

BT-NG-020621-545-0217

# Bramford to Twinstead Reinforcement

## Volume 8: Examination Submissions

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

Final Issue F  
February 2024

Planning Inspectorate Reference: EN020002

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

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## Version History

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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).
1 December 2023	D	Final	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.
20 December 2023	E	Final	Submitted at Examination Deadline 6 to take account of changes made in response to host local authority submissions at Deadline 5 and ongoing engagement through highways thematic meetings.
9 February 2024	F	Final	Submitted at Examination Deadline 8 to take account of changes made primarily in response to the Examining Authority's recommended amendments to the Applicant's draft Development Consent Order (draft DCO) submitted at Examination Deadline 6 <b>[REP6-003]</b> .

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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 (G)**) (clean); and
  - (b) A tracked version of the draft DCO showing all changes as between Revision E (**Document 3.1 (F)**) [REP6-003] and the new Revision G (**Document 3.1 (G)**).
- 1.1.4 This document is a 'live' document and will be further updated (on a consolidated basis) by the Applicant at Deadline 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.

## 1.6 Overview of changes made at Deadline 6 (20 December 2023)

- 1.6.1 Revision F of the draft DCO (**Document 3.1 (F)**) is submitted at Deadline 6.
- 1.6.2 Table 6.1 lists the changes made by the Applicant within Revision F of the draft DCO.
- 1.6.3 The changes made for the purpose of Deadline 6 fall into the following category:
  - (a) Amendments made in response to host local authority submissions at Deadline 4 and matters arising from ongoing highways thematic meetings.

## 1.7 Overview of changes made at Deadline 8 (9 February 2024)

- 1.7.1 Revision G of the draft DCO (**Document 3.1 (G)**) is submitted at Deadline 8.
- 1.7.2 Table 7.1 lists the changes made by the Applicant within Revision G of the draft DCO.
- 1.7.3 The changes made for the purpose of Deadline 7 fall into the following categories:
  - (a) Amendments made in response to the Examining Authority's recommended amendments to the Applicant's draft Development Consent Order (draft DCO) submitted at Examination Deadline 6 [**REP6-003**];
  - (b) Amendments made to Schedules 5, 6, 8 and 12 to address matters raised in Suffolk County Council's Response to the Action Points arising from ISH5 and ISH6 [**REP7-032**]; and
  - (c) Amendments made to the Protective Provisions included at Schedule 14 for the benefit of Network Rail Infrastructure 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>	<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.</p>	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>	<p>(5) <del>If</del> <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.</p>	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 deemed to have been given.</p>	<p>(9) <del>If</del> <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.</p>	B



Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
		The rationale for this change is set out above in response to Change Ref. 1.		
4.	Article 16, Access to Works	<p>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.</p> <p>The rationale for this change is set out above in response to Change Ref. 1.</p>	<p>(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.</p>	B
5.	Article 19, Discharge of Water	<p>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.</p> <p>The rationale for this change is set out above in response to Change Ref. 1.</p>	<p>(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.</p>	B
6.	Article 21, Authority to survey and investigate the land	<p>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.</p> <p>The rationale for this change is set out above in response to Change Ref. 1.</p>	<p>(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—</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>	B

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
7.	Article 41, Crown rights	Sub-paragraphs (a), (b) and (c) of Article 41(1) have been amended to refer to 'His Majesty in right of the Crown'. This change takes account of the Accession of His Majesty, King Charles III in September 2022.	<p><del>41.—(1)</del> 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> <p>(a) belonging to <del>Her</del><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;</p> <p>(b) belonging to <del>Her</del><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</p> <p>(c) belonging to a government department or held in trust for <del>Her</del><ins>His</ins> Majesty for the purposes of a government department, without the consent in writing of that government department.</p>	B
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><del>42.—(1)</del> So much of the special category land that is required for the purposes of the exercising by the undertaker of the Order rights <del>must</del><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>(i) 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 <del>approved under Schedule 3 (Requirements)</del> 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 <del>approved under Schedule 3 (Requirements)</del>.</p>	B
10.	Article 47, Traffic regulation	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	<p>(8) <del>If</del><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>determine an application for consent made 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) <del>Unless otherwise agreed, if</del> 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

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO								
14.	Schedule Requirements (Requirement 4)	<p>3, Minor amendments have been made to 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. <del>(1)</del> 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>	B								
15.	Schedule Discharge Requirements (Paragraph 3(2))	<p>4, Paragraph 3(2) (which provided for the return of fees of 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><del>(2) Any fee paid under this Schedule must be refunded to the undertaker within 35 days of—</del></p> <p><del>(a) the application being rejected as invalidly made; or</del></p> <p><del>(b) the relevant planning authority failing to determine the application within 28 days from the date on which it is received,</del></p> <p><del>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.</del></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>	<table border="1"> <tbody> <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> </tbody> </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	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									

Ref.	dDCO Ref.	Rationale for the Change	Change Made				Version of dDCO
		<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>	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 <del>SD-HSMD-H-2</del> as shown on Sheets 22, 23, 25, 28, 29 and Plan B	
			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 <del>SM-HSMD-H-10</del> 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 correspond with changes made by the Applicant at Deadline 1 to the Land Plans ( <b>Document 2.3(B)</b> ) [REP1-004] and to the Book of Reference ( <b>Document 4.3(B)</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, <del>3-108</del> , 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, <del>14-08</del>	Temporary use for construction, mitigation, maintenance, and dismantling of redundant infrastructure	Work No. 3 and Work No. 8	14-06 – planting <del>14-08 – planting</del>	
			14-17, <del>14-18</del> , 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	<del>14-18 – planting</del> 14-24 – planting 14-31 – removal of pylon foundations only to a depth of 1.5m	
			<del>17-70</del>	Temporary use for access	Work No. 4 and Work No. 8		
			27-09, <del>27-10</del> , <del>27-12</del> , <del>7-30</del> <del>27-30</del> , 27-31, 27-33, 27-36, 27-38,	Temporary use for construction, mitigation, maintenance, and	Work No. 5 and Work No. 7		

Ref.	dDCO Ref.	Rationale for the Change	Change Made		Version of dDCO
			27-46, 27-47, 27-48, 27-56	dismantling of redundant infrastructure	
18.	Schedule 11, Extinguishment of private rights and restrictive covenants etc.	<p>Minor updates made to Schedule 11.</p> <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 (<b>Document 2.3(B)</b>) [REP1-004] and the Book of Reference (<b>Document 4.3(B)</b>) [REP1-005] submitted at Deadline 1).</p> <p>The inclusion of Plot 14-08 corrects a minor typographical error.</p>	District of Babergh	3-15, 3-19, 3-27, 3-55, 3-57, 3-60, 3-64, 3-69, <a href="#">3-108</a> , 3-109, 3-115	B
			District of Babergh	14-06, <a href="#">14-08</a> , 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).	<a href="#">“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);</a>	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.	<p><a href="#">“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);</a></p> <p><a href="#">“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);</a></p>	C
3.	Article Interpretation	2, Document reference numbers in respect of the Book of Reference ( <b>Document 4.3 (C)</b> ), the Construction Environmental Management Plan ( <b>Document 7.5 (B)</b> ), the Construction Traffic Management Plan ( <b>Document 7.6 (B)</b> ), the Landscape and Ecological Management Plan ( <b>Document 7.8 (B)</b> ), and the Materials and Waste Management Plan ( <b>Document 7.7 (B)</b> ) have been updated in order to correlate with submissions made at Deadline 3.	<p><a href="#">“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;</a></p> <p><a href="#">“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);</a></p> <p><a href="#">“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);</a></p>	C

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
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A consequential amendment has been made to Schedule 17 (Certified documents) (to which see Change Ref. 10 below).

“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);

“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);

4. Article 15, Article 15(6) has been amended to refer to Temporary stopping up of streets and public rights of way of *‘...temporarily stopped up street or public right of way...’* (as opposed to *‘...temporarily closed street or public right of way...’*).  
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.

(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~~ stopped up 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).

C

5. Schedule 2, Part 2 (Land Plans) Revision information in respect of the Land Plans (**Document 2.3 (B)**) has been updated to reflect submissions made at Deadline 1 [REP1-004].  
A consequential amendment has been made to Schedule 17 (Certified documents) (to which see Change Ref. 10 below).

PART 2  
LAND PLANS

C

Drawing Title	Drawing Number	Revision
Key Plan for Land Plans	BT-NG-020621-545-0007	<del>A</del> B
Land Plans – Sheet 1 of 30	BT-NG-020621-545-0007	<del>A</del> B
Land Plans – Sheet 2 of 30	BT-NG-020621-545-0007	<del>A</del> B
Land Plans – Sheet 3 of 30	BT-NG-020621-545-0007	<del>A</del> B

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 (**Document 8.5.8**) published at Deadline 3.  
Compliance with the Public Rights of Way Management Plan is secured through Requirement 4.  
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

Management Plans

C

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.

- (2) The plans referred to in sub-paragraph (1) above comprise the following—
- (a) Construction Environmental Management Plan (CEMP);
  - (b) Materials and Waste Management Plan (MWMP);
  - (c) Construction Traffic Management Plan (CTMP); **and**
  - (d) Landscape and Ecological Management Plan (LEMP); **and**
  - (e) [Public Rights of Way Management Plan \(PRoWMP\)](#).



Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
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		Council and Babergh and Mid Suffolk District Councils [REP1-045].		
7.	Schedule 3, Requirements (Requirement 10)	<p>The title of Requirement 10 has been amended: '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><del>Implementation and maintenance of reinstatement</del> <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 are shown in the tracked version of the draft DCO (document 3.1 (C)) submitted at Deadline 3).</p>	<p><b>SCHEDULE 5</b></p> <p><b>STREETS SUBJECT TO STREET WORKS</b></p>	Article 11	C																																	
<table border="1"> <thead> <tr> <th>(1) Authority</th> <th>(2) Streets subject to works</th> <th>(3) Plan Reference</th> </tr> </thead> <tbody> <tr> <td>Suffolk County Council</td> <td>Bullen Lane</td> <td>Sheet 1 of the Access, Rights of Way and Public Rights of Navigation Plans</td> </tr> <tr> <td>Suffolk County Council</td> <td><del>Church</del>Burstall Hill</td> <td>Sheets 1 and 2 of the Access, Rights of Way and Public Rights of Navigation Plans</td> </tr> <tr> <td>Suffolk County Council</td> <td><del>Burstall</del>Church Hill</td> <td>Sheet 2 of the Access, Rights of Way and Public Rights of Navigation Plans</td> </tr> <tr> <td>Suffolk County Council</td> <td>A1071 (<del>Ipswich</del>Back Road)</td> <td>Sheets 3 and 6 of the Access, Rights of Way and Public Rights of Navigation Plans</td> </tr> <tr> <td>Suffolk County Council</td> <td>A1071 (<del>Thorpes Hill</del>Hadleigh Road)</td> <td>Sheet 4 of the Access, Rights of Way and Public Rights of Navigation Plans</td> </tr> <tr> <td>Suffolk County Council</td> <td><del>Pigeon's Lane</del>Washbrook Road</td> <td>Sheet 4 of the Access, Rights of Way and Public Rights of Navigation Plans</td> </tr> <tr> <td>Suffolk County Council</td> <td>Lower Barn Road</td> <td>Sheet 5 of the Access, Rights of Way and Public Rights of Navigation Plans</td> </tr> <tr> <td>Suffolk County Council</td> <td>Chattisham Lane</td> <td>Sheet 5 of the Access, Rights of Way and Public Rights of Navigation Plans</td> </tr> <tr> <td><a href="#">Suffolk County Council</a></td> <td><a href="#">Mill Lane</a></td> <td><a href="#">Sheet 5 of the Access, Rights of Way and Public Rights of Navigation Plans</a></td> </tr> <tr> <td><a href="#">Suffolk County Council</a></td> <td><a href="#">A1071 (Ipswich Road)</a></td> <td><a href="#">Sheet 6 of the Access, Rights of Way and Public Rights of Navigation Plans</a></td> </tr> </tbody> </table>						(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	<del>Church</del> Burstall Hill	Sheets 1 and 2 of the Access, Rights of Way and Public Rights of Navigation Plans	Suffolk County Council	<del>Burstall</del> Church Hill	Sheet 2 of the Access, Rights of Way and Public Rights of Navigation Plans	Suffolk County Council	A1071 ( <del>Ipswich</del> Back Road)	Sheets 3 and 6 of the Access, Rights of Way and Public Rights of Navigation Plans	Suffolk County Council	A1071 ( <del>Thorpes Hill</del> Hadleigh Road)	Sheet 4 of the Access, Rights of Way and Public Rights of Navigation Plans	Suffolk County Council	<del>Pigeon's Lane</del> Washbrook Road	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	<a href="#">Suffolk County Council</a>	<a href="#">Mill Lane</a>	<a href="#">Sheet 5 of the Access, Rights of Way and Public Rights of Navigation Plans</a>	<a href="#">Suffolk County Council</a>	<a href="#">A1071 (Ipswich Road)</a>	<a href="#">Sheet 6 of the Access, Rights of Way and Public Rights of Navigation Plans</a>
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## PART 2

## STREETS SUBJECT TO TEMPORARY ALTERATION OF LAYOUT

## SUFFOLK COUNTY COUNCIL

<i>(1)</i> <i>Street Subject to alteration of layout</i>	<i>(2)</i> <i>Description of alteration of layout as shown on the Access, Rights of Way and Public Rights of Navigation Plans</i>
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, <del>white lining</del> <u>road markings</u> , kerbing and a suitable drainage system, where required.
<del>Church</del> <u>Burstable</u> Hill	At access points AB-AP2A, <del>AB-AP3, AB-AP4, AB-AP5, four</del> <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, <del>white lining</del> <u>road markings</u> , kerbing and a suitable drainage system, where required.
<del>Burstable</del> <u>Church</u> Hill	At access point <del>AB-AP2B-a</del> <u>AB-AP3, AB-AP4, AB-AP5, three</u> temporary <del>bellmouth</del> <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, <del>white lining</del> <u>road markings</u> , kerbing and a suitable drainage system, where required.
A1071 ( <del>Ipswich</del> <u>Back</u> Road)	At access points AB-AP6, AB-AP7, AB-AP8, AB-EAP1, <u>and</u> AB-EAP2a, <del>AB-EAP2b, six</del> <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, <del>white lining</del> <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

<i>(1)</i> Area	<i>(2)</i> Street or public right of way to be temporarily stopped up	<i>(3)</i> Extent of temporary stopping up as shown on the Access, Rights of Way and Public Rights of Navigation Plans	<i>(4)</i> Temporary diversion Route as shown on the Access, Rights of Way and Public Rights of Navigation Plans
Suffolk County Council	W-155/001/0 <a href="#">(Bramford footpath 001)</a>	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 <a href="#">(Burstall footpath 010)</a>	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 <a href="#">(Burstall footpath 011)</a>	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, <a href="#">Ipswich Road</a> 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
<del>Church</del> <u>Burstable</u> Hill	Access AB-AP2A, <del>Access AB-AP3, Access AB-AP4, Access AB-AP5</del>	Sheets 1 and 2 of the Access, Rights of Way and Public Rights of Navigation Plans
<u>Burstable</u> <del>Church</del> Hill	Access <del>AB-AP2B</del> <u>AB-AP3</u> , Access <del>AB-AP4</del> , Access <del>AB-AP5</del>	Sheet 2 of the Access, Rights of Way and Public Rights of Navigation Plans
A1071 ( <del>Ipswich</del> <u>Back</u> Road)	Access AB-AP6, Access AB-AP7, Access AB-AP8, Access AB-EAP1, Access AB-EAP2a, <del>Access AB-EAP2b</del>	Sheets 3 and 6 of the Access, Rights of Way and Public Rights of Navigation Plans
A1071 ( <del>Thorpes Hill</del> <u>Hadleigh</u> Road)	Access AB-DAP1	Sheet 4 of the Access, Rights of Way and Public Rights of Navigation Plans
<del>Pigeon's Lane</del> <u>Washbrook</u> 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
<del>Chattisham</del> <u>Mill</u> Lane	Access AB-DAP5	Sheet 5 of the Access, Rights of Way and Public Rights of Navigation Plans
<u>A1071 (Ipswich Road)</u>	<u>Access AB-EAP-2b</u>	<u>Sheet 6 of the Access, Rights of Way and Public Rights of Navigation Plans</u>

## SCHEDULE 12

Article 47

## TRAFFIC REGULATION ORDERS

## PART 1

## TEMPORARY RESTRICTION OF WAITING AND RESTRICTION OF SPEED

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

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO																												
9.	Schedule 6, Streets subject to alteration of layout	<p>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’.</p> <p>This change responds to comments raised in the Local Impact Report submitted by Suffolk County 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 (<b>document 3.1 (C)</b>) submitted at Deadline 3).</p>	<p><b>SUFFOLK COUNTY COUNCIL</b></p> <table border="1"> <thead> <tr> <th>(1) <i>Street Subject to alteration of layout</i></th> <th>(2) <i>Description of alteration of layout as shown on the Access, Rights of Way and Public Rights of Navigation Plans</i></th> </tr> </thead> <tbody> <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, <u>white lining road markings</u>, kerbing and a suitable drainage system, where required.</td> </tr> <tr> <td>B1068 (Stoke Road)</td> <td>At access point F-AP4 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, <u>white lining road markings</u>, kerbing and a suitable drainage system, where required.</td> </tr> </tbody> </table>	(1) <i>Street Subject to alteration of layout</i>	(2) <i>Description of alteration of layout as shown on the Access, Rights of Way and Public Rights of Navigation Plans</i>	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, <u>white lining road markings</u> , kerbing and a suitable drainage system, where required.	B1068 (Stoke Road)	At access point F-AP4 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, <u>white lining road markings</u> , kerbing and a suitable drainage system, where required.																							
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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, <u>white lining road markings</u> , kerbing and a suitable drainage system, where required.																															
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10.	Schedule Certified documents	<p>17, Document reference numbers in respect of the Land Plans (<b>Document 2.3 (B)</b>), the Book of Reference (<b>Document 4.3 (C)</b>), the Construction Environmental Management Plan (<b>Document 7.5 (B)</b>), the Construction Traffic Management Plan (<b>Document 7.6 (B)</b>), the Landscape and Ecological Management Plan (<b>Document 7.8 (B)</b>), and the Materials and Waste Management Plan (<b>Document 7.7 (B)</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 border="1"> <thead> <tr> <th>(1) Document Title</th> <th>(2) Document Reference</th> </tr> </thead> <tbody> <tr> <td>Access, Rights of Way and Public Rights of Navigation Plans</td> <td>2.7</td> </tr> <tr> <td>Land Plans</td> <td><u>2.3 (B)</u></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><u>4.3 (C)</u></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><u>7.5 (B)</u></td> </tr> <tr> <td>Construction Traffic Management Plan</td> <td><u>7.6 (B)</u></td> </tr> <tr> <td>Materials and Waste Management Plan</td> <td><u>7.7 (B)</u></td> </tr> <tr> <td>Landscape and Environmental Management Plan</td> <td><u>7.8 (B)</u></td> </tr> <tr> <td>Public Rights of Way Management Plan</td> <td><u>8.5.8</u></td> </tr> </tbody> </table>	(1) Document Title	(2) Document Reference	Access, Rights of Way and Public Rights of Navigation Plans	2.7	Land Plans	<u>2.3 (B)</u>	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	<u>4.3 (C)</u>	Environmental Statement (together with any supplemental or additional environmental information)	6.1 to 6.4 (inclusive)	Construction Environmental Management Plan	<u>7.5 (B)</u>	Construction Traffic Management Plan	<u>7.6 (B)</u>	Materials and Waste Management Plan	<u>7.7 (B)</u>	Landscape and Environmental Management Plan	<u>7.8 (B)</u>	Public Rights of Way Management Plan	<u>8.5.8</u>	C
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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 border="1"> <tbody> <tr> <td>Public Rights of Way Management Plan</td> <td><u>8.5.8</u></td> </tr> </tbody> </table>	Public Rights of Way Management Plan	<u>8.5.8</u>	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 (<b>Document 8.6.5</b>) 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 <del>made</del><u>received</u>, that authority will, <del>unless otherwise agreed,</del> 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 (<b>Document 8.6.5</b>) 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) <del>Unless otherwise agreed, if</del><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 <del>made</del><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 (<b>Document 8.6.5</b>) submitted at Deadline 4.</p>	<p>(9) <del>Unless otherwise agreed, if</del><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 <del>made</del><u>received</u>, it is deemed to have granted consent.</p>	D

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
		(This change supersedes the change made to this 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) <del>Unless otherwise agreed, if</del> 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 <u>(or such other period as agreed by the relevant planning authority and the undertaker)</u> beginning with the date on which the application was <del>made</del><u>received</u>, 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) <del>Unless otherwise agreed, if</del> 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 <u>(or such other period as agreed by the person receiving the application and the undertaker)</u> 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) <del>Unless otherwise agreed, if</del> a highway authority or street authority which receives an application for consent fails to notify the undertaker of its decision within 28 days <u>(or such other period as agreed by the highway authority or the street authority and the undertaker)</u> 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



Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
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>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) <del>Unless otherwise agreed, if</del> the traffic authority fails to notify the undertaker of its decision within 28 days <del>(or such other period as agreed by the traffic authority and the undertaker)</del> of receiving an application for consent under paragraph (2) the traffic authority is deemed to have granted consent.</p>	D
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) <del>Unless otherwise agreed, if</del> the relevant highway authority fails to notify the undertaker of its decision within 28 days <del>(or such other period as agreed by the relevant highway authority and the undertaker)</del> 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 “does not” in place of “is unlikely to”.</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 <del>is unlikely to</del> will not give rise to any materially new or materially different environmental effects from those assessed in the Environmental Statement.</p>	D

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
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: DC1.6.79 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).</p>	<p>(3) Written notice of the commencement and completion of construction <del>for of</del> each stage of the authorised development, and the operational use of <del>that part</del> each stage of the authorised development, must be given to the relevant planning authority within 10 business days of the relevant event occurring.</p>	D
11.	Schedule 3, Requirements (Requirement 5)	<p>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).</p> <p>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].</p> <p>Reference is also made to the Applicant's Comments on Responses to First Written Questions (Document 8.6.4).</p>	<p><i>Approval and implementation of Drainage Management Plan</i></p> <p>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 <del>planning</del> highway authority.</p> <p>(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 <del>planning</del> highway authority.</p>	D
12.	Schedule 3, Requirements (Requirement 6)	<p>Correction of a minor typographical error in sub-paragraph (2) of Requirement 6 (Archaeology).</p> <p>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).</p>	<p>(2) No stage of the authorised development <del>must</del> 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.</p>	D
13.	Schedule 3, Requirements (Requirement 11)	<p>A new sub-paragraph (3) has been included in Requirement 11 (Highway works).</p> <p>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</p>	<p><u>(3) 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>	D

Ref.	dDCO Ref.	Rationale for the Change	Change Made		Version of dDCO		
		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) 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 <del>113</del> 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 <del>113</del> 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
1.	Article Interpretation	<p>2, 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>	E
2.	Article Certification of documents	<p>57, 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><b>Certification of documents</b></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 <del>documents and plans</del> <u>and documents</u> identified in Schedule 17 (Certified Documents) of this Order for certification <del>that they are</del> <u>as</u> true copies of <del>the</del><u>those</u> <del>plans and documents</del> 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 <del>set out</del><u>identified</u> in Schedule 17 <del>(Certified Documents) requires</del> <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>	E

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
3.	Schedule 3, Requirements (Requirement 7)	<p>A new sub-paragraph (2) has been included in Requirement 7 (Construction hours).</p> <p>Sub-paragraph (2) provides that no percussive piling operations are permitted to take place on Sundays and Bank Holidays.</p> <p>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.</p> <p>Reference is also made in this context to the Applicant's Comments on Other Submissions Received at Deadline 4 (<b>Document 8.7.3</b>).</p>	<p style="text-align: center;"><i>Construction hours</i></p> <p>7.—<del>(1)</del> Subject to sub-paragraphs (2) <del>and to (3-4)</del>, 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) <del>(4)</del></u> The following operations may take place outside the core working hours referred to in sub-paragraph (1)—</p>	E
4.	Schedule 3, Requirements (Requirement 11)	<p>A new sub-paragraph (3) has been included in Requirement 11 (Highway works).</p> <p>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.</p> <p>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.</p>	<p style="text-align: center;"><i>Highway works</i></p> <p>11.—<del>(1)</del> 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) <del>(2)</del></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.</p>	E

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO								
5.	Schedule 14, Protective Provisions (Part 5)	<p>A new Part 5 of Schedule 14 includes Protective Provisions for the protection of Cadent Gas Limited as gas undertaker.</p> <p>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].</p> <p>Reference is made in this context to the Applicant's Protective Provisions and Commercial Side Agreements Tracking List (<b>Document 8.7.8</b>).</p>	<p style="text-align: center;"><u><a href="#">PART 5</a></u></p> <p style="text-align: center;"><u><a href="#">FOR THE PROTECTION OF CADENT GAS LIMITED AS GAS UNDERTAKER</a></u></p> <p><u><a href="#">Application</a></u></p> <p><u><a href="#">49. For the protection of Cadent the following provisions will, unless otherwise agreed in writing between the undertaker and Cadent, have effect.</a></u></p> <p><u><a href="#">Interpretation</a></u></p> <p><u><a href="#">50. In this Part of this Schedule—</a></u></p>	E								
6.	Schedule Certified Documents	<p>17, 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>This is a consequential amendment which relates to Change Ref. 1 above.</p>	<table border="1"> <tbody> <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> </tbody> </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	E
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Public Rights of Way Management Plan	8.5.8											

# 6. Schedule of Changes at Deadline 6 (20 December 2023)

Table 6.1 – Schedule of Changes to Version E of the draft DCO [REP5-005]

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO						
1.	Schedule Requirements (Requirement 9)	<p>3, A new sub-paragraph (2) has been included in Requirement 9 (Reinstatement planting plan) in order to make clear that any reinstatement planting plan submitted under sub-paragraph (1) must, where relevant to that stage, include a landscape plan showing landscape mounding, planting and proposed finishes for hard landscape features in respect of each cable sealing compound.</p> <p>This change responds directly to feedback received from the host authorities at Deadline 5 [REP5-035] in respect of the Landscape and Ecological Management Plan [REP3-034].</p>	<p><i>Reinstatement planting plan</i></p> <p>9. —(1) Unless otherwise agreed with the relevant planning authority, no stage of the authorised development may be brought into operational use until, for that stage, a reinstatement planting plan for trees, groups of trees, woodlands and hedgerows to be reinstated during that stage has been submitted to and approved by the relevant planning authority.</p> <p><u>(2) Unless otherwise agreed with the relevant planning authority, the reinstatement planting plan submitted under sub-paragraph (1) must include a landscape plan for each cable sealing end compound where relevant to that stage, which will show landscape mounds, planting and proposed finishes for hard landscape features.</u></p> <p><u>(3) (4)</u>—The reinstatement planting plan submitted under <del>sub-paragraph</del> <u>sub-paragraphs (1) and (2)</u> must include a schedule of trees, hedgerows or other plants or seedlings to be planted, noting numbers, species, sizes and planting density of any proposed planting or seedlings.</p> <p><u>(4) (2)</u>—The reinstatement planting plan submitted under <del>sub-paragraph</del> <u>sub-paragraphs (1) and (2)</u> must be in general accordance with the LEMP.</p>	F						
2.	Schedules 6 and 8	<p>Further minor amendments have been made to Schedule 6, Part 2 (Streets subject to alteration of layout) and to Schedule 8 (Access to works).</p> <p>These minor amendments respond to points of clarification raised by Suffolk County Council as part of ongoing highways thematic meetings.</p>	<table border="1"> <tr> <td>Pond Hall Road</td> <td> <p><del>suitable drainage system, where required.</del></p> <p>At access points AB-DAP8, AB-AP9, AB-AP11, AB-AP12, AB-AP13, <u>AB-AP14</u>, AB-AP17, <del>six</del><u>seven</u> temporary bellmouths will be created (as shown on Sheets 7 to 9) to enable access/egress with sufficient size to accommodate a HGV vehicle. Comprising the installation of a new road surface, road markings, kerbing and a suitable drainage system, where required.</p> </td> </tr> <tr> <td>Pond Hall Road</td> <td> <p>Access AB-DAP8, Access AB-AP9, Access AB-AP11, Access AB-AP12, Access AB-AP13, Access <u>AB-AP14</u>, Access AB-AP17</p> </td> </tr> </table> <table border="1"> <tr> <td></td> <td> <p>Sheets 7 to 9 (inclusive) of the Access, Rights of Way and Public Rights of Navigation Plans</p> </td> </tr> </table>	Pond Hall Road	<p><del>suitable drainage system, where required.</del></p> <p>At access points AB-DAP8, AB-AP9, AB-AP11, AB-AP12, AB-AP13, <u>AB-AP14</u>, AB-AP17, <del>six</del><u>seven</u> temporary bellmouths will be created (as shown on Sheets 7 to 9) to enable access/egress with sufficient size to accommodate a HGV vehicle. Comprising the installation of a new road surface, road markings, kerbing and a suitable drainage system, where required.</p>	Pond Hall Road	<p>Access AB-DAP8, Access AB-AP9, Access AB-AP11, Access AB-AP12, Access AB-AP13, Access <u>AB-AP14</u>, Access AB-AP17</p>		<p>Sheets 7 to 9 (inclusive) of the Access, Rights of Way and Public Rights of Navigation Plans</p>	F
Pond Hall Road	<p><del>suitable drainage system, where required.</del></p> <p>At access points AB-DAP8, AB-AP9, AB-AP11, AB-AP12, AB-AP13, <u>AB-AP14</u>, AB-AP17, <del>six</del><u>seven</u> temporary bellmouths will be created (as shown on Sheets 7 to 9) to enable access/egress with sufficient size to accommodate a HGV vehicle. Comprising the installation of a new road surface, road markings, kerbing and a suitable drainage system, where required.</p>									
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Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO																																
3.	Article 2(1) and Schedule 17 (Certified Documents)	Document reference numbers in respect of the Book of Reference ( <b>Document 4.3 (E)</b> ), the Construction Environmental Management Plan ( <b>Document 7.5 (C)</b> ) and the Construction Traffic Management Plan ( <b>Document 7.6 (C)</b> ) have been updated in order to correlate with submissions made at Deadline 6.	<table border="1"> <thead> <tr> <th>(1) Document Title</th> <th>(2) Document Reference</th> </tr> </thead> <tbody> <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 (<del>E</del>)</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 (<del>B</del>C)</td> </tr> <tr> <td>Construction Traffic Management Plan</td> <td>7.6 (<del>B</del>C)</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>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> </tbody> </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 ( <del>E</del> )	Environmental Statement (together with any supplemental or additional environmental information)	6.1 to 6.4 (inclusive)	Construction Environmental Management Plan	7.5 ( <del>B</del> C)	Construction Traffic Management Plan	7.6 ( <del>B</del> C)	Materials and Waste Management Plan	7.7 (B)	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	F
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Construction Traffic Management Plan	7.6 ( <del>B</del> C)																																			
Materials and Waste Management Plan	7.7 (B)																																			
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																																			



## 7. Schedule of Changes at Deadline 8 (9 February 2024)

Table 7.1 – Schedule of Changes to Version F of the draft DCO [REP6-003]

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
1.	Article Interpretation	2, A new definition of ‘Bank Holiday’ has been included in Article 2(1).  The purpose and effect of this amendment is explained in Table 2.7 of the Applicant’s Response to the Schedule of the Examining Authority’s recommended amendments to the Applicant’s Draft DCO [REP6-003] ( <b>Document 8.10.2</b> ).	<u><a href="#">"Bank Holiday" means a bank holiday in England and Wales under section 1 of the Banking and Financial Dealings Act 1971(1);</a></u>	G
2.	Article Interpretation	2, Document reference numbers in respect of the Construction Environmental Management Plan (and its appendices) ( <b>Documents 7.5 (D), 7.5.1 (C) and 7.5.2 (E)</b> ), the Construction Traffic Management Plan ( <b>Document 7.6 (D)</b> ), the Landscape and Ecological Management Plan (and its appendices) ( <b>Document 7.8 (C), 7.8.1 (B), 7.8.2 (C), 7.8.3 (B)</b> ), and the Public Rights of Way Management Plan ( <b>Document 8.5.8 (B)</b> ) have been updated in order to correlate with submissions made at Deadline 8, and to address matters raised in the Schedule of the Examining Authority’s recommended amendments to the Applicant’s Draft DCO [REP6-003].	<p>“Construction Environmental Management Plan” means the document of that description (together with its appendices) (<del>Document</del><u>Documents 7.5 (D), 7.5.1 (C) and 7.5.2 (E)</u>) 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 (together with its appendices) (Document 7.6 (<del>C</del><u>D</u>)) 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) (<del>Document</del><u>Documents 7.8 (C), 7.8.1 (B), 7.8.2 (C) and 7.8.3 (B)</u>) 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>“Public Rights of Way Management Plan” means the document of that description (together with its appendices) (Document 8.5.8 (<del>B</del><u>R</u>)) 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);</p>	G
3.	Article Interpretation	2, The definition of ‘Environmental Statement’ has been amended to include reference to the Errata List ( <b>Document 8.4.3 (B)</b> ).  The purpose and effect of this amendment is explained in Table 2.1 of the Applicant’s Response to the Schedule of the Examining Authority’s	“Environmental Statement” means the environmental statement (Documents 6.1 to 6.4 (inclusive)) together with any supplemental or additional environmental information certified under article 57 (certification of documents), and any environmental statement submitted for the purposes of complying with and/or discharging the Requirements, <u>and any entries in the final version of the Errata List (Document 8.4.3 (B)) that relate to any of these documents;</u>	G

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
		recommended amendments to the Applicant's Draft DCO [REP6-003] (Document 8.10.2).		
4.	Article Interpretation	2, Article 2(5) has been deleted. The purpose and effect of this amendment is explained in Table 2.1 of the Applicant's Response to the Schedule of the Examining Authority's recommended amendments to the Applicant's Draft DCO [REP6-003] (Document 8.10.2).	<del>(5) References in this Order to points identified by letters or numbers are to be construed as references to points so lettered or numbered on the Access, Rights of Way and Public Rights of Navigation Plans.</del>	G
5.	Article 5, Limits of deviation	Article 5(1)(a) has been amended. The purpose and effect of this amendment is explained in Table 2.2 of the Applicant's Response to the Schedule of the Examining Authority's recommended amendments to the Applicant's Draft DCO [REP6-003] (Document 8.10.2).	5. — <del>(1)</del> Subject to paragraph (4), in respect of the permanent overhead electric line and underground electric line works forming part of Work Nos. 1, 2, 3, 4, 5, 6, 10 and 11 (inclusive) of the authorised development for which it is granted development consent by paragraph (1) of article 3 (development consent etc. granted by the Order), the undertaker may— (a) deviate <del>laterally</del> from the <del>lines or situations</del> <u>centreline for the linear works</u> of the authorised development shown on the Work Plans within the limits of deviation relating to a Work shown on those plans and carry out construction activities for the purpose of the authorised development <del>anywhere</del> within the Order limits; and	G
6.	Article 5, Limits of deviation	Article 5(3) has been amended. The purpose and effect of this amendment is explained in Table 2.2 of the Applicant's Response to the Schedule of the Examining Authority's recommended amendments to the Applicant's Draft DCO [REP6-003] (Document 8.10.2).	(3) Subject to paragraph (4), in respect of other permanent above ground structures, erections and apparatus, including <del>substations</del> <u>the Grid Supply Point Substation, Bramford Substation</u> and cable sealing end compounds forming part of the authorised development:	G
7.	Article Application of the 1991 Act	13, Reference to Section 77 of the 1991 Act has been removed from Article 13(3). The purpose and effect of this amendment is explained in Table 2.3 of the Applicant's Response to the Schedule of the Examining Authority's recommended amendments to the Applicant's Draft DCO [REP6-003] (Document 8.10.2).	(3) The following provisions of the 1991 Act do not apply in relation to any works executed under the powers of this Order— (a) section 56 (power to give directions as to timing of street works); (b) section 56A (power to give directions as to placing of apparatus); (c) section 58 (restrictions on works following substantial road works); (d) section 58A (restriction on works following substantial street works); (e) section 73A (power to require undertaker to re-surface street); (f) section 73B (power to specify timing etc. of re-surfacing); (g) section 73C (materials, workmanship and standard of re-surfacing); <del>(h) section 77 (liability for cost of use of alternative route);</del> <u>(h)</u> <del>(+)</del> section 78A (contributions to costs of re-surfacing by undertaker); and <u>(i)</u> <del>(+)</del> Schedule 3A (restriction on works following substantial street works).	G

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
8.	Article 15, Temporary stopping up of streets and public rights of way	<p>Article 15(2) has been amended to make clear that the exercise of powers pursuant to Article 15(2) is subject to the street authority's consent, provided that such consent is not unreasonably withheld or delayed.</p> <p>Consequential amendments have also been made to Articles 15(10) and 15(11).</p> <p>This amendment responds to submissions made by Suffolk County Council in respect of ExQ2 DC2.6.5 and in respect of which the Applicant has provided a further detailed response in <b>Document 8.10.3</b>.</p>	<p>(2) Without limitation on the scope of paragraph (1), the undertaker may <u>with the consent of the street authority (such consent not to be unreasonably withheld or delayed)</u>, use as a temporary working site any street or public right of way which has been temporarily stopped up, altered or diverted under the powers conferred by this article.</p> <p>(10) Any application for consent under sub-paragraph (2) <u>or (5)(b)</u> must include a statement that the provisions of paragraph (9) apply to that application.</p> <p>(11) If an application for consent under sub-paragraph (2) <u>or (5)(b)</u> does not include the statement required under paragraph (10), then the provisions of paragraph (9) will not apply to that application.</p>	G
9.	Article 17, Construction, alteration and maintenance of streets	<p>Articles 17(1) and 17(2) have been amended, The purpose and effect of these amendments is explained in Table 2.3 of the Applicant's Response to the Schedule of the Examining Authority's recommended amendments to the Applicant's Draft DCO [REP6-003] (<b>Document 8.10.2</b>).</p>	<p><del>17.—(1)</del> Any street (other than any private streets) to be constructed under this Order must be completed to the reasonable satisfaction of the street authority and must, unless otherwise agreed with the street authority, be maintained (including any culverts or other structures laid under that part of the highway) by <u>and at the expense of the undertaker for a period of 12 months from its completion and, at the expiry of that period, by and at the expense of</u> the street authority.</p> <p>(2) Where a street is altered or diverted under this Order, the altered or diverted part of the street must be completed to the reasonable satisfaction of the street authority and must, unless otherwise agreed with the street authority, be maintained (including any culverts or other structures laid under that part of the highway) by <u>and at the expense of the undertaker for a period of 12 months from its completion and, at the expiry of that period, by and at the expense of</u> the street authority.</p>	G
10.	Article 46, Defence to proceedings in respect of statutory nuisance	<p>Articles 46(1)(a)(ii), 46(1)(b) and 46(2) have been amended. The purpose and effect of these amendments is explained in Table 2.6 of the Applicant's Response to the Schedule of the Examining Authority's recommended amendments to the Applicant's Draft DCO [REP6-003] (<b>Document 8.10.2</b>).</p>	<p>(ii) relates to premises used by the undertaker for the purposes of or in connection with the construction, <del>maintenance or operation</del> 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 <del>or in accordance with the noise levels set out in an environmental permit relating to the construction, maintenance or operation of the authorised development</del>; or</p> <p>(b) the defendant shows that the nuisance—</p> <p><del>(i) relates to premises used by the undertaker for the purposes of or in connection with the use of the authorised development and that the nuisance is attributable to the use of the authorised development which is being used in accordance with the Construction Environmental Management Plan; or</del></p> <p><u>(i) (ii)</u> is a consequence of the use of the authorised development and that it cannot reasonably be avoided.</p> <p>(2) For the purposes of paragraph (1) above <u>in relation to the construction of the authorised development only</u>, compliance with the controls and measures relating to noise described in the Construction Environmental Management Plan will be sufficient, but not necessary, to show that an alleged nuisance could not reasonably be avoided.</p>	G

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
11.	Article 47, Traffic regulation	Articles 47(1) and 47(2) have been amended. The purpose and effect of these amendments is explained in Table 2.6 of the Applicant's Response to the Schedule of the Examining Authority's recommended amendments to the Applicant's Draft DCO [REP6-003] (Document 8.10.2).	<p>47.—(1) Subject to the provisions of this article, the undertaker may at any time for the purposes of construction <del>or maintenance</del> of the authorised development or for purposes ancillary to the construction <del>or maintenance</del> of the authorised development—</p> <p>(2) Without limiting the scope of the specific powers conferred by paragraph (1) but subject to the provisions of this article and the consent of the traffic authority in whose area the road concerned is situated, which consent must not be unreasonably withheld or delayed, the undertaker may, in so far as may be expedient or necessary for the purposes of or in connection with construction <del>or maintenance</del> of the authorised development, or for purposes ancillary to it, at any time—</p>	G
12.	Article 47, Traffic regulation	A new Article 47(6) has been included. The purpose and effect of this amendment is explained in Table 2.6 of the Applicant's Response to the Schedule of the Examining Authority's recommended amendments to the Applicant's Draft DCO [REP6-003] (Document 8.10.2).	<p><u>(6) Any prohibition, restriction or other provision made by the undertaker under paragraph (1) or (2) will cease to have effect on the expiry of the period of five years beginning with the date on which the authorised development is first brought into operational use, except where the authorised development is replacement or landscape planting in which case the period of five years shall begin with the date on which that part of the replacement or landscape planting is completed.</u></p>	G
13.	Article 48, Felling or lopping	Article 48(8) has been amended to refer to the Trees and Hedgerows to be Removed or Managed Plans. The purpose and effect of this amendment is explained in Table 2.6 of the Applicant's Response to the Schedule of the Examining Authority's recommended amendments to the Applicant's Draft DCO [REP6-003] (Document 8.10.2).	<p>(8) The consent of the relevant highway authority is not required under paragraph (4) where the tree to be felled, lopped, pruned, cut, trimmed, coppiced, pollarded, or reduced in height or width is described or shown <del>in the Landscape and Ecological Management Plans as 'affected vegetation' on the Trees and Hedgerows to be Removed or Managed Plans.</del></p>	G
14.	Article Safeguarding	53, A new Article 53(7) has been included and the (renumbered) Article 53(8) has been further amended. The purpose and effect of these amendments is explained in Table 2.6 of the Applicant's Response to the Schedule of the Examining Authority's recommended amendments to the Applicant's Draft DCO [REP6-003] (Document 8.10.2).	<p><u>(7) The requirement to consult will cease to have effect upon completion of the decommissioning of the authorised development or the final part of it.</u></p> <p><del>(8) (6)</del>-In this article— “exempt applications” means—</p> <p>(i) an application for planning permission which relates to development that—</p> <p>(aa) <del>(+)</del> consists of an alteration to an existing building, or the change of use of an existing building or land; and</p> <p>(bb) <del>(+)</del> does not involve, or is not likely to involve, any construction engineering or other operations below existing ground level; <del>and,</del></p> <p><u>(ii) an application for planning permission which is to be determined by a relevant planning authority in the period of 21 days beginning on the day after the date on which the Order comes into force; and</u></p> <p>“relevant planning authority” means the planning authority in receipt of an application for planning permission to which this article applies.</p>	G

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
15.	Schedule Requirements (Requirement 1)	3, A new definition of “intrusive” has been included in Requirement 1.  The purpose and effect of this amendment is explained in Table 2.7 of the Applicant's Response to the Schedule of the Examining Authority's recommended amendments to the Applicant's Draft DCO [REP6-003] (Document 8.10.2).	<u>“intrusive” means an activity which requires or is facilitated by breaking the surface of the ground;</u>	G
16.	Schedule Requirements (Requirement 1)	3, A new definition of “reinstatement planting” has been included in Requirement 1.  This change responds to feedback received from the host authorities and other environmental stakeholders as to the scope of ‘reinstatement planting’ pursuant to Requirements 9 and 10.  Given the late stage of the Examination, it has been agreed that clarification of this nature is appropriate and avoids cross-referencing and other similar issues which would arise if Requirements 9 and 10 were themselves renamed.	<u>“reinstatement planting” includes, unless otherwise agreed with the relevant planning authority, embedded planting, reinstatement planting and mitigation planting as each are described in the Landscape and Ecological Management Plan;</u>	G
17.	Schedule Requirements (Requirement 3)	3, A new sub-paragraph (1) has been included, with consequential amendments also made to the (renumbered) sub-paragraph (5).  The purpose and effect of these amendments is explained in Table 2.7 of the Applicant's Response to the Schedule of the Examining Authority's recommended amendments to the Applicant's Draft DCO [REP6-003] (Document 8.10.2).	<p style="text-align: center;"><i>Stages of authorised development</i></p> <p><u><del>3. = (1)</del> Unless otherwise agreed with the relevant planning authority, written notice setting out the anticipated programme for the carrying out of pre-commencement operations must be given to the relevant planning authority no less than 7 days prior to the date on which those pre-commencement operations are first carried out.</u></p> <p><u><del>(2) 3. = (ee)</del></u> The authorised development may not commence until a written scheme setting out all stages of the authorised development has been submitted to the relevant planning authority.</p> <p><u><del>(3) (4)</del></u> Any revisions to the written scheme referred to in sub-paragraph <u><del>(4) 2</del></u> above must be submitted to the relevant planning authority in advance of the commencement of the stage of the authorised development to which the revisions relate.</p> <p><u><del>(4) (2)</del></u> Written notice of the commencement and completion of construction of each stage of the authorised development, and the operational use of each stage of the authorised development, must be given to the relevant planning authority within 10 business days of the relevant event occurring.</p> <p><u><del>(5) (3)</del></u> The authorised development must be carried out in accordance with the written scheme submitted further to sub-paragraph <u><del>(4) or (2) or (3)</del></u> and, to the extent applicable, in general accordance with the written notice submitted further to sub-paragraph <u><del>(1)</del></u>.</p>	G

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
18.	Schedule Requirements (Requirement 4)	3, Requirement 4 has been amended. The purpose and effect of these amendments is explained in Table 2.7 of the Applicant's Response to the Schedule of the Examining Authority's recommended amendments to the Applicant's Draft DCO [REP6-003] (Document 8.10.2).	(2) The plans referred to in sub-paragraph (1) above comprise the following— (a) Construction Environmental Management Plan ( <del>CEMP</del> ); (b) Materials and Waste Management Plan ( <del>MWMP</del> ); (c) Construction Traffic Management Plan ( <del>CTMP</del> ); (d) Landscape and Ecological Management Plan ( <del>LEMP</del> ); and (e) Public Rights of Way Management Plan ( <del>PRoWMP</del> ).	G
19.	Schedule Requirements (Requirement 5)	3, Requirement 5 has been amended. The purpose and effect of these amendments is explained in Table 2.7 of the Applicant's Response to the Schedule of the Examining Authority's recommended amendments to the Applicant's Draft DCO [REP6-003] (Document 8.10.2).	<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 ( <del>DMP</del> ), to address operational surface water management matters, has been submitted to and approved by the relevant <a href="#">planning authority, after consultation with the relevant</a> 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 ( <del>DMP</del> ) referred to in sub-paragraph (1) or with any amended Drainage Management Plan ( <del>DMP</del> ) that may subsequently be approved by the relevant <a href="#">planning authority, after consultation with the relevant</a> highway authority.	G
20.	Schedule Requirements (Requirement 6)	3, Requirement 6 has been amended. The purpose and effect of these amendments is explained in Table 2.7 of the Applicant's Response to the Schedule of the Examining Authority's recommended amendments to the Applicant's Draft DCO [REP6-003] (Document 8.10.2).	6.—(1) The authorised development must be undertaken in accordance with the Archaeological Framework Strategy and the Outline Written Scheme of Investigation ( <del>OWSI</del> ). (2) No stage of the authorised development may commence until a Detailed Written Scheme of Investigation of areas of archaeological interest relevant to that stage (if any) as identified within the <del>OWSI</del> <a href="#">Outline Written Scheme of Investigation</a> or identified through evaluation work as set out in the <del>OWSI</del> <a href="#">Outline Written Scheme of Investigation</a> has been submitted to and approved by the County Archaeologist. (3) Any detailed archaeological works must be carried out in accordance with the approved Detailed Written Scheme of Investigation for that stage. (4) The Detailed Written Scheme of Investigation must be in accordance with the <del>OWSI</del> <a href="#">Outline Written Scheme of Investigation</a> and must identify areas where archaeological works are required and the measures to be taken to protect, record or preserve any significant archaeological remains that may be found and must include an implementation timetable.	G

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
21.	Schedule Requirements (Requirement 7)	3, Requirement 7 has been amended. The purpose and effect of these amendments is explained in Table 2.7 of the Applicant's Response to the Schedule of the Examining Authority's recommended amendments to the Applicant's Draft DCO [REP6-003] (Document 8.10.2).	<p style="text-align: center;"><i>Construction hours</i></p> <p>7. —<del>(1)</del> Subject to sub-paragraphs (2) to <del>(4)</del><sup>(5)</sup>, 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><del>(2)</del> <u>No piling operations may take place between 19.00 and 07.00.</u></p> <p><del>(3)</del> <del>(4)</del> No percussive piling operations may take place on Sundays and Bank Holidays.</p> <p><del>(4)</del> <del>(2)</del> The following operations may take place outside the core working hours referred to in sub-paragraph (1)—</p> <ul style="list-style-type: none"> <li>(a) trenchless crossing operations including beneath highways, railway lines, woodlands or watercourses;</li> <li>(b) the installation and removal of conductors, pilot wires and associated protective netting across highways, railway lines or watercourses;</li> <li>(c) the jointing of underground cables (save for the cutting of underground cables);</li> <li>(d) the <del>completion</del><u>continuation</u> of operations commenced during the core working hours <del>which cannot to a point where they can</del> safely be <del>stopped</del><u>paused</u>;</li> <li>(e) any highway works requested by the highway authority to be undertaken on a Saturday, Sunday or a Bank Holiday or outside the core working hours;</li> <li>(f) the testing or commissioning of any electrical plant installed as part of the authorised development;</li> <li>(g) the completion of works delayed or held up by severe weather conditions which disrupted or interrupted normal construction activities;</li> <li>(h) activity necessary in the instance of an emergency where there is a risk to persons or property;</li> <li>(i) security monitoring; <del>and</del></li> <li>(j) <del>non-intrusive surveys; and</del></li> <li><del>(k)</del> <u>intrusive surveys, in the instance of an emergency where there is a risk to persons or property or following a request made by any third party.</u></li> </ul> <p><del>(5)</del> <del>(3)</del> The core working hours referred to in sub-paragraph (1) exclude start up and close down activities up to 1 hour either side of the core working hours.</p>	G
22.	Schedule Requirements (Requirement 8)	3, Sub-paragraph (3) of Requirement 8 has been amended. The purpose and effect of these amendments is explained in Table 2.7 of the Applicant's Response to the Schedule of the Examining Authority's recommended amendments to the Applicant's Draft DCO [REP6-003] (Document 8.10.2).	<p><del>(3)</del> The plan submitted under sub-paragraph (1) must be in general accordance with the <u>LEMPLandscape and Ecological Management Plan and the Trees and Hedgerows to be Removed or Managed Plans.</u></p>	G
23.	Schedule Requirements (Requirement 9)	3, Sub-paragraph (4) of Requirement 9 has been amended. The purpose and effect of these amendments is explained in Table 2.7 of the Applicant's Response to the Schedule of the Examining Authority's	<p><del>(4)</del> The reinstatement planting plan submitted under sub-paragraphs (1) and (2) must be in general accordance with the <u>LEMPLandscape and Ecological Management Plan.</u></p>	G

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
		recommended amendments to the Applicant's Draft DCO [REP6-003] (Document 8.10.2).		
24.	Schedule Requirements (Requirement 10)	3, Requirement 10 has been amended. The purpose and effect of the amendment to sub-paragraph (3) is explained in Table 2.7 of the Applicant's Response to the Schedule of the Examining Authority's recommended amendments to the Applicant's Draft DCO [REP6-003] (Document 8.10.2). The amendment to sub-paragraph (4) responds to feedback received from the host authorities.	<u>(3) All reinstatement planting works referred to in Requirement 9 must be implemented, monitored and maintained in accordance with the 'Aftercare' section of the Landscape and Ecological Management Plan.</u> <u>(4) <del>(2)</del> Any trees or hedgerows planted as part of an approved reinstatement planting plan that, within a period of 5 years after planting (or such other period as is specified in the Landscape and Ecological Management Plan), are removed, die or become in the opinion of the relevant planning authority seriously damaged or diseased, must be replaced in the first available planting season with a specimen of the same species and size as that originally planted, unless otherwise approved by the relevant planning authority.</u>	G
25.	Schedule Requirements (Requirement 11)	3, Requirement 11 has been amended. The purpose and effect of these amendments is explained in Table 2.7 of the Applicant's Response to the Schedule of the Examining Authority's recommended amendments to the Applicant's Draft DCO [REP6-003] (Document 8.10.2).	<u>11.—(1) No work to construct, alter or temporarily alter any highway, including 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 <del>that means of access has</del> those highway works have been submitted to and approved by the relevant highway authority.</u> <u>(2) The highway <del>accesses</del> works must be constructed and reinstated in accordance with the details approved under sub-paragraph (1).</u> <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> <u>(4) Unless otherwise agreed with the relevant highway authority, the undertaker must—</u> <u>(a) <del>(2) The undertaker must</del> carry out Stage 1 and Stage 2 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 any superseding Standard and must;</u> <u>(b) agree with the relevant highway authority on a case by case basis the need for a Stage 3 and, where applicable, a Stage 4 road safety audit of any elements of the highway works authorised by this Order and, where so agreed, carry out such audit(s) in accordance with Standard GG 119 (Revision 2) of the Department for Transport's Design Manual for Roads and Bridges or any superseding Standard, and</u>	G
26.	Schedule Requirements (Requirement 12)	3, Sub-paragraph (1) of Requirement 12 has been amended. The purpose and effect of these amendments is explained in Table 2.7 of the Applicant's Response to the Schedule of the Examining Authority's recommended amendments to the Applicant's Draft DCO [REP6-003] (Document 8.10.2).	<u>12.—(1) In the event that, at some future date, the authorised development, or part of it, is to be decommissioned, a written scheme of decommissioning must be submitted for approval by the relevant planning authority in consultation with the relevant highway authority at least six months prior to any decommissioning works.</u>	G



Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO																				
27.	Schedule Requirements (Requirement 13)	3, Requirement 13 has been amended. The purpose and effect of these amendments is explained in Table 2.7 of the Applicant's Response to the Schedule of the Examining Authority's recommended amendments to the Applicant's Draft DCO [REP6-003] (Document 8.10.2).	<del>13.—(mm)</del> Unless otherwise agreed with the relevant planning authority, written evidence (in the form of the outputs of the biodiversity metric) demonstrating how at least ten per cent in biodiversity net gain is to be delivered as part of the authorised development must be submitted to the relevant planning authority no later than the date on which that part of the authorised development comprising the <del>installation of new overhead transmission electric line and underground transmission electric line forming part of the authorised development</del> is first brought into operational use.	G																				
28.	Schedule Discharge Requirements	4, Paragraph 3(1)(b) has been amended. of The purpose and effect of this amendment is explained in Table 2.7 of the Applicant's Response to the Schedule of the Examining Authority's recommended amendments to the Applicant's Draft DCO [REP6-003] (Document 8.10.2).	(b) a fee of <del>£116</del> 145 per request.	G																				
29.	Schedules 5, 6, 7, 8 and 12	Various minor 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). These changes, which primarily comprise the correction of street references, respond to comments raised in Suffolk County Council's Response to the Action Points arising from ISH5 and ISH6 [REP7-032]. (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 are shown in the tracked version of the draft DCO (Document 3.1 (G)) submitted at Deadline 8).	<table border="1"> <tr> <td>Suffolk County Council</td> <td>B1070 (Benton Street)</td> <td>Navigation Plans</td> <td>Sheet 10 of the Access, Rights of Way and Public Rights of Navigation Plans</td> </tr> <tr> <td></td> <td>B1508 (Bures Road/St Edmunds Hill)</td> <td>Surface drainage system, where required.</td> <td>At access point G-AP3 a permanent bellmouth will be created (as shown on Sheet 20) to enable access/egress with sufficient size to accommodate a HGV vehicle. Comprising the installation of a new road surface, road markings, kerbing and a suitable drainage system, where required.</td> </tr> <tr> <td>Suffolk County Council</td> <td>Brick Kiln Lane Hill</td> <td>Between points SM-F-3 and SM-F-4 as shown on Sheet 15</td> <td>Between points SM-F-3 and SM-F-4 via line SMD-F-3 as shown on Sheets 15, 16 and Plan B</td> </tr> <tr> <td>Nyland A134 (Colchester Road)</td> <td>Access F-AP7</td> <td>Navigation Plans</td> <td>Sheet 16 of the Access, Rights of Way and Public Rights of Navigation Plans</td> </tr> <tr> <td>Suffolk County Council</td> <td>Ipswich Road and Burstall Hill</td> <td>Between points TRO-AB-2 and TRO-AB-4 as shown on Sheet 2</td> <td>No waiting restriction between 7:00am to 7:00pm Monday to Sunday. Speed limit to be restricted to 30mph.</td> </tr> </table>	Suffolk County Council	B1070 (Benton Street)	Navigation Plans	Sheet 10 of the Access, Rights of Way and Public Rights of Navigation Plans		B1508 (Bures Road/St Edmunds Hill)	Surface drainage system, where required.	At access point G-AP3 a permanent bellmouth will be created (as shown on Sheet 20) to enable access/egress with sufficient size to accommodate a HGV vehicle. Comprising the installation of a new road surface, road markings, kerbing and a suitable drainage system, where required.	Suffolk County Council	Brick Kiln Lane Hill	Between points SM-F-3 and SM-F-4 as shown on Sheet 15	Between points SM-F-3 and SM-F-4 via line SMD-F-3 as shown on Sheets 15, 16 and Plan B	Nyland A134 (Colchester Road)	Access F-AP7	Navigation Plans	Sheet 16 of the Access, Rights of Way and Public Rights of Navigation Plans	Suffolk County Council	Ipswich Road and Burstall Hill	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.	G
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Ref.	dDCO Ref.	Rationale for the Change	Change Made			Version of dDCO
30.	Schedule 10, Land of which only temporary possession may be taken	<p>Minor updates have been made to Schedule 10 in order to correct certain typographical errors.</p> <p>The purpose and effect of these amendments is explained in Table 2.7 of the Applicant's Response to the Schedule of the Examining Authority's recommended amendments to the Applicant's Draft DCO [REP6-003] (Document 8.10.2).</p>	16-67, 16-69, 16-72, 16-73, 16-74, 16-84, 16-88, <del>16-89</del>	Temporary use for construction, mitigation, maintenance, and dismantling of redundant infrastructure	Work No. 4 and Work No. 8	G

31. Schedule 14, As indicated to the Examining Authority at Deadline Protective Provisions (Part 4) 7 (see Table 2.2 of the Applicant's Protective Provisions and Commercial Side Agreements Tracking List [REP7-020]), it has become necessary for the Applicant to make certain amendments to the Protective Provisions included in Part 4 of Schedule 14 for the benefit of Network Rail Infrastructure Limited (NRIL).

For the avoidance of doubt, the amendments made are confined to Paragraphs 30(1), 30(6) and 30(7) of Part 4 of Schedule 14.

The purpose and effect of each of the amendments is summarised in the following paragraphs, and should be read alongside the Applicant's Application under Section 127 Planning Act 2008 – Network Rail Infrastructure Limited (**Document 8.10.7**).

#### **Paragraphs 30(1) and 30(6):**

As previously drafted, Paragraph 30(1) of the NRIL Protective Provisions would have required the undertaker (as defined) to seek NRIL's consent prior to exercising certain powers under the draft DCO in respect of any railway property (again, as defined).

The powers previously controlled by Paragraph 30(1) included those related to the carrying out and maintenance of the authorised development (Articles 3 and 4), as well as those related to compulsory acquisition of land and rights (Articles 23, 24 and 25) and temporary possession (Articles 26, 27 and 28).

Although NRIL could not unreasonably withhold consent in such circumstances (see Paragraph 30(6)), the Protective Provisions did not otherwise ensure that consent (or otherwise a refusal to grant consent) would be provided expeditiously. (Indeed, based on recent engagement, the Applicant has serious concerns as to NRIL's continued ability to respond to requests for information or approval in a timely manner).

- 30.—~~(1)~~ The undertaker must not exercise the powers conferred by—
- ~~(a) article 3 (development consent granted by the Order);~~
  - ~~(b) article 4 (maintenance of authorised development);~~
  - ~~(e)(a) article 19 (discharge of water);~~
  - ~~(f)(b) article 21 (authority to survey and investigate the land);~~
  - ~~(e) article 23 (compulsory acquisition of land);~~
  - ~~(f) article 24 (compulsory acquisition of rights);~~
  - ~~(g) article 25 (acquisition of subsoil or airspace only);~~
  - ~~(h) article 26 (temporary use of land by National Grid);~~
  - ~~(i) article 27 (temporary use of land by UKPN);~~
  - ~~(j) article 28 (temporary use of land for maintaining the authorised development);~~
  - ~~(k) article 29 (power to override easements and other rights);~~
  - ~~(l) article 43 (statutory undertakers);~~
  - ~~(m)(c) article 48 (felling or lopping); and~~
  - ~~(m)(d) article 49 (trees subject to Tree Preservation Orders);~~
  - ~~(o) the powers conferred by section 11(3) (power of entry) of the 1965 Act;~~
  - ~~(p) the powers conferred by section 203 (power to override easements and rights) of the Housing and Planning Act 2016;~~
  - ~~(q) the powers conferred by section 172 (right to enter and survey land) of the Housing and Planning Act 2016; and~~
  - ~~(r) any powers under in respect of the temporary possession of land under the Neighbourhood Planning Act 2017;~~

in respect of any railway property unless the exercise of such powers is with the consent of Network Rail.

~~(6)~~ Where Network Rail is asked to give its consent pursuant to this paragraph, such consent must not—

- ~~(a)~~ be unreasonably withheld but may be given subject to reasonable conditions but it shall never be unreasonable to withhold consent for reasons of operational or railway safety (such matters to be in Network Rail's absolute discretion); and
- ~~(b)~~ be unreasonably delayed and if, by the end of 28 days beginning with the date on which such request for Network Rail's consent was made, Network Rail has not intimated its refusal together with the grounds of any such refusal of such consent, the undertaker may serve upon Network Rail written notice requiring Network Rail to intimate approval or disapproval within a further period of 14 days beginning with the date upon which Network Rail receives written notice from the undertaker. If by the expiry of the further 14 days Network Rail has not intimated consent or refusal of consent, Network Rail is deemed to have given consent for the exercise of the respective powers;

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The Applicant had anticipated that both the exercise of powers pursuant to the draft DCO in respect of railway property and the acquisition of land interests from NRIL and other third parties would be addressed through a voluntary agreement.

However, and as is detailed further in Applicant's Application under Section 127 Planning Act 2008 – Network Rail Infrastructure Limited (**Document 8.10.7**) and the Compulsory Acquisition and Temporary Possession Objections Schedule (**Document 8.4.4 (F)**), the parties have been unable to reach agreement due to fundamental concerns with the position taken by NRIL in respect of 'lift and shift' and 'termination' provisions in those documents.

Notwithstanding the absence of a provision within the Planning Act 2008 which would otherwise require the Applicant to secure NRIL's consent to the exercise of powers pursuant to the draft DCO (in contrast with for instance, the position of the Crown where such a provision has been made in section 135 of the Act), the Applicant has serious concerns that the inclusion of Paragraph 30(1) in its previous guise would have enabled NRIL to dictate not only the nature of the interest(s) in railway property granted for the project but also the commercial terms (including those related to compensation) on which such an interest may be granted and statutory powers exercised.

As a consequence, Paragraph 30(1) as previously drafted would have the potential to hinder the progress of a nationally significant infrastructure project, since it would fetter the exercise of the Applicant's rights and powers under the draft DCO and would compromise the Applicant's ability to secure the necessary rights over land required for construction and operation of the project in a manner which is in accordance with the Applicant's statutory duties.

The Applicant has, therefore, taken the decision to reduce the extent of powers to which Paragraph

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30(1) would apply, and also to include within Paragraph 30(6) a deemed consent mechanism which broadly mirrors an equivalent mechanism already found within Paragraph 31(2) of the NRIL Protective Provisions.

As a promoter of a nationally significant infrastructure project (NSIP), the Applicant takes seriously its obligation to ensure that statutory undertakers' apparatus and equipment is protected through the inclusion of adequate protective provisions, as considered necessary and relevant to each statutory undertaker's undertaking.

In this context, the Applicant notes that Paragraph 31 already requires NRIL's approval to be sought before any 'specified work' (as defined) is permitted to be carried out. As a consequence, NRIL's operational undertaking would not be adversely affected by any works undertaken as part of the project, even if rights were separately compulsorily acquired to construct and operate the project on NRIL's land.

Since NRIL's undertaking and railway property will continue to benefit from the protections contained within the Protective Provisions, the Applicant's position is that the amendments to Paragraph 30(1) and 30(6) are appropriate, proportionate and necessary to avoid what would otherwise be an inappropriate and unnecessary further constraint on the Applicant's ability to successfully deliver the project.

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### **Paragraph 30(7)**

In a similar vein, the Applicant has sought to amend what was previously an absolute obligation in Paragraph 30(7) to enter into an Asset Protection Agreement (APA) prior to the carrying out of any 'specified work'.

Whilst the Applicant takes seriously its obligation to ensure that statutory undertakers' apparatus and equipment is protected through the inclusion of adequate protective provisions, it is incumbent upon the Applicant to ensure that any protective provisions are reasonable, proportionate and would not lead to unnecessary or unjustified cost burdens which would ultimately be borne by the consumer.

As indicated above, the Applicant has serious concerns based on its engagement to date, that NRIL would be inclined to enter into an appropriate form of APA in such circumstances in a timely manner.

Any delay to the carrying out of 'specified works' would have significant implications in terms of delivery of the project as a whole, the critical national need for which is already well established (see, for example, the Needs Case [**APP-161**]).

Therefore, the amendments sought to Paragraph 30(7) seek to cater for a potential scenario whereby NRIL's prompt engagement in respect of an APA is not forthcoming or indeed where the terms sought by NRIL are unreasonable. In recognition of NRIL's own statutory duties, the amendments do not, however, seek to remove the requirement to enter into an APA.

(7) Unless otherwise agreed, the undertaker must use reasonable endeavours to enter into an asset protection agreement prior to the carrying out of any specified work.

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO																		
32.	Schedule 14, Protective Provisions (Part 5)	<p>Minor updates have been made to Schedule 14, Part 5 in order to correct certain typographical errors.</p> <p>The purpose and effect of these amendments is explained in Table 2.7 of the Applicant's Response to the Schedule of the Examining Authority's recommended amendments to the Applicant's Draft DCO [REP6-003] (Document 8.10.2).</p>	<p>(5) As a condition of an agreement between the parties in sub-paragraph (1) that involves <del>de-commissioned</del><u>decommissioned</u> apparatus being left in situ the undertaker must accept a surrender of any existing easement and/or other interest of Cadent in such decommissioned apparatus and consequently acquire title to such decommissioned apparatus and release Cadent from all liabilities in respect of such <del>de-commissioned</del><u>decommissioned</u> apparatus from the date of such surrender.</p>	G																		
33.	Schedule 15, Public General Legislation	<p>Paragraph 3 (Town and Country Planning Act 1990) has been deleted.</p> <p>The purpose and effect of this amendment is explained in Table 2.7 of the Applicant's Response to the Schedule of the Examining Authority's recommended amendments to the Applicant's Draft DCO [REP6-003] (Document 8.10.2).</p>	<p><b>Town and Country Planning Act 1990</b></p> <p><del>3. For the purposes only of section 106(1) of the 1990 Act, the undertaker is to be deemed to be a person interested in the Order land or any part of it and for the avoidance of doubt section 106(3)(a) will include any transferee under article 7 (consent to transfer benefit of Order) of this Order.</del></p>	G																		
34.	Schedule 17, Certified Documents	<p>Schedule 17 has been updated.</p> <p>The purpose and effect of these amendments is explained in Table 2.7 of the Applicant's Response to the Schedule of the Examining Authority's recommended amendments to the Applicant's Draft DCO [REP6-003] (Document 8.10.2).</p>	<table border="1"> <thead> <tr> <th colspan="2"><del>Supplemental or additional environmental information</del></th> </tr> </thead> <tbody> <tr> <td>Construction Environmental Management Plan</td> <td>7.5 <del>(D)</del>, <u>7.5.1 (C)</u> and <u>7.5.2 (E)</u></td> </tr> <tr> <td>Construction Traffic Management Plan</td> <td>7.6 <del>(C)</del><u>(D)</u></td> </tr> <tr> <td>Materials and Waste Management Plan</td> <td>7.7 (B)</td> </tr> <tr> <td>Landscape and <del>Environmental</del><u>Ecological</u> Management Plan</td> <td>7.8 <del>(C)</del>, <u>7.8.1 (B)</u>, <u>7.8.2 (C)</u> and <u>7.8.3 (B)</u></td> </tr> <tr> <td>Archaeological Framework Strategy</td> <td>7.9</td> </tr> <tr> <td>Outline Written Scheme of Investigation</td> <td>7.10 <del>(B)</del><u>(C)</u></td> </tr> <tr> <td>Public Rights of Way Management Plan</td> <td>8.5.8 <del>(B)</del></td> </tr> <tr> <td><u>Errata List</u></td> <td><u>8.4.3 (B)</u></td> </tr> </tbody> </table>	<del>Supplemental or additional environmental information</del>		Construction Environmental Management Plan	7.5 <del>(D)</del> , <u>7.5.1 (C)</u> and <u>7.5.2 (E)</u>	Construction Traffic Management Plan	7.6 <del>(C)</del> <u>(D)</u>	Materials and Waste Management Plan	7.7 (B)	Landscape and <del>Environmental</del> <u>Ecological</u> Management Plan	7.8 <del>(C)</del> , <u>7.8.1 (B)</u> , <u>7.8.2 (C)</u> and <u>7.8.3 (B)</u>	Archaeological Framework Strategy	7.9	Outline Written Scheme of Investigation	7.10 <del>(B)</del> <u>(C)</u>	Public Rights of Way Management Plan	8.5.8 <del>(B)</del>	<u>Errata List</u>	<u>8.4.3 (B)</u>	G
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