.4</td></tr><tr><td>Traffic Regulation Order Plans</td><td>2.6</td></tr><tr><td>Trees and Hedgerows to be Removed or Managed Plans</td><td>2.9</td></tr><tr><td>Work Plans</td><td>2.5</td></tr><tr><td>Book of Reference</td><td>4.3 (C)</td></tr><tr><td>Environmental Statement (together with any supplemental or additional environmental information)</td><td>6.1 to 6.4 (inclusive)</td></tr><tr><td>Construction Environmental Management Plan</td><td>7.5 (B)</td></tr><tr><td>Construction Traffic Management Plan</td><td>7.6 (B)</td></tr><tr><td>Materials and Waste Management Plan</td><td>7.7 (B)</td></tr><tr><td>Landscape and Environmental Management Plan</td><td>7.8 (B)</td></tr><tr><td>Public Rights of Way Management Plan</td><td>8.5.8</td></tr></table>	(1) Document Title	(2) Document Reference	Access, Rights of Way and Public Rights of Navigation Plans	2.7	Land Plans	2.3 (B)	Special Category Land Plans	2.4	Traffic Regulation Order Plans	2.6	Trees and Hedgerows to be Removed or Managed Plans	2.9	Work Plans	2.5	Book of Reference	4.3 (C)	Environmental Statement (together with any supplemental or additional environmental information)	6.1 to 6.4 (inclusive)	Construction Environmental Management Plan	7.5 (B)	Construction Traffic Management Plan	7.6 (B)	Materials and Waste Management Plan	7.7 (B)	Landscape and Environmental Management Plan	7.8 (B)	Public Rights of Way Management Plan	8.5.8	C
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Landscape and Environmental Management Plan	7.8 (B)																															
Public Rights of Way Management Plan	8.5.8																															
11.	Schedule Certified documents	<p>17, Schedule 17 has been updated to include reference to the Public Rights of Way Management Plan.</p> <p>This is a consequential amendment which responds to the change made to Requirement 4 (to which see Change Ref. 6 above).</p>	<table><tr><td>Public Rights of Way Management Plan</td><td>8.5.8</td></tr></table>	Public Rights of Way Management Plan	8.5.8	C																										
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4. Schedule of Changes at Deadline 4 (16 November 2023)

Table 4.1 – Schedule of Changes to Version C of the draft DCO [REP3-007]

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
1.	Article 11, Street works	<p>Article 11(3) has been further amended in response to submissions made by Suffolk County Council at Deadline 3 [REP3-078].</p> <p>Reference is also made to Table 2.1 of the Applicant's Comments on Other Submissions Received at Deadline 3 (Document 8.6.5) submitted at Deadline 4.</p> <p>(This change supersedes the change made to this Article at Deadline 2 and as noted in Table 2.1 above).</p>	<p>(3) If a street authority that receives an application for consent under paragraph (2) fails to notify the undertaker of its decision within 28 days <u>(or such other period as agreed by the street authority and the undertaker)</u> beginning with the date on which the application was made<u>received</u>, that authority will, unless otherwise agreed, be deemed to have granted consent.</p>	D
2.	Article 14, Power to alter layout etc. of streets	<p>Article 14(5) has been further amended in response to submissions made by Suffolk County Council at Deadline 3 [REP3-078].</p> <p>Reference is also made to Table 2.1 of the Applicant's Comments on Other Submissions Received at Deadline 3 (Document 8.6.5) submitted at Deadline 4.</p> <p>(This change supersedes the change made to this Article at Deadline 2 and as noted in Table 2.1 above).</p>	<p>(5) Unless otherwise agreed, if<u>If</u> a street authority which receives an application for consent under paragraph (4) fails to notify the undertaker of its decision before the end of the period of 28 days <u>(or such other period as agreed by the street authority and the undertaker)</u> beginning with the date on which the application was made<u>received</u>, it is deemed to have granted consent.</p>	D
3.	Article 15, Temporary stopping up of streets and public rights of way	<p>Article 15(9) has been further amended in response to submissions made by Suffolk County Council at Deadline 3 [REP3-078].</p> <p>Reference is also made to Table 2.1 of the Applicant's Comments on Other Submissions Received at Deadline 3 (Document 8.6.5) submitted at Deadline 4.</p> <p>(This change supersedes the change made to this</p>	<p>(9) Unless otherwise agreed, if<u>If</u> a street authority which receives an application for consent under sub-paragraph (5)(b) fails to notify the undertaker of its decision before the end of the period of 28 days <u>(or such other period as agreed by the street authority and the undertaker)</u> beginning with the date on which the application was made<u>received</u>, it is deemed to have granted consent.</p>	D

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
		Article at Deadline 2 and as noted in Table 2.1 above).		
4.	Article 16, Access to Works	<p>Article 16(2) has been further amended in response to submissions made by Suffolk County Council at Deadline 3 [REP3-078].</p> <p>Reference is also made to Table 2.1 of the Applicant's Comments on Other Submissions Received at Deadline 3 (Document 8.6.5) submitted at Deadline 4.</p> <p>(This change supersedes the change made to this Article at Deadline 2 and as noted in Table 2.1 above).</p>	<p>(2) Unless otherwise agreed, if a relevant planning authority which receives an application for consent under sub-paragraph (1)(b) fails to notify the undertaker of its decision before the end of the period of 28 days (or such other period as agreed by the relevant planning authority and the undertaker) beginning with the date on which the application was madereceived, it is deemed to have granted consent.</p>	D
5.	Article 19, Discharge of Water	<p>Article 19(9) has been further amended in response to submissions made by Suffolk County Council at Deadline 3 [REP3-078].</p> <p>Reference is also made to Table 2.1 of the Applicant's Comments on Other Submissions Received at Deadline 3 (Document 8.6.5) submitted at Deadline 4.</p> <p>(This change supersedes the change made to this Article at Deadline 2 and as noted in Table 2.1 above).</p>	<p>(9) Unless otherwise agreed, if a person who receives an application for consent under paragraph (3) or approval under sub-paragraph (a) fails to notify the undertaker of a decision within 28 days (or such other period as agreed by the person receiving the application and the undertaker) of receiving an application, that person is deemed to have granted consent or given approval, as the case may be.</p>	D
6.	Article 21, Authority to survey and investigate the land	<p>Article 21(8) has been further amended in response to submissions made by Suffolk County Council at Deadline 3 [REP3-078].</p> <p>Reference is also made to Table 2.1 of the Applicant's Comments on Other Submissions Received at Deadline 3 (Document 8.6.5) submitted at Deadline 4.</p> <p>(This change supersedes the change made to this Article at Deadline 2 and as noted in Table 2.1 above).</p>	<p>(8) Unless otherwise agreed, if a highway authority or street authority which receives an application for consent fails to notify the undertaker of its decision within 28 days (or such other period as agreed by the highway authority or the street authority and the undertaker) of receiving the application for consent—</p> <p>(a) under sub-paragraph (5)(a) in the case of a highway authority; or</p> <p>(b) under sub-paragraph (5)(b) in the case of a street authority,</p> <p>that authority is deemed to have granted consent.</p>	D
7.	Article 47, Traffic regulation	<p>Article 47(8) has been further amended in response to submissions made by Suffolk County Council at Deadline 3 [REP3-078].</p>	<p>(8) Unless otherwise agreed, if the traffic authority fails to notify the undertaker of its decision within 28 days (or such other period as agreed by the traffic authority and the undertaker) of receiving an application for consent under paragraph (2) the traffic authority is deemed to have granted consent.</p>	D

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
		<p>Reference is also made to Table 2.1 of the Applicant's Comments on Other Submissions Received at Deadline 3 (Document 8.6.5) submitted at Deadline 4.</p> <p>(This change supersedes the change made to this Article at Deadline 2 and as noted in Table 2.1 above).</p>		
8.	Article 48, Felling or lopping	<p>Article 48(5) has been further amended in response to submissions made by Suffolk County Council at Deadline 3 [REP3-078].</p> <p>Reference is also made to Table 2.1 of the Applicant's Comments on Other Submissions Received at Deadline 3 (Document 8.6.5) submitted at Deadline 4.</p> <p>(This change supersedes the change made to this Article at Deadline 2 and as noted in Table 2.1 above).</p>	<p>(5) Unless otherwise agreed, if the relevant highway authority fails to notify the undertaker of its decision within 28 days (or such other period as agreed by the relevant highway authority and the undertaker) of receiving an application for consent under paragraph (4) the relevant highway authority is deemed to have granted consent.</p>	D
9.	Schedule 3, Requirements (Paragraph 1(4))	<p>Sub-paragraph 1(4) of Schedule 3 (Requirements) now uses the words <i>"does not"</i> in place of <i>"is unlikely to"</i>.</p> <p>This change responds to Suffolk County Council's response [REP3-078] to Question Ref: DC1.6.105 in the Examining Authority's First Written Questions (13 October 2023) [PD-005].</p> <p>Reference is also made to the Applicant's Comments on Responses to First Written Questions (Document 8.6.4) and to the Applicant's Written Summary of Oral Submissions to Issue Specific Hearing 2 (Document 8.6.2.2) submitted at Deadline 4.</p>	<p>(4) Where an approval or agreement is required under the terms of any Requirement or a document referred to in a Requirement, or any Requirement specifies "unless otherwise approved" or "unless otherwise agreed" by the relevant highway authority or the relevant planning authority, such approval or agreement may only be given in relation to minor or immaterial changes and where it has been demonstrated to the satisfaction of the relevant highway authority or the relevant planning authority that the subject matter of the approval or agreement sought is unlikely to <u>will not</u> give rise to any materially new or materially different environmental effects from those assessed in the Environmental Statement.</p>	D
10.	Schedule 3, Requirements (Requirement 3)	<p>Minor amendments have been made to sub-paragraph (3) of Requirement 3 (Stages of authorised development).</p> <p>These changes respond to Suffolk County Council's response [REP3-078] to Question Ref:</p>	<p>(3) Written notice of the commencement and completion of construction for of each stage of the authorised development, and the operational use of that part <u>each stage</u> of the authorised development, must be given to the relevant planning authority within 10 business days of the relevant event occurring.</p>	D

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
		DC1.6.79 in the Examining Authority's First Written Questions (13 October 2023) [PD-005]. Reference is also made to the Applicant's Comments on Responses to First Written Questions (Document 8.6.4).		
11.	Schedule 3, Requirements (Requirement 5)	Minor amendments have been made to the identity of the approving authority in sub-paragraphs (1) and (2) of Requirement 5 (Approval and implementation of Drainage Management Plan). These changes respond to Suffolk County Council's response [REP3-078] to Question Ref: DC1.6.105 in the Examining Authority's First Written Questions (13 October 2023) [PD-005]. Reference is also made to the Applicant's Comments on Responses to First Written Questions (Document 8.6.4).	<i>Approval and implementation of Drainage Management Plan</i> 5. —(1) No stage of the authorised development may be brought into operational use until, for that stage, a Drainage Management Plan (DMP), to address operational surface water management matters, has been submitted to and approved by the relevant planning highway authority. (2) The operational use of each stage of the authorised development must be carried out in accordance with the approved Drainage Management Plan (DMP) referred to in sub-paragraph (1) or with any amended Drainage Management Plan (DMP) that may subsequently be approved by the relevant planning highway authority.	D
12.	Schedule 3, Requirements (Requirement 6)	Correction of a minor typographical error in sub-paragraph (2) of Requirement 6 (Archaeology). This change reflects the fact that use of the word 'must' is not appropriate in the context of Requirement 6(2), notwithstanding the extant guidance at Paragraph 3.3 of Advice Note 15 (Drafting Development Consent Orders).	(2) No stage of the authorised development must may commence until a Detailed Written Scheme of Investigation of areas of archaeological interest relevant to that stage (if any) as identified within the OWSI or identified through evaluation work as set out in the OWSI has been submitted to and approved by the County Archaeologist.	D
13.	Schedule 3, Requirements (Requirement 11)	A new sub-paragraph (3) has been included in Requirement 11 (Highway works). Sub-paragraph (3) is intended to secure the carrying out of road safety audits by the undertaker in respect of the highway works authorised by the draft DCO in accordance with Standard GG 119 Road Safety Audit (Revision 2) of the Department for Transport's Design Manual for Roads and Bridges (or any standard which supersedes the same). Substantially similar drafting is included in The National Grid (Richborough Connection Project)	(3) <u>The undertaker must carry out road safety audits of the highway works authorised by this Order in accordance with Standard GG 119 Road Safety Audit (Revision 2) of the Department for Transport's Design Manual for Roads and Bridges or in accordance with any standard that supersedes that Standard and must, to the reasonable satisfaction of the highway authority, implement any recommendations to mitigate or remove road safety problems and defects identified in any such road safety audits arising out of the authorised development.</u>	D

Ref.	dDCO Ref.	Rationale for the Change	Change Made				Version of dDCO
		Development Consent Order 2017.					
14.	Schedule 7 (Streets or public rights of way to be temporarily stopped up)	A minor typographical correction has been made to Parts 1 and 2 of Schedule 7 (Streets or public rights of way to be temporarily stopped up).	Essex County Council	FP 113 116	Between points P-G-17 and P-G-17 as shown on Sheets 28 and 29	Between points P-G-17 and P-G-17 via line PD-G-17 as shown on Sheets 28 and 29	D
			Essex County Council	FP 113 116	Between points P-G-17 and P-G-17 as shown on Sheets 28 and 29		

5. Schedule of Changes at Deadline 5 (1 December 2023)

Table 5.1 – Schedule of Changes to Version D of the draft DCO [REP4-030]

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
<u>1.</u>	<u>Article 2, Interpretation</u>	<p>The definitions of ‘Archaeological Framework Strategy’ and ‘Outline Written Scheme of Investigation’ have been amended to reference the fact that both documents are now listed in Schedule 17 (Certified Documents) for the purposes of Article 57.</p> <p>This change responds to Item 4.1b in Suffolk County Council’s Post-Hearing Submission for the Second Issue Specific Hearing (ISH2) on the draft Development Consent Order and Related Matters [REP4-043].</p> <p>Reference is also made in this context to the Applicant’s Comments on Other Submissions Received at Deadline 4 (Document 8.7.3).</p> <p>A consequential amendment has been made to Schedule 17 (Certified documents) (to which see Change Ref. 6 below).</p>	<p>“Archaeological Framework Strategy” means the document of that description (Document 7.9), <u>certified by the Secretary of State as the Archaeological Framework Strategy for the purposes of this Order under article 57 (certification of documents)</u>, identifying steps to mitigate predicted effects on archaeology, geo-archaeology, palaeo-environmental and historic landscape heritage assets during construction of the authorised development;</p> <p>“Outline Written Scheme of Investigation” means the document of that description (Document 7.10) <u>(B)), certified by the Secretary of State as the Outline Written Scheme of Investigation for the purposes of this Order under article 57 (certification of documents)</u>, setting out the proposed approach to archaeological mitigation and investigations to be undertaken in association with the construction of the authorised development;</p>	<u>E</u>
<u>2.</u>	<u>Article 57, Certification of documents</u>	<p>Minor amendments have been made to sub-paragraphs (1) and (3) of Article 57.</p> <p>These amendments respond to Item 4.1b in Suffolk County Council’s Post-Hearing Submission for the Second Issue Specific Hearing (ISH2) on the draft Development Consent Order and Related Matters [REP4-043].</p> <p>Reference is also made in this context to the Applicant’s Comments on Other Submissions Received at Deadline 4 (Document 8.7.3).</p>	<p>Certification of documents</p> <p>57.—(1) National Grid must, as soon as practicable after the making of this Order, submit to the Secretary of State copies of the documents and plans <u>and documents</u> identified in Schedule 17 (Certified Documents) of this Order for certification that they are <u>as</u> true copies of the <u>those</u> plans and documents referred to in this Order.</p> <p>(2) A plan or document so certified is admissible in any proceedings as evidence of the contents of the document of which it is a copy.</p> <p>(3) Where any plan or document set out <u>identified</u> in Schedule 17 (Certified Documents) requires <u>is required</u> to be amended to reflect the terms of the Secretary of State’s decision to make this Order, that plan or document in the form amended to the Secretary of State’s satisfaction is the version of the plan or document required to be certified under paragraph (1).</p>	<u>E</u>
<u>3.</u>	<u>Schedule 3,</u>	A new sub-paragraph (2) has been included in		<u>E</u>

<u>Ref.</u>	<u>dDCO Ref.</u>	<u>Rationale for the Change</u>	<u>Change Made</u>	<u>Version of dDCO</u>
	<u>Requirements (Requirement 7)</u>	<p><u>Requirement 7 (Construction hours).</u></p> <p><u>Sub-paragraph (2) provides that no percussive piling operations are permitted to take place on Sundays and Bank Holidays.</u></p> <p><u>This change reflects further work undertaken by the Applicant, in response to submissions made by the host authorities and matters raised by the Examining Authority, regarding the reduction of potential disturbance to local communities during construction of the authorised development.</u></p> <p><u>Reference is also made in this context to the Applicant's Comments on Other Submissions Received at Deadline 4 (Document 8.7.3).</u></p>	<p><i>Construction hours</i></p> <p>7. —(1) Subject to sub-paragraphs(2) and to (3-4), work may only take place between 0700 and 1900 Monday to Friday and between 0800 and 1700 on Saturdays, Sundays and Bank Holidays (the core working hours), unless otherwise approved by the relevant planning authority.</p> <p><u>(2) No percussive piling operations may take place on Sundays and Bank Holidays.</u></p> <p><u>(3) (4) The following operations may take place outside the core working hours referred to in sub-paragraph (1)—</u></p>	
<u>4.</u>	<u>Schedule 3, Requirements (Requirement 11)</u>	<p><u>A new sub-paragraph (3) has been included in Requirement 11 (Highway works).</u></p> <p><u>Sub-paragraph (3) provides that all 'pre-commencement operations' (as defined in Article 2(1)) involving the construction or alteration of temporary accesses must be carried out in accordance with sub-paragraphs (1) and (2) of Requirement 11 unless otherwise agreed with the relevant highway authority.</u></p> <p><u>This change responds to submissions made in the Applicant's Comments on Responses to First Written Questions [REP4-029] and further engagement with Suffolk County Council since Deadline 4.</u></p>	<p><i>Highway works</i></p> <p>11.—(1) No work to construct, alter or temporarily alter any new or existing means of access to a highway to be used by vehicular traffic may commence until written details of design, layout and reinstatement of that means of access has been submitted to and approved by the relevant highway authority.</p> <p>(2) The highway accesses must be constructed and reinstated in accordance with the details approved under sub-paragraph(1).</p> <p><u>(3) For the avoidance of doubt, all pre-commencement operations involving the construction or alteration of temporary accesses must be carried out in accordance with sub-paragraphs (1) and (2) unless otherwise agreed with the relevant highway authority</u></p> <p><u>(4) (2) The undertaker must carry out road safety audits of the highway works authorised by this Order in accordance with Standard GG 119 Road Safety Audit (Revision 2) of the Department for Transport's Design Manual for Roads and Bridges or in accordance with any standard that supersedes that Standard and must, to the reasonable satisfaction of the highway authority, implement any recommendations to mitigate or remove road safety problems and defects identified in any such road safety audits arising out of the authorised development.</u></p>	<u>E</u>
<u>5.</u>	<u>Schedule 14, Protective Provisions (Part 5)</u>	<p><u>A new Part 5 of Schedule 14 includes Protective Provisions for the protection of Cadent Gas Limited as gas undertaker.</u></p> <p><u>The Protective Provisions included in Part 5 are agreed subject to completion of a Side Agreement which it is anticipated will make provision for certain matters raised in Cadent Gas Limited's Relevant Representation [RR-024] and Written Representation [REP2-020].</u></p>		<u>E</u>

<u>Ref.</u>	<u>dDCO Ref.</u>	<u>Rationale for the Change</u>	<u>Change Made</u>	<u>Version of dDCO</u>								
		Reference is made in this context to the Applicant's <u>Protective Provisions and Commercial Side Agreements Tracking List (Document 8.7.8)</u> .	<div><p><u>PART 5</u></p><p><u>FOR THE PROTECTION OF CADENT GAS LIMITED AS GAS UNDERTAKER</u></p><p><u>Application</u></p><p><u>49. For the protection of Cadent the following provisions will, unless otherwise agreed in writing between the undertaker and Cadent, have effect.</u></p><p><u>Interpretation</u></p><p><u>50. In this Part of this Schedule—</u></p></div>									
<u>6.</u>	<u>Schedule 17, Certified Documents</u>	<p>The 'Archaeological Framework Strategy' and 'Outline Written Scheme of Investigation' have been included in the list of documents to be certified for the purposes of Article 57.</p> <p><u>This is a consequential amendment which relates to Change Ref. 1 above.</u></p>	<table><tr><td>Landscape and Environmental Management Plan</td><td>7.8 (B)</td></tr><tr><td>Archaeological Framework Strategy</td><td>7.9</td></tr><tr><td>Outline Written Scheme of Investigation</td><td>7.10 (B)</td></tr><tr><td>Public Rights of Way Management Plan</td><td>8.5.8</td></tr></table>	Landscape and Environmental Management Plan	7.8 (B)	Archaeological Framework Strategy	7.9	Outline Written Scheme of Investigation	7.10 (B)	Public Rights of Way Management Plan	8.5.8	<u>E</u>
Landscape and Environmental Management Plan	7.8 (B)											
Archaeological Framework Strategy	7.9											
Outline Written Scheme of Investigation	7.10 (B)											
Public Rights of Way Management Plan	8.5.8											

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