

A38 Derby Junctions TR010022

8.39 Responses to the Examining Authority's Rule 17 request for information regarding draft Development Consent Order Schedules 5 and 7 (issued 12 Nov 2019)

Planning Act 2008

Rule 17 (1)

Infrastructure Planning (Examination Procedure) Rules 2010

Volume 8

November 2019

Infrastructure Planning

Planning Act 2008

**The Infrastructure Planning
(Examination Procedure) Rules 2010**

A38 Derby Junctions
Development Consent Order 202[]

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Regulation Number	Rule 8 (1)(c)(i)
Planning Inspectorate Scheme Reference	TR010022
Application Document Reference	TR010022/APP/8.39
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Version	Date	Status of Version
Version 1	19 November 2019	Deadline 2 submission

Table 1-1 Applicant's Response to the Examining Authority's Rule 17 request for information regarding draft Development Consent Order Schedules 5 and 7 (issued 12 Nov 2019)

No.	Plot reference number shown on the land plans	Further information requested by the Examining Authority	Highways England Response
Schedule 5 – Land on which new rights etc. may be acquired			
1.	General	Should any references to “ <i>cycleway</i> ” or “ <i>cycle way</i> ” in the Book of Reference (BoR), Statement of Reasons (SoR) and draft Development Consent Order (dDCO) Schedules 1 and 5 be amended to “ <i>cycle track</i> ”, consistent with the definition provided in Article 2 of the dDCO?	Yes and the BoR, SoR and dDCO have been updated to reflect this.
2.	2/1b	Should reference also be made to Work No. 8 and “ <i>the establishment and maintenance of environmental mitigation and enhancement</i> ”?	Yes and the entry in the dDCO has been updated to reflect this.

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3.	2/1c	The purpose given is not consistent with the SoR. Should dDCO Schedule 5 and/or the SoR be amended?	Schedule 5 of the dDCO has been updated to reflect this by including reference to the construction of highway drainage attenuation.
4.	2/9	Should the purpose include for the <u>maintenance</u> of the cycle track?	Both the dDCO and the BoR refer to the maintenance of the cycle track and this is consistent with other entries referring to the cycle tracks.
5.	2/19a	Should reference be made to a footway, as noted in the SoR?	The entry in the dDCO has been updated to include reference to the footway, as noted in the SoR.
6.	3/1p and 3/1q	The purpose given is not consistent with the SoR. Should dDCO Schedule 5 and/or the SoR be amended?	This entry in Schedule 5 of the dDCO has been updated to refer to the stopping up of the Enfield Road entry and exit roads.
7.	3/1w	Should reference be made to " <i>the construction of a new emergency access</i> "?	This entry in dDCO has been merged with 3/1x as both entries have the same purpose listed in the Schedule. As such, the new emergency access point is covered by this merger. Work 16d has been added to plot 3/1w the SoR.
8.	3/22b	The purpose given is not consistent with the dDCO Schedule 1 description of	The reference in the dDCO has been updated to include "alterations to the access to and egress from the A52 to the Royal School for the Deaf". This makes the dDCO consistent with the SoR.

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		Work No. 16(g), as referenced by the SoR. Should dDCO Schedules 1, 5 and/or the SoR be amended?	
9.	4/1d	The purpose given is not consistent with the SoR. Should dDCO Schedule 5 and/or the SoR be amended?	The entry in the SoR has been updated to align with the dDCO.
10.	8/6	The purpose given is not consistent with the dDCO Schedule 1 descriptions of Works No. 24 and 27, as referenced by the SoR. Should dDCO Schedules 1, 5 and/or the SoR be amended?	The dDCO entry has been amended and reference to works nos 24 and 27 have been removed.
11.	8/25c	This plot is included in the BoR, but not in dDCO Schedule 5 or the SoR. Should the BoR, dDCO Schedule 5 and/or the SoR be amended?	This entry has not been included in this Schedule because it does not need to be and it is included in Schedule 7. It is also coloured in green (temporary possession) on the land plans. As such, it is not clear why the ExA consider this might need to be included in Schedule 5.

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12.	9/6b	<p>Replace "aces" with "access"?</p> <p>Replace Work No. 25 with Work No. 35, consistent with the SoR?</p>	<p>Yes, "aces" is a typo and it should say "access". The work reference should be work no. 35 and not 25. These changes have been made to the dDCO.</p>
Schedule 7 – Land of which temporary possession may be taken			
13.	2/1a, 2/1b	<p>Remove plot reference 2/1b, consistent with the BoR, SoR and Land Plans?</p>	<p>Reference to 2/1b has been deleted because it is already in Schedule 5. Its inclusion in Schedule 7 was an error.</p>
14.	2/1d	<p>The purpose given is not consistent with the SoR.</p> <p>Should dDCO Schedule 7 and/or the SoR be amended?</p>	<p>The entry in the dDCO has been amended to include reference to the construction and realignment of the cycle track.</p>
15.	2/1l	<p>Should the plot reference be amended to 2/1n, as the SoR and Land Plans?</p> <p>The purpose given is not consistent with the dDCO Schedule 1 description of Work No. 3, as referenced by the SoR.</p> <p>Should dDCO Schedules 1, 7 and/or the SoR be amended?</p>	<p>Yes, this reference should be to plot 2/1n and not to 2/1l. The dDCO has been updated to reflect this point.</p>

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16.	2/1r	Should the Land Plans be updated to clarify plot references above and below the Brackensdale underbridge?	The land description in the BoR has been updated to clarify the land in question.
17.	2/6	Should Work No. 8 be included, as the SoR, and the purpose updated accordingly? Should the purpose include for the <u>maintenance</u> of the cycle track? If so, is it necessary for this plot be moved to Schedule 5?	Reference to Work no. 8(a) has been included in the dDCO and reference to "establishment of environmental mitigation and enhancement".
18.	3/1g and 3/1h	Should reference be made to Work No. 1, consistent with the purpose of " <i>works to effect the stopping up of the entry and exit lanes of Raleigh Street</i> "?	This entry in the dDCO has been amended to refer to works nos 1 and 15 not 10 and 15.
19.	3/1j	Replace " <i>realignment</i> " with " <i>realignment</i> "?	Yes, this is a typo and the word has been corrected.
20.	3/1t and 3/8b	Should plot reference 3/8b be added to the SoR, consistent	3/8b is to be included in the SoR as this was unintentionally omitted from this document.

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		with dDCO Schedule 7 and the BoR?	
21.	3/1aa	Should plot reference 3/1aa be added to dDCO Schedule 7 and the SoR, consistent with the BoR and Land Plans?	Reference to this plot has been added to the dDCO and SoR as it was unintentionally omitted. It now refers to work no. 21, the purpose for which is described as the diversion and construction of a utility corridor.
22.	3/4	Should Work No. 22 be included and the purpose and SoR updated accordingly?	Work No. 22 has been added into this plot reference in the dDCO.
23.	4/1c	Should Work No. 21 be included, consistent with the SoR, and the purpose updated accordingly?	Yes, work no. 21 should be referred to in this plot reference and the dDCO has been updated to reflect this.
24.	4/1d and 4/1h	Replace plot reference 4/1d with 4/7d, consistent with the BoR, SoR and Land Plans?	Plot 4/1d should be replaced with plot reference 4/7d and this change has been made to the dDCO.
25.	4/13b	Should the Works Plans be updated to show Work No. 20 in the location of plot reference 4/13b?	This has been updated in the works plans

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26.	7/9, 7/8, 7/1e, 7/1f, 7/10, 7/11 and 7/12	The SoR includes " <i>required for alterations to a bridge on Ford Lane</i> " for plot reference 7/1f. Should dDCO Schedule 7 and/or the SoR be amended?	Plots 7/1f and 7/12 have been removed from this entry in the dDCO and a new entry included for them which provides that they are required for works nos 33 and 29 and the reason is for the realignment of Ford lane and the reconfiguration of the junction with Lambourn Drive and the alteration of the Ford Lane bridge. Work 29 has been added to plot 7/12 in the SoR to align with the dDCO.
27.	8/1	Plot reference 8/1 is included twice in Schedule 7. Remove one instance?	This entry has been included twice and the second entry at the end of the table has been deleted from the dDCO.
28.	8/15, 8/16b, 8/24b, 8/25c and 8/25b	Should plot reference 8/24b be deleted, as it is included separately? Should reference to Work No. 32 and " <i>accommodation of a works compound</i> " be added to the SoR?	Reference to work no. 32 and its description has been deleted from this entry in the dDCO and the separate entry for plot 8/24b has been deleted from the dDCO as it is already included in this entry. The SoR has been amended to align with the dDCO.
29.	8/23b	Should plot reference 8/23b be deleted, as it is included in Schedule 5, consistent with the BoR, SoR and Land Plans?	Reference to plot 8/23b has been deleted from Schedule 7 in the dDCO as it is already included in Schedule 5.

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