

A57 Link Roads

TR010034

9.34 Schedule of changes to dDCO

Rule 8(1)(k)

Planning Act 2008

Infrastructure Planning (Examination Procedure) Rules 2010

March 2022

Infrastructure Planning

Planning Act 2008

The Infrastructure Planning (Examination Procedure) Rules 2010

A57 Link Roads Development Consent Order 202[x]

9.34 Schedule of changes to dDCO

Rule Number:	Rule 8(1)(k)
Planning Inspectorate Scheme Reference	TR010034
Application Document Reference	TR010034/EXAM/9.34
Author:	A57 Link Roads Project Team, National Highways and Atkins

Version	Date	Status of Version
2	March 2022	Deadline 6
1	February 2022	Deadline 5
0	January 2022	Deadline 3

Table of contents

1. Introduction	4
1.1. Schedule of dDCO Changes	4
1.2. Changes made at Deadline 6 – 16 March 2022	5
1.3. Changes made at Deadline 5 – 23 February 2022	6
1.4. Changes made at Deadline 3 – 26 January 2022	9
1.5. Changes made at Deadline 1 – 1 December 2021	12

1. Introduction

1.1. Schedule of dDCO Changes

- 1.1.1. This schedule of changes records the changes made to the draft Development Consent Order (the "dDCO"). It does not list every typographical change made to the dDCO. Clean and tracked change versions of the dDCO are submitted by the Applicant at each deadline.

1.2. Changes made at Deadline 6 – 16 March 2022

Provision	Change	Reason for change
Article 11(8)	Sub-clause deleted	This provision dis-applied permitting schemes adopted by local highway authorities and is no longer required.
Article 14(7)	New sub-clause 14(7) added	Article 14(7) has been inserted to notify a street authority of the deemed consent notice period. Article 14(6) has been updated accordingly.
Article 15(2)(b)	Text added	To clarify that a temporary alternative route must be provided for each street or private means of access until the new street or private means of access is open for use.
Article 18(12)	New sub-clause 18(12) added	Article 18(12) has been inserted to notify a traffic authority of the deemed consent notice period. Article 18(11) has been updated accordingly.
Article 19(10)	New sub-clause 19(10) added	Article 19(10) has been inserted to notify the person or body responsible for drainage infrastructure of the deemed consent notice period. Article 19(9) has been updated accordingly.
Article 21(7)	New sub-clause 21(7) added	Article 21(7) has been inserted to notify a local highway authority or a street authority of the deemed consent notice period. Article 21(6) has been updated accordingly.
Schedule 2 Requirement 4(2)(c)(x)	Text added	To clarify that written notice will be provided in respect of works outside of specified hours except in cases of emergency or repair & maintenance of construction equipment which shall be notified as soon as practicable.

Provision	Change	Reason for change
Schedule 2 Requirement 5	Requirement 5(1) text amended New sub-requirement 5(2) inserted	Text added at requirement 5(1) to prevent commencement of works on a part of the authorised development until a written landscaping scheme has been approved for that part. New sub-requirement 5(2) inserted to require the authorised development to be landscaped in accordance with the approved scheme.
Schedule 2 Requirement 10(1)	Text added	To ensure the written scheme of investigation includes a programme for post excavation matters in a manner consistent with the wording at requirement 10(3).

1.3. Changes made at Deadline 5 – 23 February 2022

Provision	Change	Reason for change
Preamble	New paragraph in respect of Section 131 of the Planning Act 2008 added	New paragraph inserted to confirm the Secretary of State is satisfied the statutory exemption in section 131(5) applies and permits the compulsory acquisition of special category land.
Article 3(3)	Sub-clause deleted	Provision no longer required.
Article 5(1)	Text added	Additional text inserted to clarify that where a landowner's access to land is restricted, the undertaker shall be responsible for maintaining the drainage of the land.
Article 13(9)	Text added	Additional text inserted to clarify that any changes agreed with the local authority will not give rise to environmental effects beyond those reported in the environmental statement.

Provision	Change	Reason for change
Schedule 1 Work No.4	New items (vii), (viii) and (ix) added	Additional works descriptions inserted to accurately describe updates made to the work plans.
Schedule 1 Work No.9	"bridleway" replaced with "combined footway/cycleway with equestrian use"	To ensure the use of the term is consistent in the dDCO.
Schedule 1 Work No.11	"combined footway/cycleway with equestrian use" inserted	To ensure the use of the term is consistent in the dDCO.
Schedule 1 Work No.13	New item (x) added	Additional work description inserted to accurately describe updates made to the work plans.
Schedule 1 Work No.14	Stated length updated	To accurately describe updates made to the work plans.
Schedule 1 Work No.25(iii)	Stated length updated	To accurately describe updates made to the work plans.
Schedule 1 Work No.67	New work description added	To accurately describe updates made to the work plans.
Schedule 1 Work No.68	New work description added	To accurately describe updates made to the work plans.
Schedule 1 Work No.69	New work description added	To accurately describe updates made to the work plans.
Schedule 1 other works	Reference to the requirement to not give rise to environmental effects beyond those assessed in the environmental statement moved to precede items (a) to (p).	To clarify that none of the works listed in items (a) to (p) will give rise to environmental effects beyond those reported in the environmental statement.
Schedule 2 interpretation	New definition of "preliminary works" added	To clarify the types of preliminary works that can be undertaken and not require consent unless otherwise expressly stated in the dDCO.
Schedule 2 requirement 4	Requirement 4(1) consultation with the local highway authority and Environment Agency added	Text added to Requirement 4(1) to clarify that the second environmental management plan is to be approved by the Secretary of

Provision	Change	Reason for change
	Requirement 4(2) (ii), (vi) and (ix) reference to materially new or materially worse environmental effects added	<p>State in consultation with the local highway authority and Environment Agency.</p> <p>Text added to Requirement 4(2) (ii), (vi) and (ix) to clarify that working beyond the allocated working hours for the specified items will not give rise to environmental effects beyond those reported in the environmental statement.</p>
Schedule 2 requirement 5(1)	Text added	To clarify that the landscaping for the authorised development shall be approved by the Secretary of State in consultation with the planning authority prior to the relevant part of the authorised development coming into use.
Schedule 2 requirement 7(2)	Text added	To clarify the extent of the works that must cease in the event of a likely impact on a protected species.
Schedule 2 requirement 8(1)	Consultation with the Environment Agency added	To ensure the Environment Agency are consulted on matters related to its function.
Schedule 2 requirement 9	<p>Requirement 9(1) text added</p> <p>Requirement 9(2) text amended</p>	<p>Requirement 9(1) has been amended to ensure the reference to the flood risk assessment can include the latest details approved by the Environment Agency.</p> <p>Requirement 9(2) has been amended to include consultation with the lead local flood authority and to delete the exception permitting flood levels to be exceeded by acceptance from affected landowners because the drainage solution does not require this for this scheme.</p>

Provision	Change	Reason for change
Schedule 2 requirement 10	<p>Requirement 10(1) consultation with the Greater Manchester Archaeological Advisory Service and the county archaeologist at Derbyshire County Council added.</p> <p>New sub-requirements 10(7) and 10(8) added.</p>	<p>To ensure GMAAS and the county archaeologist are consulted on matters related to their function.</p> <p>New sub-requirements 10(7) provides for approval of the county archaeologist to the long term storage arrangements for artefacts.</p> <p>New sub-requirements 10(8) is an express exception where intrusive ground works comprise a category of preliminary works requiring approval.</p>
Schedule 3 Part 8	Stated lengths have been updated and additional descriptions inserted	To ensure the dDCO accurately reflects the amended work plans.
Schedule 9 Part 6	Protective provisions in favour of the Environment Agency	Revised short form inserted as requested by the Environment Agency.
Schedule 10	References updated	To ensure the dDCO refers to the latest updated supporting DCO documentation.

1.4. Changes made at Deadline 3 – 26 January 2022

Provision	Change	Reason for change
Preamble paragraphs 2, 3 and 4	Text referring to examination by a single appointed person updated.	The application is being examined by a two person panel.
Preamble paragraph 5	Section 123 of the Planning Act 2008 added.	The power for the Secretary of State to authorise the compulsory acquisition of land, which forms part of the application and dDCO, has been added.
Article 2.1 "first"	Definition moved to Schedule 2, Part 1, Requirement 1	This definition is only used in the requirements in Schedule 2.

Provision	Change	Reason for change
iteration EMP"		
Article 2.1 "hedgerow and protected tree plans"	Definition renamed "TPO and hedgerow plans"	To ensure the defined term is consistent with the name on the plans cited in Schedule 10.
Article 2.1 "the speed limits and traffic regulations plans"	Defined term applied consistently with a lower case throughout the dDCO	To ensure use of the defined term is consistent.
Article 2.1 "the works plans"	Defined term applied consistently with a lower case throughout the dDCO	To ensure use of the defined term is consistent.
Article 12	References to "local highway authority" and "street authority" have been updated	To ensure use of the defined terms is consistent.
Article 19	New Article 19(5) added	To clarify that the undertaker must not, when carrying out works or maintenance, interfere with the bed or banks of main river.
Schedule 1 Work No.s 7, 11, 14 & 26	Proposed bridleways replaced with combined footway/cycleway with equestrian use	Discussions with Tameside Metropolitan Borough Council have established that the designation of the new public rights of way as footway/cycleways with equestrian use will best achieve the provision and future maintenance of a surface suitable for all categories of permitted user.
Schedule 1 Work No.s (a) and (d)	Reference to cycleways added	To ensure the rights in these provisions include the wider categories of user permitted by cycleways.
Schedule 2	Definition of Environmental Management Plan removed and	To ensure use of the defined terms is consistent.

Provision	Change	Reason for change
Requirement 1	relevant references updated to refer to the first iteration EMP	
Schedule 3 Part 8	Proposed bridleways replaced with combined footway/cycleway with equestrian use	Discussions with Tameside Metropolitan Borough Council have established that the designation of the new public rights of way as footway/cycleways with equestrian use will best achieve the provision and future maintenance of a surface suitable for all categories of permitted user.
Schedule 4 Part 1	Relevant references inserted to new combined footway/cycleway with equestrian use and points on plans updated	Discussions with Tameside Metropolitan Borough Council have established that the designation of the new public rights of way as footway/cycleways with equestrian use will best achieve the provision and future maintenance of a surface suitable for all categories of permitted user.
Schedule 5	Updated to record the restrictive covenants required where utility works are referenced.	To record that new rights may include the imposition of restrictive covenants to protect the apparatus of statutory undertakers after it has been installed.
Schedule 7	The purposes for which some of the identified plots may be taken have been updated	To ensure the reasons provided for temporary possession are consistent with the Statement of Reasons.
Schedule 8 Part 2 column 4	Column 4 retitled "Tree Preservation Order (TPO) reference"	For clarity and in response to the Examining Authority's request.
Schedule 9	Parts 5 onwards have been re-numbered	To ensure the parts of this schedule are numbered chronologically.
Schedule 10 Speed limits and traffic regulations plans	Typographical changes made and updated revision numbers inserted.	Changes made for consistency and revision numbers updated as requested by the Examining Authority.

Provision	Change	Reason for change

1.5. Changes made at Deadline 1 – 1 December 2021

Provision	Change	Reason for change
Article 2.1 "undertaker"	Definition updated to refer to National Highways Limited	To accurately record the Applicant's name change.
Schedule 1 New Work No. 66	Lengths of noise barriers inserted	To provide clarity as requested by the Examining Authority.
Schedule 7	References to Work No. 66 inserted	To provide clarity as requested by the Examining Authority.

Crown copyright (2022).

You may re-use this information (not including logos) free of charge in any format or medium, under the terms of the Open Government Licence. To view this licence:

visit

write to the Information Policy Team, The National Archives, Kew, London TW9 4DU,
or email psi@nationalarchives.gsi.gov.uk.

Printed on paper from well-managed forests and other controlled sources.

Registered office Bridge House, 1 Walnut Tree Close, Guildford GU1 4LZ
National Highways Limited registered in England and Wales number 09346363