

# A47 Wansford to Sutton Dualling

## **Scheme Number: TR010039**

### **Volume 9**

## **9.13 Draft Development Consent Order - Schedule of Changes to the Draft DCO**

The Infrastructure Planning (Examination Procedure) Rules 2010  
Rule 3(2)(b)

Planning Act 2008

March 2022

Infrastructure Planning

Planning Act 2008

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

**A47 Wansford to Sutton  
Development Consent Order 202[x]**

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**9.13 SCHEDULE OF CHANGES TO THE DRAFT DCO**

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<b>Rule Number</b>	3(2)(b)
<b>Planning Inspectorate Scheme Reference</b>	TR010039
<b>Application Document Reference</b>	TR010039/EXAM/9.4
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Rev 0	March 2022	Deadline 3

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## 1 INTRODUCTION

- 1.1.1 The Development Consent Order (**DCO**) application for the A47 Wansford to Sutton Dualling scheme was submitted on 5 July 2021 and accepted for examination on 2 August 2021.
- 1.1.2 The purpose of Table 1.1 in this document is to set out the changes made to the draft Development Consent Order (**dDCO**) from that submitted on 5 July 2021 (Version 0) (**APP-017**).
- 1.1.3 These changes were made principally in response to comments and recommendations made to the Applicant before the start of Examination.
- 1.1.4 The purpose of Table 1.2 in this document is to set out the changes made to the draft Development Consent Order (**dDCO**) from that submitted on 13 August 2021 (Version 1) (**AS-010**).
- 1.1.5 It is submitted together with:
- Revised issue of the dDCO (Version 2), and
  - a comparison version of the dDCO showing all changes between new Version 2 and Version 1.
- 1.1.6 These changes were made principally in response to the Examining Authority's written questions and requests for information (ExQ1) (**PD-008**) and queries explored at Issue Specific Hearing 1 (**ISH1**) which took place on 12 January 2022.

Table 1.1: Summary of changes made to the dDCO (Version 1) from the dDCO submitted in the application for development consent (Version 0)

Article/Schedule	Change	Reason for change	Precedent used	Consequential changes
Article 8(1) (Limits of deviation)	Add reference to Work Nos. 37 and 53 to the list of works.	Work No.37 was previously shown on the works plans as a "Non highway limit of deviation", but following a query from the ExA is to be shown as a highway work with a centre line. Work 53 is also being amended for consistency.	N/A	N/A
Schedule 1 "Works"	In the descriptions of Work Nos 3, 4, 5, 8, 9, 14, 16, 18, 26, 27, 29, 33, 36 48, 49, 56, 57 and 58 reference to the works crossed by those works has been deleted.	The ExA has raised various queries about whether linear works are crossed by those works which are shown by limits of deviation. Reference to which works are crossed has been deleted to avoid any confusion.	N/A	N/A
Schedule 3 (Classification of Roads etc) Part 1: Trunk Roads	In the row of the table under the title "The classification of road plans – sheet 1", in column (1) (Parish) the word "Thronhaugh" has been deleted and replaced with the word "Thornaugh"	Correction of a typographical error	N/A	N/A

Table 1.2: Summary of changes made to the dDCO (Version 2) from the dDCO submitted in the application for development consent (Version 1)

Article/Schedule	Change	Reason for change	Precedent used	Consequential changes
Article 2, Interpretation	The following definitions have been added: "adjacent land", "business days", "completion or completed", "drainage", "hedgerow", "important hedgerows", "public communications provider", and "public sewer or drain".	In response to Question 1.6.4 of The Examining Authority's written questions and requests for information (ExQ1) (PD-008).	N/A	<p>The definition of "drainage" has been removed from Article 4, Maintenance of drainage works.</p> <p>The definition of "public sewer or drain" has been removed from</p>

Article/Schedule	Change	Reason for change	Precedent used	Consequential changes
				<p>Article 21, Discharge of water.</p> <p>The definition of "completion or completed" has been removed from Schedule 2, Requirements, Part 1, Interpretation.</p> <p>The definition of "business day" has been removed from Schedule 2, Requirements, Part 2, Further information.</p>
Article 2, Interpretation	The following definitions have been updated: "the book of reference", "the classification of roads plans", "detrunking plans", "the engineering drawings and sections", "the Environmental statement", "the general arrangement plans", "hedgerow plans", "the land plans", "outline traffic management plan", "the rights of way and access plans", "traffic regulation plans", "the undertaker" and "the works plans".	To include wording that clarifies that these documents are also to be included in Schedule 10 (documents to be certified) in response to Question 1.6.9 of The Examining Authority's written questions and requests for information (ExQ1) ( <b>PD-008</b> )	N/A	N/A
Article 2, Interpretation	The following definitions have been updated: "the local highways authority", "Order land", and "the undertaker".	In response to Question 1.6.7 of The Examining Authority's written questions and requests for information (ExQ1) ( <b>PD-008</b> ) and to correct typographical errors.	N/A	N/A
Article 2, Interpretation	The following definitions have been removed: "Anglian water", "EMP (First Iteration)", "limitation zone",	In response to Question 1.6.4 of The Examining Authority's written questions and requests for information	N/A	The definitions for "Anglian water" and "Western

Article/Schedule	Change	Reason for change	Precedent used	Consequential changes
	"NGET", "the special category land plans", and "Western Power".	(ExQ1) (PD-008) or because they no longer apply to this scheme.		Power" have been updated and inserted into Article 10, Consent to transfer the benefit of Order, paragraph (4).  The definition for "EMP (First Iteration) has been inserted into Schedule 2, Requirements, Part 1, Interpretation.
Article 2, Interpretation	The wording in paragraph (4) has been updated.	To correct a typographical error.	N/A	N/A
Article 5, Development consent etc. granted by the Order	The wording in paragraph (2) has been updated.	For better grammatical sense.	N/A	N/A
Article 8, Limits of deviation	The wording in paragraph (2) has been updated.	In response to Question 1.6.13 of The Examining Authority's written questions and requests for information (ExQ1) ( <b>PD-008</b> ).	A1 Birtley to Coal House Development Consent Order 2021 (S.I. 2021/74)	N/A
Article 10, Consent to transfer the benefit of Order	paragraphs (4), (5), (6), (7), (8), (9), and (10) have been removed.	In response to points raised by the ExA at ISH1 and in response to Question 1.6.13 of The Examining Authority's written questions and requests for information (ExQ1) ( <b>PD-008</b> ).	A1 Birtley to Coal House Development Consent Order 2021 (S.I. 2021/74)	The numbering of paragraphs in this Article has been reformatted.
Article 13, Classification of roads, etc.	The wording in paragraph (7) has been updated.	In response to Question 1.6.15 of The Examining Authority's written questions and requests for information	N/A	N/A

Article/Schedule	Change	Reason for change	Precedent used	Consequential changes
		(ExQ1) (PD-008).For better grammatical sense.		
Article 19, Clearways, prohibitions and restrictions	The wording in paragraph (2)(a)(iii) has been updated.	To include reference to the correct Act, the Communications Act 2003 in response to Question 1.6.18 of The Examining Authority's written questions and requests for information (ExQ1) ( <b>PD-008</b> ).	N/A	N/A
Article 20, Traffic Regulation	paragraph (12) has been removed.	In response to Question 1.6.20 the Applicant explained it will remove the requirement from Article 20 (12) as not being necessary and therefore there is no need for it to be imposed in Article 21. The ExA is referred to the Applicant's Written Summary of Oral Submissions at ISH1: Agenda Point 7: Part 4 – Supplemental Powers, no. 7 ( <b>REP1-011</b> ).	N/A	N/A
Article 29, Private rights over land	The wording in paragraph (3) has been updated.	In response to Question 1.6.24 of The Examining Authority's written questions and requests for information (ExQ1) ( <b>PD-008</b> ).	N/A	N/A
Article 34, Temporary use of land for carrying out the authorised development	A new paragraph (7) has been inserted.	Under paragraph (7) any dispute as to the satisfactory removal of temporary works and restoration of the land under Article 34 paragraph (4) does not prevent National Highways from giving up possession of the land. This provision is considered to be reasonable as it clarifies that National Highways is able to give up possession of the land, and bring to an end any obligations associated with that possession, without affecting any duty on National Highways to undertake restorative work on land in the event that a	A1 Birtley to Coal House Development Consent Order 2021 (S.I.2021/74)	The numbering of paragraphs in this Article has been reformatted.

Article/Schedule	Change	Reason for change	Precedent used	Consequential changes
		dispute under paragraph (4) is resolved in a landowner's favour.		
Article 37, Apparatus and rights of statutory undertakers in stopped up streets	Definitions under paragraph (8) have been updated.	To remove those already included in Article 2 and for better grammatical sense.	N/A	N/A
Article 38, Recovery of costs of new connections	Definitions under paragraph (3) have been updated.	To remove those already included in Article 2.	N/A	N/A
Article 39, Felling or lopping of trees and removal of hedgerows	Definitions previously under paragraph (7) have been moved to Article 2 and updated.	In response to Question 1.6.4 of The Examining Authority's written questions and requests for information (ExQ1) ( <b>PD-008</b> ) and for ease of reference.	N/A	N/A
Article 53, Removal of Human Remains	A new Article has been inserted.	In response to points raised by the ExA at ISH1.	A303 Sparkford to Ilchester Development Consent Order (SI 2021/125)  Paragraph 12 has precedent in Crossrail Act 2008 and the A303 Stonehenge Order (subsequently quashed).	N/A
Schedule 1, Works Description	References to Article 2, 5, and 6 have been inserted at the start of this Schedule.	In response to Question 1.6.30 of The Examining Authority's written questions and requests for information (ExQ1) ( <b>PD-008</b> ).	N/A	N/A



Article/Schedule	Change	Reason for change	Precedent used	Consequential changes
Schedule 1, Works Description	The description of Work No.s 17, 24, 28, 30, and 40 have been updated.	To correct typographical errors and insert the correct references to sheets, made as a result of a review for sense and also in response to Questions 1.6.32, 1.6.33, and 1.6.36 of The Examining Authority's written questions and requests for information (ExQ1) ( <b>PD-008</b> ).	N/A	N/A
Schedule 1, Works Description	The description of Work No. 32 has been updated.	In response to points raised by the ExA at ISH1 and in response to Question 1.6.34 of The Examining Authority's written questions and requests for information (ExQ1) ( <b>PD-008</b> ).	N/A	N/A
Schedule 1, Works Description	A list of associated and compensatory works (associated development) has been inserted at the end of the Schedule.	In response to points raised by the ExA at ISH1 and in response to Question 1.6.31 of The Examining Authority's written questions and requests for information (ExQ1) ( <b>PD-008</b> ).	N/A	N/A
Schedule 2, Requirements, Part 1, Interpretation	The definition of "the masterplan" has been updated.	To clarify that the masterplan is to be certified by the Secretary of State and that it is to be included in Schedule 10 (documents to be certified).	N/A	N/A
Schedule 2, Requirement 4, Part 1, Environmental Management Plan	The wording in paragraphs (1), (2), and (4) has been updated.	In response to points raised by the ExA at ISH1	N/A	N/A
Schedule 2, Requirement 5, Part 1, Landscaping	The wording in paragraph (4) has been updated and new paragraph (5) has been inserted.	In response to Question 1.6.43 of The Examining Authority's written questions and requests for information (ExQ1) ( <b>PD-008</b> ).	N/A	N/A

Article/Schedule	Change	Reason for change	Precedent used	Consequential changes
Schedule 2, Requirement 6, Part 1, Contaminated land and groundwater	The wording in paragraph (2) has been updated and new paragraph (3) has been inserted.	In response to Question 1.6.44 of The Examining Authority's written questions and requests for information (ExQ1) ( <b>PD-008</b> ).	N/A	N/A
Schedule 2, Requirement 7, Part 1, Protected Species	The wording in paragraph (1) has been updated.	In response to Question 1.6.45 of The Examining Authority's written questions and requests for information (ExQ1) ( <b>PD-008</b> ).	N/A	N/A
Schedule 2, Requirement 8, Part 1, Surface and foul water drainage	This Requirement has been updated to include reference to the lead local flood authority.	In response to Question 1.6.46 of The Examining Authority's written questions and requests for information (ExQ1) ( <b>PD-008</b> ).	N/A	N/A
Schedule 2, Requirement 9, Part 1, Archaeological remains	The wording in paragraph (1) has been updated and new paragraphs (3), (4), (5), and (6) have been inserted.	In response to points raised by the ExA at ISH1.	A1 Birtley to Coal House Development Consent Order 2021 (S.I. 2021/74)  <b>and</b>  M54 to M6 Link Project	N/A
Schedule 2, Requirements, Part 1, Traffic management	The wording in paragraph (1) has been updated	To specify the local highway authority as a relevant consultee.	N/A	N/A
Schedule 3, Classification of roads, etc	The wording in the heading of the Schedule has been updated.	To correct a typographical error.	N/A	N/A

Article/Schedule	Change	Reason for change	Precedent used	Consequential changes
Schedule 3, Classification of roads, etc, Part 1, Trunk Roads	The wording in the headings of the table has been updated.	To correct typographical errors.	N/A	N/A
Schedule 3, Classification of roads, etc, Part 8, Traffic Regulation Measures (Clearways and Prohibitions)	A table entry has been updated.	To correct a typographical error and in response to Question 1.6.51 of The Examining Authority's written questions and requests for information (ExQ1) ( <b>PD-008</b> ).	N/A	N/A
Schedule 5, Land in which only new rights etc. may be acquired	The wording in the headings of the table has been updated.	To correct a typographical error and in response to Question 1.6.53 of The Examining Authority's written questions and requests for information (ExQ1) ( <b>PD-008</b> ).	N/A	N/A
Schedule 5, Land in which only new rights etc. may be acquired, Plot reference 4/7b	The list of apparatus has been updated.	In response to Question 1.6.35(b) of The Examining Authority's written questions and requests for information (ExQ1) ( <b>PD-008</b> ).	N/A	N/A
Schedule 7, Land of which temporary possession may be taken	The wording in the headings of the table has been updated.	In response to Question 1.6.53 of The Examining Authority's written questions and requests for information (ExQ1) ( <b>PD-008</b> ).	N/A	N/A
Schedule 10, Documents to be Certified, Part 1, Environmental Statement	<p>The table has been split into two parts. Part 1 is a new addition that lists the latest versions of all documents comprised in the Environmental Statement with document references and revision numbers.</p> <p>Part 2 lists the remaining documents to be certified with document references and revision numbers updated.</p>	For better clarity and sight of the documents incorporated in the Environmental Statement that are to be certified under Schedule 10.	N/A	Part 2, Other Documents, has been updated.