

2015 No. 1347

INFRASTRUCTURE PLANNING

**The Norfolk County Council (Norwich Northern Distributor
Road (A1067 to A47(T))) Order 2015**

Made - - - - - *2nd June 2015*

Coming into force - - - - - *23rd June 2015*

CONTENTS

PART 1

PRELIMINARY

1. Citation and commencement
2. Interpretation

PART 2

PRINCIPAL POWERS

3. Development consent etc. granted by the Order
4. Maintenance of authorised development
5. Limits of deviation
6. Benefit of the order
7. Consent to transfer benefit of the order

PART 3

STREETS

8. Power to alter layout, etc., of streets
9. Street works
10. Construction and maintenance of new, altered or diverted streets and other structures
11. Classification of roads
12. Stopping up of streets and private access
13. Public rights of way
14. Temporary prohibition or restriction of use of streets
15. Access to site during construction
16. Agreements with street authorities

PART 4
SUPPLEMENTAL POWERS

- 17. Discharge of water
- 18. Protective work to buildings
- 19. Authority to survey and investigate the land

PART 5
POWERS OF ACQUISITION

- 20. Compulsory acquisition of land
- 21. Compulsory acquisition of land – incorporation of the mineral code
- 22. Time limit for exercise of authority to acquire land compulsorily
- 23. Compulsory acquisition of rights
- 24. Private rights
- 25. Application of the Compulsory Purchase (Vesting Declarations) Act 1981
- 26. Acquisition of subsoil only
- 27. Acquisition of part of certain properties
- 28. Rights under or over streets
- 29. Temporary use of land for carrying out the authorised development
- 30. Temporary use of land for maintaining authorised development
- 31. Special category land
- 32. Statutory undertakers
- 33. Apparatus and rights of statutory undertakers in stopped up streets
- 34. Recovery of costs of new connections

PART 6
OPERATIONS

- 35. Felling or lopping of trees
- 36. Trees subject to tree preservation order

PART 7
MISCELLANEOUS AND GENERAL

- 37. Application of landlord and tenant law
 - 38. Operational land for purposes of the 1990 Act
 - 39. Defence to proceedings in respect of statutory nuisance
 - 40. Protective Provisions
 - 41. Certification of plans etc.
 - 42. Service of notices
 - 43. Traffic regulation
 - 44. Prohibition of entry, prohibition of motor vehicles, weight restrictions and speed limits
 - 45. Procedure in relation to certain approvals etc.
 - 46. Arbitration
-

SCHEDULES

- SCHEDULE 1 — AUTHORISED DEVELOPMENT
- SCHEDULE 2 — REQUIREMENTS
- SCHEDULE 3 — STREETS SUBJECT TO PERMANENT ALTERATION OF LAYOUT
- SCHEDULE 4 — STREETS SUBJECT TO STREET WORKS
- SCHEDULE 5 — CLASSIFICATION OF ROADS
 - PART 1 — THE NEW A47 TRUNK ROAD POSTWICK INTERCHANGE SLIP ROADS
 - PART 2 — THE NDR CLASSIFIED ROAD
 - PART 3 — HOLT ROAD
 - PART 4 — THE A140 CROMER ROAD CLASSIFIED ROAD
 - PART 5 — THE BROADLAND GATE LINK ROAD
 - PART 6 — BROADLAND WAY
- SCHEDULE 6 — STREETS TO BE STOPPED UP
 - PART 1 — STREETS FOR WHICH A SUBSTITUTE IS TO BE PROVIDED AND OTHER NEW STREETS TO BE PROVIDED
 - PART 2 — PRIVATE ACCESS FOR WHICH A SUBSTITUTE IS TO BE PROVIDED AND OTHER NEW MEANS OF ACCESS TO BE PROVIDED
 - PART 3 — PRIVATE ACCESS FOR WHICH NO SUBSTITUTE IS TO BE PROVIDED
- SCHEDULE 7 — PUBLIC RIGHTS OF WAY
 - PART 1 — ATTLEBRIDGE RESTRICTED BYWAY NO. 3
 - PART 2 — DRAYTON RESTRICTED BYWAY NO. 6
 - PART 3 — HORSFORD RESTRICTED BYWAY NO. 5
- SCHEDULE 8 — TEMPORARY PROHIBITION OR RESTRICTION OF THE USE OF STREETS
- SCHEDULE 9 — CONSTRUCTION ACCESS TO AND FROM WORKS
- SCHEDULE 10 — LAND IN WHICH ONLY NEW RIGHTS ETC. MAY BE ACQUIRED
- SCHEDULE 11 — MODIFICATION OF COMPENSATION AND COMPULSORY PURCHASE ENACTMENTS FOR CREATION OF NEW RIGHTS
- SCHEDULE 12 — LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN
- SCHEDULE 13 — PROTECTIVE PROVISIONS
 - PART 1 — FOR THE PROTECTION OF RAILWAY INTERESTS
 - PART 2 — FOR THE PROTECTION OF NATIONAL GRID
 - PART 3 — FOR THE PROTECTION OF ANGLIAN WATER
 - PART 4 — FOR THE PROTECTION OF ELECTRICITY SUPPLIERS
 - PART 5 — FOR THE PROTECTION OF OPERATORS OF ELECTRONIC COMMUNICATIONS CODE NETWORKS
- SCHEDULE 14 — SPEED LIMITS AND TRAFFIC REGULATION MEASURES
 - PART 1 — SPEED LIMITS
 - PART 2 — TRAFFIC REGULATION MEASURES
 - PART 3 — SPEED LIMIT REVOCATIONS AND VARIATIONS
 - PART 4 — WEIGHT LIMIT VARIATIONS
- SCHEDULE 15 — TREES SUBJECT TO TREE PRESERVATION ORDERS

An application has been made to the Secretary of State under section 37 of the Planning Act 2008(a) (“the 2008 Act”) in accordance with the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009(b) for an Order granting development consent.

The application was examined by a Panel (appointed by the Secretary of State) in accordance with Chapter 4 of Part 6 of the 2008 Act, and the Infrastructure Planning (Examination Procedure) Rules 2010(c).

The Panel, having considered the representations made and not withdrawn and the application together with accompanying documents, in accordance with section 83 of the 2008 Act, has submitted a report to the Secretary of State.

The Secretary of State, having considered the representations made and not withdrawn, and the report of the Panel, has determined to make an Order granting development consent for the development described in the application with modifications which in the opinion of the Secretary of State do not make any substantial change to the proposals comprised in the application.

In relation to the compulsory acquisition of the fuel allotment land(d), the Secretary of State is satisfied, in accordance with section 131(3) of the 2008 Act, that section 131(5) applies.

In relation to the compulsory acquisition of the Marriott’s Way open space land(e), the Secretary of State is satisfied, in accordance with section 131(3) of the 2008 Act, that section 131(4) applies.

In relation to the compulsory acquisition of rights over the Marriott’s Way open space land, the Secretary of State is satisfied, in accordance with section 132(2) of the 2008 Act, that section 132(3) applies.

The Secretary of State, in exercise of the powers conferred by sections 114, 115, 117, 120 and 122 of, and paragraphs 1 to 3, 10 to 17, 19, 22, 23, 26, 36 and 37 of Part 1 of Schedule 5 to, the 2008 Act, makes the following Order—

PART 1

PRELIMINARY

Citation and commencement

1. This Order may be cited as the Norfolk County Council (Norwich Northern Distributor Road (A1067 to A47(T))) Order 2015 and comes into force on 23rd June 2015.

Interpretation

2.—(1) In this order—

“the 1961 Act” means the Land Compensation Act 1961(f);

(a) 2008 c. 29. Parts 1 to 7 were amended by Chapter 6 of Part 6 of the Localism Act 2011 (c. 20).

(b) S.I. 2009/2264, amended by S.I. 2010/439, S.I. 2010/602, S.I. 2012/635, S.I. 2012/2654, S.I. 2012/2732, S.I. 2013/522 and S.I. 2013/755.

(c) S.I. 2010/103, amended by S.I. 2012/635.

(d) “Fuel allotment land” is defined in article 2(1).

(e) “Marriot’s Way open space land” is defined in article 2(1).

(f) 1961 c. 33.

“the 1965 Act” means the Compulsory Purchase Act 1965(a);

“the 1980 Act” means the Highways Act 1980(b);

“the 1984 Act” means the Road Traffic Regulation Act 1984(c);

“the 1990 Act” means the Town and Country Planning Act 1990(d);

“the 1991 Act” means the New Roads and Street Works Act 1991(e);

“the 2008 Act” means the Planning Act 2008(f);

“address” includes any number or address used for the purposes of electronic transmission;

“Anglian Water” means Anglian Water Services Limited (Company No. 02366656) whose registered office is at Anglian House, Ambury Road, Huntingdon, Cambridgeshire, PE29 3NZ;

“apparatus” has the same meaning as in Part 3 of the 1991 Act;

“authorised development” means the development described in Schedule 1 (authorised development) and any other development authorised by this Order, which is development within the meaning of section 32 (meaning of development) of the 2008 Act;

“the book of reference” means the book of reference certified by the Secretary of State as the book of reference for the purposes of this Order;

“bridleway” has the same meaning as in the 1980 Act;

“building” includes any structure or erection or any part of a building, structure or erection;

“carriageway” has the same meaning as in the 1980 Act;

“compulsory acquisition notice” means a notice served in accordance with section 134 (notice of authorisation of compulsory acquisition) of the 2008 Act;

“cycle track” has the same meaning as in section 329(1) (further provisions as to interpretation) of the 1980 Act(g);

“electronic transmission” means a communication transmitted—

(a) by means of an electronic communications network; or

(b) by other means but while in electronic form;

“environmental impact assessment” means the assessment of the environmental impact of the authorised development, the findings of which are recorded in the environmental statement;

“the environmental statement” means the environmental statement submitted under regulation 5(2)(a) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009(h) and certified as such by the Secretary of State for the purposes of this Order;

“footpath” and “footway” have the same meaning as in the 1980 Act;

“fuel allotment land” means that land numbered as plot 10/45 in the book of reference and which is so numbered and shown delineated, and coloured pink and stippled black on the land plans;

“highway” and “highway authority” have the same meaning as in the 1980 Act;

“the highway classification plans” means the plans certified as the highway classification plans by the Secretary of State for the purposes of this Order;

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- (a) 1965 c. 56.
- (b) 1980 c. 66.
- (c) 1984 c. 27.
- (d) 1990 c.8.
- (e) 1991 c. 22.
- (f) 2008 c. 29.
- (g) The definition of “cycle track” was amended by section 1 of the Cycle Tracks Act 1984 (c. 38) and paragraph 21(2) of Schedule 3 to the Road Traffic (Consequential Provisions) Act 1988 (c. 54).
- (h) S.I. 2009/2264, amended by S.I. 2010/439, S.I. 2010/602, S.I. 2012/635, S.I. 2012/2654, S.I. 2012/2732, S.I. 2013/522 and S.I. 2013/755.

“Highways England” means Highways England Company Limited (Company No. 9346363), whose registered office is at Bridge House, Walnut Tree Close, Guildford, GU1 4ZZ, appointed as highway authority for the highways specified in article 2 of the Appointment of a Strategic Highways Company Order 2015(a);

“the land plans” means the plans certified as the land plans by the Secretary of State for the purposes of this Order;

“the landscaping plans” means the plans certified as the landscaping plans by the Secretary of State for the purposes of this Order;

“limits of deviation” means the limits of deviation for each numbered work shown on the works plans and as set out in article 5 (limits of deviation);

“maintain” includes inspect, repair, adjust, alter, remove, clear, refurbish, reconstruct and improve, and any derivative of “maintain” is to be construed accordingly;

“Marriott’s Way open space land” means—

- (a) plot 2/27 in the book of reference and which is so numbered and shown delineated and hatched pink on the land plans;
- (b) plots 2/23, 2/25, 2/34 and 2/37 in the book of reference and which are so numbered and shown delineated and hatched pink and green and stippled black on the land plans; and
- (c) plots 2/26, 2/28 and 2/29 in the book of reference and which are so numbered and shown delineated and coloured blue and stippled black on the land plans;

“Marriott’s Way replacement open space land” means—

- (a) that land numbered as plot 2/27a in the book of reference and which is so numbered and shown delineated and coloured green and stippled black on the land plan;
- (b) plots 2/23, 2/25, 2/34 and 2/37 in the book of reference and which are so numbered and shown delineated and hatched pink and green and stippled black on the land plans; and
- (c) plots 2/26, 2/28 and 2/29 in the book of reference and which are so numbered and shown delineated and coloured blue and stippled black on the land plans;

“National Grid” means National Grid Gas plc (Company No. 02006000) whose registered office is at 1-3 Strand, London, WC2N 5EH;

“the NDR classified road” means the highway which the undertaker proposes to construct, as the A1270 Principal Road, as described in Part 2 of Schedule 5 (classification of roads);

“Network Rail” means Network Rail Infrastructure Limited (Company No. 02904587) whose registered office is at 1 Eversholt Street, London, NW1 2DN;

“numbered work” means each numbered work comprised in the authorised development and to be located within the corresponding numbered area shown on the works plan, and “work number” is to be construed accordingly;

“Order land” means the land shown on the land plans which is within the limits of land to be acquired or used permanently or temporarily and described in the book of reference;

“the Order limits” means the limits shown on and described as “the Development Consent Order (DCO) Boundary” on the works plans and within which the authorised development may be carried out;

“owner”, in relation to land, has the same meaning as in section 7 (interpretation) of the Acquisition of Land Act 1981(b);

“relevant planning authority” means Norfolk County Council;

“requirements” means those matters set out in Schedule 2 (requirements);

(a) S.I. 2015/376.

(b) 1981 c. 67; the definition of “owner” was amended by paragraph 9 of Schedule 15 to the Planning and Compensation Act 1991 (c. 34). There are other amendments to section 7 which are not relevant to this Order.

“restricted byway” has the same meaning as in section 48(4) (restricted byway rights) of the Countryside and Rights of Way Act 2000(a);

“the sections” means the sections shown on the plans certified as the section plans by the Secretary of State for the purposes of this Order (being the Plan and Long Sections, and the Cross Sections specified in paragraph 4(1) of Schedule 2);

“statutory undertaker” means a statutory undertaker for the purposes of section 127(8) (statutory undertakers’ land) of the 2008 Act;

“street” means a street within the meaning of section 48 (streets, street works and undertakers) of the 1991 Act, together with land on the verge of a street or between two carriageways, and “street” includes any part of a street;

“street authority”, in relation to a street, has the same meaning as in Part 3 of the 1991 Act;

“the street plans” means the plans certified as the street plans by the Secretary of State for the purposes of this Order;

“tree preservation order” is an order made in accordance with section 198(1) (power to make tree preservation orders) of the 1990 Act;

“the tribunal” means the Lands Chamber of the Upper Tribunal;

“trunk road” means a highway which is a trunk road by virtue of—

- (a) section 10(b) or 19(1) of the 1980 Act;
- (b) an order or direction under section 10 of the 1980 Act;
- (c) an order granting development consent; or
- (d) any other enactment;

“undertaker” means the person who has the benefit of this Order in accordance with article 6 (benefit of the order);

“watercourse” includes all rivers, streams, ditches, drains, canals, cuts, culverts, dykes, sluices, sewers and passages through which water flows except a public sewer or drain; and

“the works plans” means the plans certified as the works plans by the Secretary of State for the purposes of this Order.

(2) References in this Order to rights over land include references to rights to do, or to place and maintain, anything in, on or under land or in the air-space above its surface.

(3) All distances, directions and lengths referred to in this Order are approximate and distances between points on a work comprised in the authorised development are taken to be measured along that work.

(4) All areas described in square metres in the book of reference are approximate.

(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 works plans, the land plans or the street plans (as specified in each case).

(6) References to plots in this Order are references to the plots shown on the land plans and detailed in the book of reference.

(a) 2000 c. 37.

(b) As amended by section 22(2) of the 1991 Act and paragraph 22 of Schedule 2 to the 2008 Act.

PART 2

PRINCIPAL POWERS

Development consent etc. granted by the Order

3.—(1) Subject to the provisions of this Order including the requirements, the undertaker is granted development consent for the authorised development to be carried out within the Order limits.

(2) Subject to article 5 (limits of deviation), the numbered works must only be constructed in the lines or in the situations shown on the works plans and, subject to the provisions of the requirements, in accordance with the plans approved in requirement 4.

Maintenance of authorised development

4.—(1) Except to the extent that this Order or an agreement made under this Order provides otherwise, the undertaker may at any time maintain the authorised development.

(2) This article only authorises the carrying out of maintenance works within the Order limits.

Limits of deviation

5.—(1) In carrying out the authorised development, the undertaker may deviate vertically and laterally within the limits of deviation specified in paragraphs (2) and (3).

(2) Except as provided in paragraph (3), the undertaker may deviate vertically and laterally within the following limits of deviation—

<i>(1)</i> <i>Numbered work</i>	<i>(2)</i> <i>Elements of numbered work to which limits apply</i>	<i>(3)</i> <i>Upwards vertical limit of deviation</i>	<i>(4)</i> <i>Downwards vertical limit of deviation</i>	<i>(5)</i> <i>Lateral limit of deviation</i>
Work Nos. 1 to 24	Carriageway and adjacent verges, footways, footpaths, bridleways and cycle tracks	Zero	0.25 metres	Within Order limits
Work Nos. 1 to 24	Earthworks, bunds and banks (including any associated footways, footpaths, bridleways and cycle tracks)	0.25 metres	Zero	Within Order limits

(3) The undertaker may deviate vertically within the following limits of deviation—

<i>(1)</i> <i>Numbered work</i>	<i>(2)</i> <i>Elements of numbered work to which limits apply</i>	<i>(3)</i> <i>Vertical limit of deviation</i>
Work Nos. 2, 3 and 4	Carriageway and other non-carriageway features such as adjacent verges, footways, footpaths, bridleways and cycle tracks in Work Nos. 2 and 4 that	+ or – 0.5 metres

<i>(1)</i> <i>Numbered work</i>	<i>(2)</i> <i>Elements of numbered work to which limits apply</i>	<i>(3)</i> <i>Vertical limit of deviation</i>
	<p>are within 550 metres of the centre point of Work No. 3(b) (Fir Covert Road Roundabout).</p> <p>Carriageway and other non-carriageway features such as adjacent verges, footways, footpaths, bridleways and cycle tracks within Work No. 3.</p> <p>Earthworks, bunds and banks (including any associated footways, footpaths, bridleways and cycle tracks) within Work Nos. 2 and 4 that are within 550 metres of the centre point of Work No. 3(b).</p> <p>Earthworks, bunds and banks (including any associated footways, footpaths, bridleways and cycle tracks) within Work No. 3.</p>	
Work Nos. 4, 5 and 6	<p>Carriageway and other non-carriageway features such as adjacent verges, footways, footpaths, bridleways and cycle tracks in Work Nos. 4 and 6 that are within 250 metres of the centre point of Work No. 5(b) (Reepham Road Roundabout).</p> <p>Carriageway and other non-carriageway features such as adjacent verges, footways, footpaths, bridleways and cycle tracks within Work No. 5.</p> <p>Earthworks, bunds and banks (including any associated footways, footpaths, bridleways and cycle tracks) in Work Nos 4 and 6 that are within 250 metres of the centre point of Work No. 5(b).</p> <p>Earthworks, bunds and banks (including any associated footways, footpaths, bridleways and cycle tracks) within Work No. 5.</p>	+ or – 0.5 metres
Work Nos. 6, 7 and 8	<p>Carriageway and other non-carriageway features such as adjacent verges, footways, footpaths, bridleways and cycle tracks in Work Nos. 6 and 8 that are within 250 metres of the centre point of Work No. 7(b) (Drayton Lane Roundabout).</p> <p>Carriageway and other non-carriageway features such as adjacent verges, footways, footpaths, bridleways and</p>	+ or – 0.5 metres

<i>(1)</i> <i>Numbered work</i>	<i>(2)</i> <i>Elements of numbered work to which limits apply</i>	<i>(3)</i> <i>Vertical limit of deviation</i>
	<p>cycle tracks within the area of Work No. 7 shaded grey on the works plans.</p> <p>Earthworks, bunds and banks (including any associated footways, footpaths, bridleways and cycle tracks) in Work Nos. 6 and 8 that are within 250 metres of the centre point of Work No. 7(b).</p> <p>Earthworks, bunds and banks (including any associated footways, footpaths, bridleways and cycle tracks) within the area of Work No. 7 shaded grey on the works plans.</p>	
Work No. 7	All development within the area of Work No. 7 shaded green on the works plans.	+ or – 1 metre
Work Nos. 10, 11 and 12	<p>Carriageway and other non-carriageway features such as adjacent verges, footways, footpaths, bridleways and cycle tracks in Work Nos. 10 and 12 that are within 550 metres of the centre point of Work No. 11(b) (Airport Roundabout).</p> <p>Carriageway and other non-carriageway features such as adjacent verges, footways, footpaths, bridleways and cycle tracks within Work No. 11.</p> <p>Earthworks, bunds and banks (including any associated footways, footpaths, bridleways and cycle tracks) comprised in Work Nos. 10 and 12 that are within 550 metres of the centre point of Work No. 11(b).</p> <p>Earthworks, bunds and banks (including any associated footways, footpaths, bridleways and cycle tracks) within Work No. 11.</p>	+ or – 0.5 metres
Work Nos. 14, 15 and 16	<p>Carriageway and other non-carriageway features such as adjacent verges, footways, footpaths, bridleways and cycle tracks in Work Nos. 14 and 16 that are within 250 metres of the centre point of Work No. 15(b) (Wroxham Road Roundabout).</p> <p>Carriageway and other non-carriageway features such as adjacent verges, footways, footpaths, bridleways and cycle tracks within Work No. 15.</p>	+ or – 0.5 metres

<i>(1)</i> <i>Numbered work</i>	<i>(2)</i> <i>Elements of numbered work to which limits apply</i>	<i>(3)</i> <i>Vertical limit of deviation</i>
	<p>Earthworks, bunds and banks (including any associated footways, footpaths, bridleways and cycle tracks) in Work Nos. 14 and 16 that are within 250 metres of the centre point of Work No. 15(b).</p> <p>Earthworks, bunds and banks (including any associated footways, footpaths, bridleways and cycle tracks) within Work No. 15.</p>	
Work Nos. 16, 17 and 18	<p>Carriageway and other non-carriageway features such as adjacent verges, footways, footpaths, bridleways and cycle tracks in Work Nos. 16 and 18 that are within 250 metres of the centre point of Work No. 17(b) (Salhouse Road Roundabout).</p> <p>Carriageway and other non-carriageway features such as adjacent verges, footways, footpaths, bridleways and cycle tracks within Work No. 17.</p> <p>Earthworks, bunds and banks (including any associated footways, footpaths, bridleways and cycle tracks) in Work Nos. 16 and 18 that are within 250 metres of the centre point of Work No. 17(b).</p> <p>Earthworks, bunds and banks (including any associated footways, footpaths, bridleways and cycle tracks) within Work No. 17.</p>	+ or – 0.5 metres
Work No. 18	<p>Roundabout circulatory carriageway and other non-carriageway features such as adjacent verges, footways, footpaths, bridleways and cycle tracks in Work No. 18(c) (Plumstead Road Roundabout North).</p> <p>Carriageway and other non-carriageway features such as adjacent verges, footways, footpaths, bridleways and cycle tracks that are within 120 metres of the centre point of Plumstead Road Roundabout within Work No. 18(c).</p> <p>Earthworks, bunds and banks (including any associated footways, footpaths, bridleways and cycle tracks) in Work No. 18 that are within 120 metres of the</p>	+ or – 0.5 metres

<i>(1)</i> <i>Numbered work</i>	<i>(2)</i> <i>Elements of numbered work to which limits apply</i>	<i>(3)</i> <i>Vertical limit of deviation</i>
	centre point of Plumstead Road Roundabout within Work No. 18(c).	
Work No. 21	<p>Roundabout circulatory carriageway and other non-carriageway features such as adjacent verges, footways, footpaths, bridleways and cycle tracks within Work No. 21(d) (Postwick North East Roundabout).</p> <p>Carriageway and other non-carriageway features such as adjacent verges, footways, footpaths, bridleways and cycle tracks that are within 135 metres of the centre point of the roundabout within Work No. 21(d).</p> <p>Earthworks, bunds and banks (including any associated footways, footpaths, bridleways and cycle tracks) within Work No. 21(d).</p> <p>Earthworks, bunds and banks (including any associated footways, footpaths, bridleways and cycle tracks) that are within 135 metres of the centre point of the roundabout within Work No. 21(d).</p>	+ or – 0.5 metres

Benefit of the order

6.—(1) Subject to paragraph (2) and article 7 (consent to transfer benefit of the order), the provisions of this Order conferring powers on the undertaker have effect solely for the benefit of Norfolk County Council.

(2) Paragraph (1) does not apply to the following works for which consent is granted by this Order for the benefit of the following persons—

- (a) Work No. 25 for the benefit of National Grid; and
- (b) paragraphs (iv) and (v) of Schedule 1 (authorised development) for the benefit of statutory undertakers.

Consent to transfer benefit of the order

7.—(1) The undertaker may—

- (a) transfer to another person (“the transferee”) any or all of the benefit of the provisions of this Order and such related statutory rights as may be agreed in writing between the undertaker and the transferee; or
- (b) grant to another person (“the lessee”) for a period agreed between the undertaker and the lessee any or all of the benefit of the provisions of this Order and such related statutory rights as may be so agreed.

(2) Where an agreement has been made in accordance with paragraph (1) references in this Order to the undertaker, except in paragraph (3), include references to the transferee or the lessee.

(3) The exercise by a person of any benefits or rights conferred in accordance with any transfer or grant under paragraph (1) is subject to the same restrictions, liabilities and obligations as would apply under this Order if those benefits or rights were exercised by the undertaker.

(4) The consent of the Secretary of State is required for the exercise of the powers conferred by paragraph (1) except where the transfer or grant is made to Highways England or is made to a statutory undertaker in relation to the carrying out of the works set out in article 6(2) (benefit of the Order).

PART 3

STREETS

Power to alter layout, etc., of streets

8.—(1) The undertaker may for the purposes of the authorised development alter the layout of, or carry out any works in, the streets specified in columns (1) and (2) of Schedule 3 (streets subject to permanent alteration of layout) in the manner specified in relation to that street in column (3).

(2) Regardless of the specific powers conferred by paragraph (1) but subject to paragraphs (3) and (4), the undertaker may, for the purposes of constructing and maintaining the authorised development, alter the layout of any street within the Order limits and, without limitation on the scope of this paragraph, the undertaker may—

- (a) increase the width of the carriageway of the street by reducing the width of any kerb, footpath, footway, cycle track or verge within the street;
- (b) alter the level or increase the width of any kerb, footpath, footway, cycle track or verge;
- (c) reduce the width of the carriageway of the street; and
- (d) make and maintain passing places.

(3) The undertaker must restore any street that has been temporarily altered under this article to the reasonable satisfaction of the street authority.

(4) The powers conferred by paragraph (2) must not be exercised without the consent of the street authority.

(5) If 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.

(6) Paragraphs (3), (4) and (5) do not apply where the undertaker is the street authority for a street in which the works are being carried out.

Street works

9.—(1) The undertaker may, for the purposes of the authorised development, enter on so much of any of the streets specified in Schedule 4 (streets subject to street works) as is within the Order limits and may—

- (a) break up or open the street, or any sewer, drain or tunnel under it;
- (b) tunnel or bore under the street;
- (c) place apparatus in the street;
- (d) maintain apparatus in the street or change its position; and
- (e) execute any works required for or incidental to any works referred to in sub-paragraphs (a), (b), (c) and (d).

(2) Where the undertaker is not the street authority, the provisions of sections 54 to 106 of the 1991 Act apply to any street works carried out under paragraph (1).

(3) The undertaker must restore any street that has been temporarily altered under this article to the reasonable satisfaction of the street authority.

(4) The powers conferred by paragraph (1) must not be exercised without the consent of the street authority, but such consent must not be unreasonably withheld.

Construction and maintenance of new, altered or diverted streets and other structures

10.—(1) Subject to paragraph (2), the streets authorised to be constructed, altered or diverted under this Order are to be public highways and are to be maintained by and at the expense of the highway authority.

(2) Where a street which is not, and is not intended to be, a public highway is constructed, altered or diverted under this Order, the street (or part of the street as the case may be) must, when completed to the reasonable satisfaction of the street authority, unless otherwise agreed with the street authority, be maintained by 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 the street authority.

(3) In any action against the undertaker in respect of loss or damage resulting from its failure to maintain a street to which paragraph (2) applies, section 58 (special defence in action against a highway authority for damages for non-repair of highway) of the 1980 Act applies as if that street were a highway maintainable at the public expense.

(4) The undertaker must maintain at its expense the following parts of the authorised development—

- (a) the structure of the bridge over the NDR classified road comprised in Work No. 4(f);
- (b) the structure and surface of the bridge over the NDR classified road comprised in Work No. 6(b); and
- (c) the structure and surface of the bridge over the NDR classified road comprised in Work No. 16(c).

Classification of roads

11.—(1) From the day on which the undertaker notifies Highways England that the roads described in Part 1 of Schedule 5 (classification of roads) are completed and open for traffic, those roads are to be classified as trunk roads for the purposes of any enactment or instrument which refers to highways classified as trunk roads, and Highways England is to be highway authority.

(2) On the day on which the road described in Part 2 of Schedule 5 is completed and open for traffic it is to be classified as the A1270.

(3) On the day on which the road described in Part 4 of Schedule 5 is completed and open for traffic it is to be classified as the A140.

(4) Each of the roads described in paragraphs (2) and (3), from the respective dates in those paragraphs, is to be classified—

- (a) as a principal road for the purpose of any enactment or instrument which refers to highways classified as principal roads; and
- (b) as a classified road for the purpose of any enactment or instrument which refers to highways classified as classified roads,

as if such classification had been made under section 12(3) of the 1980 Act.

(5) On the day on which the road described in Part 2 of Schedule 5 is completed and open for traffic, the road described in Part 3 of Schedule 5—

- (a) ceases to be classified as the B1149; and
- (b) is to be classified as the A1270 and is to be classified—
 - (i) as a principal road for the purpose of any enactment or instrument which refers to highways classified as principal roads; and

- (ii) as a classified road for the purpose of any enactment or instrument which refers to highways classified as classified roads,
as if such classification had been made under section 12(3) of the 1980 Act.
- (6) On the day on which the road described in Part 5 of Schedule 5 is completed and open for traffic—
- (a) the road described in Part 6 of Schedule 5 ceases to be classified as the C829; and
 - (b) that road and the road described in Part 6 of Schedule 5, are together to be classified as the A1194 and are both to be classified—
 - (i) as a principal road for the purpose of any enactment or instrument which refers to highways classified as principal roads; and
 - (ii) as a classified road for the purpose of any enactment or instrument which refers to highways classified as classified roads,
as if such classification had been made under section 12(3) of the 1980 Act.

Stopping up of streets and private access

12.—(1) Subject to the provisions of this article, the undertaker may, in connection with the carrying out of the authorised development, stop up each of the streets and private accesses specified in columns (2) and (3) of Parts 1, 2 and 3 of Schedule 6 (streets and private accesses to be stopped up) to the extent specified in column (4) of those Parts of that Schedule.

(2) No street or private accesses specified in columns (2) and (3) of Parts 1 and 2 of Schedule 6 (being a street or private access to be stopped up for which a substitute is to be provided) is to be wholly or partly stopped up under this article unless—

- (a) the new street or private access to be substituted for it, which is specified in column (5) of Parts 1 and 2 of Schedule 6, has been completed to the reasonable satisfaction of the street authority and is open for use; or
- (b) a temporary alternative route for the passage of such traffic as could have used the street or private access to be stopped up is first provided and subsequently maintained by the undertaker, to the reasonable satisfaction of the street authority, between the commencement and termination points for the stopping up of the street or private access until the completion and opening of the new street or private access in accordance with sub-paragraph (a).

(3) No street or private access specified in columns (2) and (3) of Part 3 of Schedule 6 (being a street or private access to be stopped up for which no substitute is to be provided) is to be wholly or partly stopped up under this article unless the condition specified in paragraph (4) is satisfied in relation to all the land which abuts on either side of the street or private access to be stopped up.

(4) The condition referred to in paragraph (3) is that—

- (a) the undertaker is in possession of the land;
- (b) there is no right of access to the land from the street or private access concerned;
- (c) there is reasonably convenient access to the land otherwise than from the street or private access concerned; or
- (d) the owners and occupiers of the land have agreed to the stopping up.

(5) Where a street or private access has been stopped up under this article—

- (a) all rights of way over or along the street or private access so stopped up are extinguished; and
- (b) the undertaker may appropriate and use for the purposes of the authorised development so much of the site of the street or private access as is bounded on both sides by land owned by the undertaker.

(6) Any person who suffers loss by the suspension or extinguishment of any private right of way under this article is entitled to compensation to be determined, in case of dispute, under Part 1 of the 1961 Act.

(7) This article is subject to article 33 (apparatus and rights of statutory undertakers in stopped up streets).

Public rights of way

13.—(1) Subject to paragraph (2) the undertaker may in connection with the carrying out of the authorised development stop up the sections of the public rights of way described in paragraphs 1, 3 and 5 of Schedule 7 (public rights of way) and with effect from the date that each of those sections of those public rights of way are physically stopped up by the undertaker in connection with the carrying out of the authorised development, the public rights of way over each of those sections are extinguished.

(2) If the undertaker stops up the public rights of way described in paragraphs 1, 3 and 5 of Schedule 7, it must construct the alternative replacement sections of public rights of way described in paragraphs 2, 4 and 6 of Schedule 7 and with effect from the date of opening to the public of each alternative replacement section of public right of way, public rights of way of a restricted byway over each section so constructed are created.

Temporary prohibition or restriction of use of streets

14.—(1) The undertaker, during and for the purposes of carrying out the authorised development, may temporarily stop up, alter or divert, or prohibit or restrict the use of, any street and may for any reasonable time—

- (a) divert the traffic from the street; and
- (b) subject to paragraph (3), prevent all persons from passing along the street.

(2) Without limitation on the scope of paragraph (1), the undertaker may use any street where the use has been prohibited or restricted under the powers conferred by this article, and which is within the Order limits, as a temporary working site.

(3) The undertaker must provide reasonable access for pedestrians going to or from premises abutting a street affected by the temporary stopping up, alteration or diversion, or prohibition or restriction of the use, of a street under this article if there would otherwise be no such access.

(4) Without limitation on the scope of paragraph (1), the undertaker may temporarily stop up, alter or divert, or prohibit or restrict the use of, the streets specified in columns (1) and (2) of Schedule 8 (temporary prohibition or restriction of the use of streets) to the extent specified in column (3) of that Schedule.

(5) The undertaker must not temporarily stop up, alter or divert, or prohibit or restrict the use of—

- (a) any street specified in paragraph (4) without first consulting the street authority; and
- (b) any other street without the consent of the street authority which may attach reasonable conditions to any consent.

(6) Any person who suffers loss by the suspension of any private right of way under this article is entitled to compensation to be determined, in case of dispute, under Part 1 of the 1961 Act.

(7) If a street authority fails to notify the undertaker of its decision within 28 days of receiving an application for consent under paragraph (5)(b) that street authority is deemed to have granted consent.

Access to site during construction

15. The undertaker may, for the purposes of the construction of the authorised development—

- (a) form and lay out means of access, or improve existing means of access, in the locations specified in columns (1) and (2) of Schedule 9 (construction access to and from works); and
- (b) with the approval of the relevant planning authority after consultation with the highway authority, form and lay out such other means of access or improve existing means of

access, at such locations within the Order limits as the undertaker reasonably requires for the purposes of the authorised development.

Agreements with street authorities

- 16.**—(1) A street authority and the undertaker may enter into agreements with respect to—
- (a) the construction of any new street including any structure carrying the street;
 - (b) the strengthening, improvement, repair or reconstruction of any street under the powers conferred by this Order;
 - (c) the maintenance of the structure of any bridge or tunnel carrying a street;
 - (d) any stopping up, alteration, or diversion of, or prohibition or restriction of the use of, a street (whether temporary or permanent) authorised by this Order; or
 - (e) the carrying out in the street of any of the works referred to in article 9(1) (street works).
- (2) Such an agreement may, without limitation on the scope of paragraph (1)—
- (a) make provision for the street authority to carry out any function under this Order which relates to the street in question;
 - (b) specify a reasonable time for the completion of the works; and
 - (c) contain such terms as to payment and otherwise as the parties consider appropriate.

PART 4

SUPPLEMENTAL POWERS

Discharge of water

17.—(1) Subject to paragraphs (3) and (4), the undertaker may use any watercourse or any public sewer or drain for the drainage of water in connection with the carrying out or maintenance of the authorised development and for that purpose may lay down, take up and alter pipes and may, on any land within the Order limits, make openings into, and connections with, the watercourse, public sewer or drain.

(2) Any dispute arising from the making of connections to or the use of a public sewer or drain by the undertaker under paragraph (1) is to be determined as if it were a dispute under section 106 (right to communicate with public sewers) of the Water Industry Act 1991^(a).

(3) The undertaker must not discharge any water into any watercourse, public sewer or drain except with the consent of the person to whom it belongs; and such consent may be given subject to such terms and conditions as that person may reasonably impose but such consent must not be unreasonably withheld.

- (4) The undertaker must not make any opening into any public sewer or drain except—
- (a) in accordance with plans approved by the person to whom the sewer or drain belongs; and
 - (b) where that person has been given the opportunity to supervise the making of the opening.

(5) Except as authorised by this Order, the undertaker must not, in carrying out or maintaining works, damage or interfere with the bed or banks of any watercourse forming part of a main river.

(6) The undertaker must take such steps as are reasonably practicable to secure that any water discharged into a watercourse or public sewer or drain under the powers conferred by this article is as free as may be practicable from gravel, soil or other solid substance, oil or matter in suspension.

^(a) 1991 c. 56. Section 106 was amended by section 35(1) and (8) of, and Schedule 2 to, the Competition and Service (Utilities) Act 1992 (c. 43), sections 36(2) and 99 of the Water Act 2003 (c. 37) and paragraph 16(1) of Schedule 3 to the Flood and Water Management Act 2010 (c. 29).

(7) Nothing in this article overrides the requirement to obtain an environmental permit under regulation 12(1)(b) (requirement for environmental permit) of the Environmental Permitting (England and Wales) Regulations 2010(a).

(8) In this article—

- (a) “public sewer or drain” means a sewer or drain which belongs to the Homes and Communities Agency, the Environment Agency, a harbour authority within the meaning of section 57 (interpretation) of the Harbours Act 1964(b), an internal drainage board, a joint planning board, a local authority, a National Park Authority, a sewerage undertaker or an urban development corporation; and
- (b) other expressions, excluding watercourse, used both in this article and in the Water Resources Act 1991(c) have the same meaning as in that Act.

Protective work to buildings

18.—(1) Subject to the following provisions of this article, the undertaker may at its own expense carry out such protective works to any building lying within the Order limits as the undertaker considers necessary or expedient.

(2) Protective works may be carried out—

- (a) at any time before or during the carrying out in the vicinity of the building of any part of the authorised development; or
- (b) after the completion of that part of the authorised development in the vicinity of the building, at any time up to the end of the period of 5 years beginning with the day on which that part of the authorised development is first opened for use.

(3) For the purpose of determining how the functions under this article are to be exercised the undertaker may (subject to paragraph (5)) enter and survey any building falling within paragraph (1) and any land within its curtilage.

(4) For the purpose of carrying out protective works under this article to a building the undertaker may (subject to paragraphs (5) and (6))—

- (a) enter the building and any land within its curtilage; and
- (b) where the works cannot be carried out reasonably conveniently without entering land which is adjacent to the building but outside its curtilage, enter the adjacent land (but not any building erected on it).

(5) Before exercising—

- (a) a right under paragraph (1) to carry out protective works to a building;
- (b) a right under paragraph (3) to enter a building and land within its curtilage;
- (c) a right under paragraph (4)(a) to enter a building and land within its curtilage; or
- (d) a right under paragraph (4)(b) to enter land,

the undertaker must, except in the case of emergency, serve on the owners and occupiers of the building or land not less than 14 days’ notice of its intention to exercise that right and, in a case falling within sub-paragraph (a) or (c), specifying the protective works proposed to be carried out.

(6) Where a notice is served under paragraph (5)(a), (c) or (d), the owner or occupier of the building or land concerned may, by serving a counter-notice within the period of 10 days beginning with the day on which the notice was served, require the question as to whether it is necessary or expedient to carry out the protective works or to enter the building or land to be referred to arbitration under article 46 (arbitration).

(a) SI 2010/675, as amended by S.I. 2011/2043 and S.I. 2013/390; there are other amending instruments but none are relevant.

(b) 1964 c. 40.

(c) 1991 c. 57.

(7) The undertaker must compensate the owners and occupiers of any building or land in relation to which rights under this article have been exercised for any loss or damage arising to them by reason of the exercise of those rights.

(8) Where—

- (a) protective works are carried out under this article to a building; and
- (b) within the period of 5 years beginning with the day on which the part of the authorised development carried out in the vicinity of the building is first opened for use it appears that the protective works are inadequate to protect the building against damage caused by the carrying out or use of that part of the authorised development,

the undertaker must compensate the owners and occupiers of the building for any loss or damage sustained by them.

(9) Nothing in this article relieves the undertaker from any liability to pay compensation under section 152(a) (compensation in case where no right to claim nuisance) of the 2008 Act.

(10) Any compensation payable under paragraph (7) or (8) is to be determined, in case of dispute, under Part 1 of the 1961 Act.

(11) In this article “protective works” in relation to a building means—

- (a) underpinning, strengthening and any other works the purpose of which is to prevent damage which may be caused to the building by the carrying out, maintenance or use of the authorised development; and
- (b) any works the purpose of which is to remedy any damage which has been caused to the building by the carrying out, maintenance or use of the authorised development.

Authority to survey and investigate the land

19.—(1) The undertaker may for the purposes of this Order enter on any land shown within the Order limits or which may be affected by the authorised development and—

- (a) survey or investigate the land;
- (b) without limitation on the scope of sub-paragraph (a), make trial holes in such positions on the land as the undertaker thinks fit to investigate the nature of the surface layer and subsoil and remove soil samples;
- (c) without limitation on the scope of sub-paragraph (a), carry out ecological or archaeological investigations on such land; and
- (d) place on, leave on and remove from the land apparatus for use in connection with the survey and investigation of land and making of trial holes.

(2) No land may be entered or equipment placed or left on or removed from the land under paragraph (1) unless at least 14 days’ notice has been served on every owner and occupier of the land.

(3) Any person entering land under this article on behalf of the undertaker—

- (a) must, if so required before or after entering the land, produce written evidence of authority to do so; and
- (b) may take onto the land such vehicles and equipment as are necessary to carry out the survey or investigation or to make the trial holes.

(4) No trial holes are to be made under this article—

- (a) in land located within the highway boundary without the consent of the highway authority; or
- (b) in a private street without the consent of the street authority.

(a) As amended by S.I. 2009/1307.

(5) The undertaker must compensate the owners and occupiers of the land for any loss or damage arising by reason of the exercise of the authority conferred by this article, such compensation to be determined, in case of dispute, under Part 1 of the 1961 Act.

PART 5 POWERS OF ACQUISITION

Compulsory acquisition of land

20.—(1) The undertaker may acquire compulsorily so much of the Order land as is required for the authorised development or to facilitate it, or is incidental to it, or is required as replacement land for the special category land referred to in article 31 (special category land) and may use any land so acquired for the purposes authorised by this Order or for any other purposes in connection with or ancillary to the authorised development.

(2) This article is subject to article 23(2) (compulsory acquisition of rights) and article 29(8) (temporary use of land for carrying out the authorised development).

Compulsory acquisition of land – incorporation of the mineral code

21. Parts 2 and 3 of Schedule 2 (minerals) to the Acquisition of Land Act 1981(a) are incorporated in this Order subject to the modifications that—

- (a) paragraph 8(3) is not incorporated; and
- (b) for “the acquiring authority” substitute “the undertaker”.

Time limit for exercise of authority to acquire land compulsorily

22.—(1) After the end of the period of 5 years beginning on the day on which this Order is made—

- (a) no notice to treat is to be served under Part 1 of the 1965 Act; and
- (b) no declaration is to be executed under section 4 of the Compulsory Purchase (Vesting Declarations) Act 1981 as applied by article 25 (application of the Compulsory Purchase (Vesting Declarations) Act 1981).

(2) The authority conferred by article 29 (temporary use of land for carrying out the authorised development) ceases at the end of the period referred to in paragraph (1), except that nothing in this paragraph prevents the undertaker remaining in possession of land after the end of that period, if the land was entered and possession was taken before the end of that period.

Compulsory acquisition of rights

23.—(1) Subject to paragraph (2), the undertaker may acquire compulsorily such rights over the Order land affecting the Order land as may be required for any purpose for which that land may be acquired under article 20 (compulsory acquisition of land) by creating them as well as by acquiring rights already in existence.

(2) In the case of the Order land specified in column (1) of Schedule 10 (land in which only new rights etc. may be acquired) the undertaker’s powers of compulsory acquisition are limited to the acquisition of such wayleaves, easements or new rights in the land as may be required for the purpose specified in relation to that land in column (3) of that Schedule.

(3) The undertaker may impose restrictive covenants affecting plots 2/3a, 2/4a and 2/6a for the purposes specified in relation to that land in column (3) of Schedule 10.

(a) 1981 c. 67

(4) Subject to section 8 (other provisions as to divided land) of the 1965 Act, as substituted by paragraph 5 of Schedule 11 (modification of compensation and compulsory purchase enactments for creation of new rights), where the undertaker acquires a right over land under paragraph (1) or the benefit of a restrictive covenant under paragraph (3), the undertaker is not required to acquire a greater interest in that land.

(5) Schedule 11 has effect for the purpose of modifying the enactments relating to compensation and the provisions of the 1965 Act in their application in relation to the compulsory acquisition under this article of a right over land by the creation of a new right or the imposition of a restrictive covenant.

Private rights

24.—(1) Subject to the provisions of this article, all private rights over land subject to compulsory acquisition under this Order are extinguished—

- (a) as from the date of acquisition of the land by the undertaker, whether compulsorily or by agreement; or
- (b) on the date of entry on the land by the undertaker under section 11(1) of the 1965 Act (power of entry),

whichever is the earlier.

(2) Subject to the provisions of this article, all private rights over land subject to the compulsory acquisition of rights under this Order are extinguished in so far as their continuance would be inconsistent with the exercise of any right acquired by the undertaker (“the acquired right”)—

- (a) as from the date of acquisition of the acquired right by the undertaker, whether compulsorily or by agreement; or
- (b) on the date of entry on the land by the undertaker under section 11(1) of the 1965 Act (power of entry) in pursuance of the acquired right,

whichever is the earlier.

(3) Subject to the provisions of this article, all private rights over Order land owned by the undertaker are extinguished on commencement of any activity authorised by this Order which interferes with or breaches such rights.

(4) Subject to the provisions of this article, all private right over land of which the undertaker takes temporary possession under this Order are suspended and unenforceable for as long as the undertaker remains in lawful possession of the land and so far as their continuance would be inconsistent with the temporary possession of that land.

(5) Any person who suffers loss by the extinguishment or suspension of any private right under this article is entitled to compensation in accordance with the terms of section 152 (compensation in case where no right to claim in nuisance) of the 2008 Act, to be determined, in case of dispute, under Part 1 of the 1961 Act.

(6) This article does not apply in relation to any right to which section 138 of the 2008 Act (extinguishment of rights, and removal of apparatus, of statutory undertakers etc.) or article 32 (statutory undertakers) applies.

(7) Paragraphs (1) to (4) have effect subject to—

- (a) any notice given by the undertaker before—
 - (i) the completion of the acquisition of the land or the acquisition of rights over, or the imposition of restrictive covenants affecting, the land;
 - (ii) the undertaker’s appropriation of it;
 - (iii) the undertaker’s entry onto it; or
 - (iv) the undertaker’s taking temporary possession of it,
- that any or all of those paragraphs do not apply to any right specified in the notice; and

(b) any agreement made at any time between the undertaker and the person in or to whom the right in question is vested or belongs.

(8) If any such agreement as is referred to in paragraph (7)(b)—

(a) is made with a person in or to whom the right is vested or belongs; and

(b) is expressed to have effect also for the benefit of those deriving title from or under that person,

it is effective in respect of the persons so deriving title, whether the title was derived before or after the making of the agreement.

(9) Reference in this article to private rights over land includes reference to any trust, incident, easement, liberty, privilege, right or advantage annexed to land and adversely affecting other land (including any natural right to support) and includes restrictions as to the user of land arising by virtue of a contract, agreement or undertaking having that effect.

Application of the Compulsory Purchase (Vesting Declarations) Act 1981

25.—(1) The Compulsory Purchase (Vesting Declarations) Act 1981 applies as if this Order were a compulsory purchase order.

(2) The Compulsory Purchase (Vesting Declarations) Act 1981, as applied by paragraph (1), has effect with the following modifications.

(3) In section 1 (application of Act), for subsection (2) substitute—

“(2) This section applies to any Minister, any local or other public authority or any other body or person authorised to acquire land by means of a compulsory purchase order.”.

(4) In section 3 (preliminary notices), for subsection (1) substitute—

“(1) Before making a declaration under section 4 with respect to any land which is subject to a compulsory purchase order, the acquiring authority must include the particulars specified in subsection (3) in a notice which is—

(a) given to every person with a relevant interest in the land with respect to which the declaration is to be made (other than a mortgagee who is not in possession); and

(b) published in a local newspaper circulating in the area in which the land is situated.”.

(5) In that section, in subsection (2), for “(1)(b)” substitute “(1)” and after “given” insert “and published”.

(6) In that section, for subsections (5) and (6) substitute—

“(5) For the purposes of this section, a person has a relevant interest in land if—

(a) that person is for the time being entitled to dispose of the fee simple of the land, whether in possession or in reversion; or

(b) that person holds, or is entitled to the rents and profits of, the land under a lease or agreement, the unexpired term of which exceeds one month.”.

(7) In section 5 (earliest date for execution of declaration)—

(a) in subsection (1), after “publication” insert “in a local newspaper circulating in the area in which the land is situated”; and

(b) omit subsection (2).

(8) In section 7 (constructive notice to treat), in subsection (1)(a), omit “(as modified by section 4 of the Acquisition of Land Act 1981)”.

(9) References to the 1965 Act in the Compulsory Purchase (Vesting Declarations) Act 1981 are to be construed as references to the 1965 Act as applied by section 125 (application of compulsory purchase provisions) of the 2008 Act to the compulsory acquisition of land under this Order.

Acquisition of subsoil only

26.—(1) The undertaker may acquire compulsorily so much of, or such rights in, the subsoil of the land referred to in paragraph (1) of article 20 (compulsory acquisition of land) as may be required for any purpose for which that land may be acquired under that provision instead of acquiring the whole of the land.

(2) Where the undertaker acquires any part of, or rights in, the subsoil of land under paragraph (1), the undertaker is not required to acquire an interest in any other part of the land.

(3) Paragraph (2) does not prevent article 27 (acquisition of part of certain properties) from applying where the undertaker acquires a cellar, vault, arch or other construction forming part of a house, building or manufactory.

Acquisition of part of certain properties

27.—(1) This article applies instead of section 8(1) of the 1965 Act (other provisions as to divided land) (as applied by section 125 (application of compulsory purchase provisions) of the 2008 Act) where—

(a) a notice to treat is served on a person (“the owner”) under the 1965 Act (as so applied) in respect of land forming part only of a house, building or manufactory or part only of land consisting of a house with a park or garden (“the land subject to the notice to treat”); and

(b) a copy of this article is served on the owner with the notice to treat.

(2) In such a case, the owner may, within the period of 21 days beginning with the day on which the notice was served, serve on the undertaker a counter-notice objecting to the sale of the land subject to the notice to treat which states that the owner is willing and able to sell the whole (“the land subject to the counter-notice”).

(3) If no such counter-notice is served within that period, the owner must sell the land subject to the notice to treat.

(4) If such a counter-notice is served within that period, the question whether the owner must sell only the land subject to the notice to treat is, unless the undertaker agrees to take the land subject to the counter-notice, to be referred to the tribunal.

(5) If on such a reference the tribunal determines that the land subject to the notice to treat can be taken—

(a) without material detriment to the remainder of the land subject to the counter-notice; or

(b) where the land subject to the notice to treat consists of a house with a park or garden, without material detriment to the remainder of the land subject to the counter-notice and without seriously affecting the amenity and convenience of the house,

the owner must sell the land subject to the notice to treat.

(6) If on such a reference the tribunal determines that only part of the land subject to the notice to treat can be taken—

(a) without material detriment to the remainder of the land subject to the counter-notice; or

(b) where the land subject to the notice to treat consists of a house with a park or garden, without material detriment to the remainder of the land subject to the counter-notice and without seriously affecting the amenity and convenience of the house,

the notice to treat is deemed to be a notice to treat for that part.

(7) If on such a reference the tribunal determines that—

(a) the land subject to the notice to treat cannot be taken without material detriment to the remainder of the land subject to the counter-notice; but

(b) the material detriment is confined to a part of the land subject to the counter-notice,

the notice to treat is deemed to be a notice to treat for the land to which the material detriment is confined in addition to the land already subject to the notice, whether or not the additional land is land which the undertaker is authorised to acquire compulsorily under this Order.

(8) If the undertaker agrees to take the land subject to the counter-notice, or if the tribunal determines that—

- (a) none of the land subject to the notice to treat can be taken without material detriment to the remainder of the land subject to the counter-notice or, as the case may be, without material detriment to the remainder of the land subject to the counter-notice and without seriously affecting the amenity and convenience of the house; and
- (b) the material detriment is not confined to a part of the land subject to the counter-notice,

the notice to treat is deemed to be a notice to treat for the land subject to the counter-notice whether or not the whole of that land is land which the undertaker is authorised to acquire compulsorily under this Order.

(9) Where, by reason of a determination by the tribunal under this article, a notice to treat is deemed to be a notice to treat for less land or more land than that specified in the notice, the undertaker may, within the period of 6 weeks beginning with the day on which the determination is made, withdraw the notice to treat; and, in that event, must pay the owner compensation for any loss or expense occasioned to the owner by the giving and withdrawal of the notice, to be determined in case of dispute by the tribunal.

(10) Where the owner is required under this article to sell part only of a house, building or manufactory or part only of land consisting of a house with a park or garden, the undertaker must pay the owner compensation for any loss sustained by the owner due to the severance of that part in addition to the value of the interest acquired.

Rights under or over streets

28.—(1) The undertaker may enter upon and appropriate so much of the subsoil of, or air-space over, any street within the Order limits as may be required for the purposes of the authorised development and may use the subsoil or air-space for those purposes or any other purpose ancillary to the authorised development.

(2) Subject to paragraph (3), the undertaker may exercise any power conferred by paragraph (1) in relation to a street without being required to acquire any part of the street or any easement or right in the street.

(3) Paragraph (2) does not apply in relation to—

- (a) any subway or underground building; or
- (b) any cellar, vault, arch or other construction in, on or under a street which forms part of a building fronting onto the street.

(4) Subject to paragraph (5), any person who is an owner or occupier of land in respect of which the power of appropriation conferred by paragraph (1) is exercised without the undertaker acquiring any part of that person's interest in the land, and who suffers loss by the exercise of that power, is entitled to compensation to be determined, in case of dispute, under Part 1 of the 1961 Act.

(5) Compensation is not payable under paragraph (4) to any person who is an undertaker to whom section 85 (sharing cost of necessary measures) of the 1991 Act applies in respect of measures of which the allowable costs are to be borne in accordance with that section.

Temporary use of land for carrying out the authorised development

29.—(1) The undertaker may, in connection with the carrying out of the authorised development—

- (a) enter on and take temporary possession of—
 - (i) the land specified in columns (1) to (3) of Schedule 12 (land of which temporary possession may be taken) for the purpose specified in relation to that land in column (4) of that Schedule relating to the part of the authorised development specified in column (5) of that Schedule; and

- (ii) any other Order land in respect of which no notice of entry has been served under section 11 (powers of entry) of the 1965 Act (other than in connection with the acquisition of rights only) and no declaration has been made under section 4 (execution of declaration) of the 1981 Act;
 - (b) remove any buildings and vegetation from that land; and
 - (c) construct temporary works (including the provision of means of access) and buildings on that land.
- (2) Not less than 14 days before entering on and taking temporary possession of land under this article the undertaker must serve notice of the intended entry on the owners and occupiers of the land.
- (3) The undertaker may not, without the agreement of the owners of the land, remain in possession of any land under this article—
- (a) in the case of plots 2/3, 2/3a, 2/4, 2/4a, 2/5a, 2/6 and 2/6a, after the new rights have been created under the powers conferred by article 23 (compulsory acquisition of rights) in plots 2/3a, 2/4a and 2/6a; and
 - (b) in the case of any other land, after the end of the period of one year beginning with the date of completion of the relevant part of the authorised development.
- (4) Before giving up possession of land of which temporary possession has been taken under this article, the undertaker must remove all temporary works and restore the land to the reasonable satisfaction of the owners of the land; but the undertaker is not required to replace a building removed under this article.
- (5) The undertaker must pay compensation to the owners and occupiers of land of which temporary possession is taken under this article for any loss or damage arising from the exercise in relation to the land of the provisions of any power conferred by this article.
- (6) Any dispute as to a person's entitlement to compensation under paragraph (5), or as to the amount of the compensation, is to be determined under Part 1 of the 1961 Act.
- (7) Nothing in this article affects any liability to pay compensation under section 152 (compensation in case where no right to claim in nuisance) of the 2008 Act or under any other enactment in respect of loss or damage arising from the carrying out of the authorised development, other than loss or damage for which compensation is payable under paragraph (5).
- (8) The undertaker may not compulsorily acquire under this Order the land referred to in paragraph (1)(a)(i) except that the undertaker is not precluded from—
- (a) acquiring new rights over any part of that land under article 23; or
 - (b) acquiring any part of the subsoil (or rights in the subsoil) of that land under article 26 (acquisition of subsoil only).
- (9) Where the undertaker takes possession of land under this article, the undertaker is not required to acquire the land or any interest in it.
- (10) Section 13 (refusal to give possession to acquiring authority) of the 1965 Act applies to the temporary use of land pursuant to this article to the same extent as it applies to the compulsory acquisition of land under this Order by virtue of section 125 (application of compulsory acquisition provisions) of the 2008 Act.
- (11) Nothing in this article prevents the taking of temporary possession more than once in relation to any land specified in Schedule 12.

Temporary use of land for maintaining authorised development

30.—(1) Subject to paragraph (2), at any time during the maintenance period relating to any part of the authorised development, the undertaker may—

- (a) enter on and take temporary possession of any land within the Order limits if such possession is reasonably required for the purpose of maintaining the authorised development; and

- (b) construct such temporary works (including the provision of means of access) and buildings on the land as may be reasonably necessary for that purpose.
- (2) Paragraph (1) does not authorise the undertaker to take temporary possession of—
- (a) any house or garden belonging to a house; or
 - (b) any building (other than a house) if it is for the time being occupied.
- (3) Not less than 28 days before entering on and taking temporary possession of land under this article the undertaker must serve notice of the intended entry on the owners and occupiers of the land.
- (4) The undertaker may only remain in possession of land under this article for so long as may be reasonably necessary to carry out the maintenance of the part of the authorised development for which possession of the land was taken.
- (5) Before giving up possession of land of which temporary possession has been taken under this article, the undertaker must remove all temporary works and restore the land to the reasonable satisfaction of the owners of the land.
- (6) The undertaker must pay compensation to the owners and occupiers of land of which temporary possession is taken under this article for any loss or damage arising from the exercise in relation to the land of the provisions of this article.
- (7) Any dispute as to a person’s entitlement to compensation under paragraph (6), or as to the amount of the compensation, is to be determined under Part 1 of the 1961 Act.
- (8) Nothing in this article affects any liability to pay compensation under section 152 (compensation in case where no right of claim in nuisance) of the 2008 Act or under any other enactment in respect of loss or damage arising from the maintenance of the authorised development, other than loss or damage for which compensation is payable under paragraph (6).
- (9) Where the undertaker takes possession of land under this article, the undertaker is not required to acquire the land or any interest in it.
- (10) Section 13 (refusal to give possession to acquiring authority) of the 1965 Act applies to the temporary use of land pursuant to this article to the same extent as it applies to the compulsory acquisition of land under this Order by virtue of section 125 (application of compulsory acquisition provisions) of the 2008 Act.
- (11) In this article “the maintenance period”, in relation to any part of the authorised development, means the period of 5 years beginning with the date on which that part of the authorised development is first opened for use.

Special category land

- 31.**—(1) On the giving of notice by the undertaker to the relevant planning authority that it has complied with paragraph (1) of requirement 23 (alternative route for Marriott’s Way), the Marriott’s Way open space land is to vest in the undertaker and is to be discharged from all rights, trusts and incidents to which it was previously subject.
- (2) Prior to the opening of the NDR classified road for public use the undertaker must obtain certification from the relevant planning authority that a scheme for the provision of the Marriott’s Way replacement open space land as open space has been implemented to its satisfaction, and on the provision of such certificate the Marriott’s Way replacement open space land is to vest in the persons in whom the Marriott’s Way open space land was vested immediately before it was vested in the undertaker and is to be subject to the same rights, trusts and incidents as attached to the Marriott’s Way open space land.
- (3) As from the date on which this Order comes into force or the date on which the fuel allotment land, or any part of it, is acquired by or vested in the undertaker, whichever is the later, the fuel allotment land is to be discharged from all rights, trusts and incidents to which it was previously subject.

Statutory undertakers

- 32.** Subject to the provisions of Schedule 13 (protective provisions), the undertaker may—
- (a) acquire compulsorily the land belonging to statutory undertakers shown on the land plans within the limits of the land to be acquired and described in the book of reference;
 - (b) extinguish or suspend the rights of, or remove or reposition the apparatus belonging to, statutory undertakers shown on the land plans and described in the book of reference; and
 - (c) acquire compulsorily the new rights over land belonging to statutory undertakers shown on the land plans and described in the book of reference.

Apparatus and rights of statutory undertakers in stopped up streets

33.—(1) Where a street is stopped up under article 12 (stopping up of streets and private accesses) any statutory utility whose apparatus is under, in, on, along or across the street has the same powers and rights in respect of that apparatus, subject to the provisions of this article, as if this Order had not been made.

(2) Where a street is stopped up under article 12 any statutory utility whose apparatus is under, in, on, over, along or across the street may, and if reasonably requested to do so by the undertaker must—

- (a) remove the apparatus and place it or other apparatus provided in substitution for it in such other position as the utility may reasonably determine and have power to place it; or
- (b) provide other apparatus in substitution for the existing apparatus and place it in such position as described in sub-paragraph (a).

(3) Subject to the following provisions of this article, the undertaker must pay to any statutory utility an amount equal to the cost reasonably incurred by the utility in or in connection with—

- (a) the execution of the relocation works required in consequence of the stopping up of the street; and
- (b) the doing of any other work or thing rendered necessary by the execution of the relocation works.

(4) If in the course of the execution of relocation works under paragraph (2)—

- (a) apparatus of a better type, of greater capacity or of greater dimensions is placed in substitution for existing apparatus; or
- (b) apparatus (whether existing apparatus or apparatus substituted for existing apparatus) is placed at a depth greater than the depth at which the existing apparatus was;

and the placing of apparatus of that type or capacity or of those dimensions or the placing of apparatus at that depth, as the case may be, is not agreed by the undertaker, or, in default of agreement, is not determined by arbitration to be necessary, then, if it involves cost in the execution of the relocation work exceeding that which would have been involved if the apparatus placed had been of the existing type, capacity or dimensions, or at the existing depth, as the case may be, the amount which, apart from this paragraph, would be payable to the statutory utility by virtue of paragraph (3) is to be reduced by the amount of that excess.

(5) For the purposes of paragraph (4) –

- (a) an extension of apparatus to a length greater than the length of existing apparatus is not to be treated as a placing of apparatus of greater dimensions than those of the existing apparatus; and
- (b) where the provision of a joint in a cable is agreed, or is determined to be necessary, the consequential provision of a jointing chamber or of a manhole is to be treated as if it also had been agreed or had been so determined.

(6) An amount which, apart from this paragraph, would be payable to a statutory utility in respect of works by virtue of paragraph (3) (and having regard, where relevant, to paragraph (4)) must, if the works include the placing of apparatus provided in substitution for apparatus placed more than 7 years and 6 months earlier so as to confer on the utility any financial benefit by

deferment of the time for renewal of the apparatus in the ordinary course, be reduced by the amount which represents that benefit.

(7) Paragraphs (3) to (6) do not apply where the authorised development constitutes major highway works, major bridge works or major transport works for the purposes of Part 3 of the 1991 Act, but instead—

- (a) the allowable costs of the relocation works are to be determined in accordance with section 85 (sharing of cost of necessary measures) of that Act and any regulations for the time being having effect under that section; and
- (b) the allowable costs are to be borne by the undertaker and the statutory utility in such proportions as may be prescribed by any such regulations.

(8) In this article –

“apparatus” has the same meaning as in Part 3 of the 1991 Act;

“relocation works” means work executed, or apparatus provided, under paragraph (2); and

“statutory utility” means a statutory undertaker for the purposes of the 1980 Act or a public communications provider as defined in section 151(1) (interpretation) of the Communications Act 2003^(a).

Recovery of costs of new connections

34.—(1) Where any apparatus of a public utility undertaker or of a public communications provider is removed under article 32 (statutory undertakers) any person who is the owner or occupier of premises to which a supply was given from that apparatus is entitled to recover from the undertaker compensation in respect of expenditure reasonably incurred by that person, in consequence of the removal, for the purpose of effecting a connection between the premises and any other apparatus from which a supply is given.

(2) Paragraph (1) does not apply in the case of the removal of a public sewer but where such a sewer is removed under article 32 any person who is—

- (a) the owner or occupier of premises the drains of which communicated with the sewer; or
- (b) the owner of a private sewer which communicated with that sewer,

is entitled to recover from the undertaker compensation in respect of expenditure reasonably incurred by that person, in consequence of the removal, for the purpose of making the drain or sewer belonging to that person communicate with any other public sewer or with a private sewerage disposal plant.

(3) This article does not have effect in relation to apparatus to which article 33 (apparatus and rights of statutory undertakers in stopped up streets) or Part 3 of the 1991 Act applies.

(4) In this paragraph –

“public communications provider” has the same meaning as in section 151(1) (interpretation of Chapter 1) of the Communications Act 2003; and

“public utility undertaker” has the same meaning as in the 1980 Act.

(a) 2003 c. 21.

PART 6

OPERATIONS

Felling or lopping of trees

35.—(1) The undertaker may fell or lop any tree or shrub near, within or overhanging any part of the authorised development, or cut back its roots, if it reasonably believes it to be necessary to do so to prevent the tree or shrub—

- (a) from obstructing or interfering with the construction of the authorised development or any apparatus used in connection with the authorised development; or
- (b) from constituting a danger to other persons using the authorised development.

(2) In carrying out any activity authorised by paragraph (1), the undertaker must not cause unnecessary damage to any tree or shrub and must pay compensation to any person for any loss or damage arising from such activity.

(3) Any dispute as to a person's entitlement to compensation under paragraph (2), or as to the amount of compensation, is to be determined under Part 1 of the 1961 Act.

Trees subject to tree preservation order

36.—(1) The undertaker may fell or lop any tree described in Schedule 15 (trees subject to tree preservation orders) or cut back its roots, if it reasonably believes it to be necessary to do so to prevent the tree or shrub—

- (a) from obstructing or interfering with the construction, maintenance or operation of the authorised development or any apparatus used in connection with the authorised development; or
- (b) from constituting a danger to persons using the authorised development.

(2) In carrying out any activity authorised by paragraph (1) the undertaker must not cause unnecessary damage to any tree or shrub and must pay compensation to any person for any loss or damage arising from such activity.

(3) The duty imposed by section 206(1) (replacement of trees) of the 1990 Act does not apply to any activity authorised by paragraph (1).

(4) The authority given by paragraph (1) constitutes a deemed consent under the relevant tree preservation order.

(5) Any dispute as to a person's entitlement to compensation under paragraph (2), or as to the amount of compensation, is to be determined under Part 1 of the 1961 Act.

PART 7

MISCELLANEOUS AND GENERAL

Application of landlord and tenant law

37.—(1) This article applies to—

- (a) any agreement for leasing to any person the whole or any part of the authorised development or the right to operate the authorised development; and
- (b) any agreement entered into by the undertaker with any person for the construction, maintenance, use or operation of the authorised development, or any part of it,

so far as any such agreement relates to the terms on which any land which is the subject of a lease granted by or under that agreement is to be provided for that person's use.

(2) No enactment or rule of law regulating the rights and obligations of landlords and tenants prejudices the operation of any agreement to which this article applies.

(3) No such enactment or rule of law applies in relation to the rights and obligations of the parties to any lease granted by or under any such agreement so as to—

- (a) exclude or in any respect modify any of the rights and obligations of those parties under the terms of the lease, whether with respect to the termination of the tenancy or any other matter;
- (b) confer or impose on any such party any right or obligation arising out of or connected with anything done or omitted on or in relation to land which is the subject of the lease, in addition to any such right or obligation provided for by the terms of the lease; or
- (c) restrict the enforcement (whether by action for damages or otherwise) by any party to the lease of any obligation of any other party under the lease.

Operational land for purposes of the 1990 Act

38. Development consent granted by this Order is to be treated as specific planning permission for the purposes of section 264(3)(a) of the 1990 Act (cases in which land is to be treated as operational land for the purposes of that Act).

Defence to proceedings in respect of statutory nuisance

39.—(1) Where proceedings are brought under section 82(1) of the Environmental Protection Act 1990(a) (summary proceedings by persons aggrieved by statutory nuisances) in relation to a nuisance falling within paragraph (g) of section 79(1) of that Act (noise emitted from premises so as to be prejudicial to health or a nuisance) no order is to be made, and no fine may be imposed, under section 82(2)(b) of that Act if—

- (a) the defendant shows that the nuisance—
 - (i) relates to premises used by the undertaker for the purposes of or in connection with the construction or maintenance of the authorised development and that the nuisance is attributable to the carrying out of the authorised development in accordance with a notice served under section 60 (control of noise on construction sites), or a consent given under section 61 (prior consent for work on construction sites) or 65 (noise exceeding registered level), of the Control of Pollution Act 1974(c); or
 - (ii) is a consequence of the construction or maintenance of the authorised development and that it cannot reasonably be avoided; or
- (b) the defendant shows that the nuisance is a consequence of the use of the authorised development and that it cannot reasonably be avoided.

(2) Section 61(9) of the Control of Pollution Act 1974 and section 65(8) of that Act do not apply where the consent relates to the use of premises by the undertaker for the purposes of or in connection with the construction or maintenance of the authorised development.

Protective Provisions

40. Schedule 13 (protective provisions) has effect.

Certification of plans etc.

41.—(1) The undertaker must, as soon as practicable after the making of this Order, submit to the Secretary of State copies of—

- (a) the book of reference;

(a) 1990 c. 43. There are amendments to this sub-section which are not relevant to this Order.
(b) Subsection 82(2) was amended by section 5(1) and (2) of the Noise and Statutory Nuisance Act 1993 (c. 40); there are other amendments to this subsection but none are relevant to this Order.
(c) 1974 c. 40. Section 61(2) was amended by section 133(2) of, and Schedule 7 to, the Building Act 1984 (c. 55). Sections 61(9) and 65(8) were amended by section 162 of, and paragraph 15 of Schedule 3 to, the Environmental Protection Act 1990 (c. 25).

- (b) the environmental statement;
- (c) the plans listed in paragraph 4(1) of Schedule 2 (requirements); and
- (d) the mitigation table (as defined in Schedule 2),

for certification that they are true copies of the documents referred to in this Order.

(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.

Service of notices

42.—(1) A notice or other document required or authorised to be served for the purposes of this Order may be served—

- (a) by post;
- (b) by delivering it to the person on whom it is to be served or to whom it is to be given or supplied; or
- (c) with the consent of the recipient and subject to paragraphs (6) to (8), by electronic transmission.

(2) Where the person on whom a notice or other document to be served for the purposes of this Order is a body corporate, the notice or document is duly served if it is served on the secretary or clerk of that body.

(3) For the purposes of section 7 (references to service by post) of the Interpretation Act 1978^(a) as it applies for the purposes of this article, the proper address of any person in relation to the service on that person of a notice or document under paragraph (1) is, if that person has given an address for service, that address and otherwise—

- (a) in the case of the secretary or clerk of that body corporate, the registered or principal office of that body; and
- (b) in any other case, the last known address of that person at that time of service.

(4) Where for the purposes of this Order a notice or other document is required or authorised to be served on a person as having an interest in, or as the occupier of, land and the name or address of that person cannot be ascertained after reasonable enquiry, the notice may be served by—

- (a) addressing it to that person by the description of “owner”, or as the case maybe “occupier” of the land (describing it); and
- (b) either leaving it in the hands of the person who is or appears to be resident or employed on the land or leaving it conspicuously affixed to some building or object on or near the land.

(5) Where a notice or other document required to be served or sent for the purposes of this Order is served or sent by electronic transmission the requirement is to be taken to be fulfilled only where—

- (a) the recipient of the notice or other document to be transmitted has given consent to the use of electronic transmission in writing or by electronic transmission;
- (b) the notice or document is capable of being accessed by the recipient;
- (c) the notice or document is legible in all material respects; and
- (d) the notice or document is in a form sufficiently permanent to be used for subsequent reference.

(6) Where the recipient of a notice or other document served or sent by electronic transmission notifies the sender within 7 days of receipt that the recipient requires a paper copy of all or any part of that notice or other document the sender must provide such a copy as soon as reasonably practicable.

(a) 1978 c. 30.

(7) Any consent to the use of an electronic transmission by a person may be revoked by that person in accordance with paragraph (8).

(8) Where a person is no longer willing to accept the use of electronic transmission for any other purposes of this Order—

- (a) that person must give notice in writing or by electronic transmission revoking any consent given by that person for that purpose; and
- (b) such revocation is final and takes effect on a date specified by the person in the notice but that date must not be less than 7 days after the date on which the notice is given.

(9) This article does not exclude the employment of any method of service not expressly provided for by it.

(10) In this article—

“electronic transmission” means a communication transmitted—

- (a) by means of electronic communications network; or
- (b) by other means but while in electronic form; and

“legible in all material respects” means that the information contained in the notice or document is available to that person to no lesser extent than it would be if served, given or supplied by means of a notice or document in printed form.

Traffic regulation

43.—(1) Subject to the provisions of this article, and the consent of the traffic authority in whose area the road concerned is situated, the undertaker may, for the purposes of the authorised development—

- (a) revoke, amend or suspend in whole or in part any order made, or having effect as if made, under the 1984 Act;
- (b) permit, prohibit or restrict the stopping, waiting, loading or unloading of vehicles on any road;
- (c) authorise the use as a parking place of any road;
- (d) make provision as to the direction or priority of vehicular traffic on any road; and
- (e) permit or prohibit vehicular access to any road,

either at all times or at times, on days or during such periods as may be specified by the undertaker.

(2) The power conferred by paragraph (1) may be exercised at any time prior to the expiry of 12 months from the opening of the authorised development for public use but subject to paragraph (6) any prohibition, restriction or other provision made under paragraph (1) may have effect both before and after the expiry of that period.

(3) The undertaker must consult the chief officer of police and the traffic authority in whose area the road is situated before complying with the provisions of paragraph (4).

(4) The undertaker must not exercise the power conferred by paragraph (1) unless it has—

- (a) given not less than—
 - (i) 12 weeks’ notice in writing of its intention so to do in the case of a prohibition, restriction or other provision intended to have effect permanently; or
 - (ii) 4 weeks’ notice in writing of its intention so to do in the case of a prohibition, restriction or other provision intended to have effect temporarily,

to the chief officer of police and to the traffic authority in whose area the road is situated; and

- (b) advertised its intention in such manner as the traffic authority may specify in writing within 28 days of its receipt of notice of the undertaker’s intention in the case of sub-paragraph (a)(i), or within 7 days of its receipt of notice of the undertaker’s intention in the case of sub-paragraph (a)(ii).

- (5) Any prohibition, restriction or other provision made by the promoter under paragraph (1)—
- (a) has effect as if duly made by, as the case may be—
 - (i) the traffic authority in whose area the road is situated, as a traffic regulation order under the 1984 Act; or
 - (ii) the local authority in whose area the road is situated, as an order under section 32 (power of local authorities to provide parking places) of the 1984 Act^(a), and the instrument by which it is effected may specify savings and exemptions to which the prohibition, restriction or other provision is subject; and
 - (b) is deemed to be a traffic order for the purposes of Schedule 7 (road traffic contraventions subject to civil enforcement) to the Traffic Management Act 2004^(b).
- (6) Any prohibition, restriction or other provision made under this article may be suspended, varied or revoked by the undertaker from time to time by subsequent exercise of the powers conferred by paragraph (1) within a period of 24 months from the opening of the authorised development for public use.
- (7) Before exercising the powers conferred by paragraph (1) the undertaker must consult such persons as it considers necessary and appropriate and take into consideration any representations made to it by any such person.
- (8) Expressions used in this article and in the 1984 Act have the same meaning in this article as in that Act.
- (9) The powers conferred on the undertaker by this article with respect to any road have effect subject to any agreement entered into by the undertaker with any person with an interest in (or who undertakes activities in relation to) premises served by the road.

Prohibition of entry, prohibition of motor vehicles, weight restrictions and speed limits

- 44.**—(1) Upon completion of the relevant part of the authorised development—
- (a) no person is to drive any motor vehicle along the lengths of roads identified in column (2) of Part 1 of Schedule 14 (speed limits and traffic regulation measures) at a speed exceeding that specified in relation to that length of road in column (3) of that Part of that Schedule;
 - (b) the traffic regulation measures identified in column (3) of Part 2 of Schedule 14 apply in relation to the lengths of road specified in column (2) of that Part of that Schedule;
 - (c) the traffic orders imposing speed limits identified in column (3) of Part 3 of Schedule 14 are revoked or varied (as appropriate) so that they cease to apply to the lengths of road specified in column (2) of that Part of that Schedule;
 - (d) the traffic regulation orders imposing weight restrictions identified in column (3) of Part 4 of Schedule 14 on the lengths of road specified in column (2) of that Part of that Schedule are varied so that they apply only to the lengths of road specified in column (4) of that Part of that Schedule.
- (2) No speed limit imposed by this Order applies to vehicles falling within regulation 3(4) of the Road Traffic Exemptions (Special Forces) (Variation and Amendment) Regulations 2011^(c) when used in accordance with regulation 3(5) of those Regulations.

Procedure in relation to certain approvals etc.

- 45.**—(1) Where an application or request is made to the relevant planning authority, a highway authority, a traffic authority, a street authority, navigation authority, an owner or occupier of land

(a) Section 32 was amended by section 102 of, and Schedule 17 to, the Local Government Act 1985 (c. 51) and section 168(1) of, and paragraph 39 of Schedule 8 to, the 1991 Act.

(b) 2004 c. 18

(c) S.I. 2011/935.

or the owner of a watercourse, sewer or drain (“consenting authority”) for any consent, agreement or approval required or contemplated by any of the provisions of this Order, other than by Schedule 2 (requirements) or Parts 1 and 2 of Schedule 13 (protective provisions), such consent, agreement or approval must, if given, be given in writing and must not be unreasonably withheld.

(2) Except for applications made under paragraph (4) and except as provided for in paragraph (3), if, within 28 days after the application or request has been submitted to a consenting authority, owner or occupier, it has not notified the undertaker of its disapproval and the grounds of disapproval, it is deemed to have approved the application or request.

(3) Paragraph (2) does not apply to any application or request—

- (a) which is accompanied by a report which concludes; or
- (b) where the consenting authority reasonably concludes, and issues notice of its conclusion to the undertaker within 28 days of submission of the application or request,

that it is likely that the subject matter of such application or request will give rise to any materially new or materially different environmental effects from those assessed in the environmental statement.

(4) Where an application is made to the relevant planning authority for any consent, agreement or approval required under Schedule 2 (requirements), the following provisions apply, so far as they relate to a consent, agreement or approval of a local planning authority required by a condition imposed on a grant of planning permission, as if the requirement was a condition imposed on the grant of planning permission—

- (a) sections 78 (right to appeal against planning decisions and failure to take such decisions)(a) and 79 (determination of appeals)(b) of the 1990 Act (right of appeal in relation to planning decisions); and
- (b) any orders, rules or regulations which make provision in relation to a consent, agreement or approval of a local planning authority required by a condition imposed on the grant of planning permission.

(5) For the purposes of paragraph (4), a provision relates to a consent, agreement or approval of a local planning authority required by a condition imposed on a grant of planning permission in so far as it makes provision in relation to an application for such a consent, agreement or approval, or the grant or refusal of such an application, or a failure to give notice of a decision on such an application.

Arbitration

46. Any difference under any provision of this Order, unless otherwise provided for, is to be referred to and settled by a single arbitrator to be agreed between the parties or, failing agreement, to be appointed on the application of either party (after giving notice in writing to the other) by the President of the Institution of Civil Engineers.

Signed by the authority of the Secretary of State of Transport

Martin Woods
Head of Transport and Works Act Orders Unit
Department for Transport

2nd June 2015

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- (a) Section 78 was amended by section 17(2) of the Planning and Compensation Act 1991 (c. 34), section 43(2) of the Planning and Compulsory Purchase Act 2004 (c. 5), paragraphs 1 and 3 of Schedule 10, and paragraphs 1 and 2 of Schedule 11, to the Planning Act 2008 (c. 29), section 123(1) and (3) of, and paragraphs 1 and 11 of Schedule 12 to, the Localism Act 2011 (c. 20) and paragraphs 1 and 8 of Schedule 1 to the Growth and Infrastructure Act 2013 (c. 27).
 - (b) Section 79 was amended by section 18 of, and paragraphs 8 and 19 of Schedule 7 to, the Planning and Compensation Act 1991 and paragraphs 1 and 4 of Schedule 10 to the Planning Act 2008.

SCHEDULES

SCHEDULE 1

Article 2

AUTHORISED DEVELOPMENT

In the County of Norfolk and—

in respect of the whole of Work Nos. 1 to 10, 12 to 20 and 22 to 26, and in respect of part of Work Nos. 11 and 21, in the District of Broadland; and

in respect of part of Work No. 11 only, in the City of Norwich; and

in respect of part of Work No. 21 only, in the administrative area of the Broads Authority,

a development which, in accordance with a direction made by the Secretary of State for Transport on 9th August 2013 under section 35 of the 2008 Act^(a), is development for which development consent is required, comprising—

Work No. 1

(1) Within the area identified as Work No. 1 on the Works Plan Sheet 1 of 12—

- (a) as part of the improvement of the A1067 Fakenham Road, the construction of a roundabout junction on the A1067 Fakenham Road (known as ‘Fakenham Road Roundabout’), as the westernmost connection of the dual carriageway NDR classified road, including the construction of a footway and cycle track, running concentrically from the eastern tie-in of the improvement with the existing A1067 Fakenham Road, around the south and north west arcs of the Fakenham Road Roundabout, together with the realignment, north eastwards, of those lengths of the A1067 Fakenham Road carriageway and verges which extend 760 metres north west, and 140 metres south east, of the Fakenham Road Roundabout, and of the reconfiguration of a further 125 metres of the south westerly verge of the A1067 Fakenham Road, extending south eastwards from the south easterly termination point of those works;
- (b) the construction of a 50-metre length of the dual carriageway NDR classified road, extending north eastwards from the Fakenham Road Roundabout;
- (c) the creation of grassland areas to the north and south sides of the realigned A1067 Fakenham Road carriageway; and
- (d) the creation of grassland and woodland areas to the north west of the Fakenham Road Roundabout.

Work No. 2

(2) Within the area identified as Work No. 2 on the Works Plan Sheet 1 of 12 and Sheet 2 of 12—

- (a) the construction of a 1,040-metre continuing length of the dual carriageway NDR classified road, from that length of the NDR classified road described in paragraph (1)(b), extending north eastwards, then eastwards, towards the Fir Covert Road Roundabout described in paragraph (3)(b);
- (b) the construction of a combined private means of access and diverted restricted byway route (for Attlebridge Restricted Byway No. 3), extending east north-eastwards, then north westwards, for 315 metres, from the Fakenham Road Roundabout, to rejoin the existing Attlebridge Restricted Byway No. 3;

(a) Section 35 was substituted by section 26(2) of the Growth and Infrastructure Act 2013 (c. 27).

- (c) the construction of a length of bridleway, running alongside the north side of the NDR classified road, from the junction with Attlebridge Restricted Byway No. 3, north eastwards (to a junction with a continuing length or bridleway described in paragraph (3)(e)), such bridleway to be combined with a private means of access for its first 150 metres westerly length, and the construction of a diverging length of private means of access only, from that easterly end point of the combined route, north eastwards for 100 metres;
- (d) the construction of 1 drainage lagoon (No. 1), and access to it, to the east of the Fakenham Road Roundabout;
- (e) the construction of 1 drainage lagoon (No. 1A), and access to it, to the north east of the Fakenham Road Roundabout;
- (f) the construction of 1 drainage lagoon (No. 2), and access to it, to the north west of the Fir Covert Road Roundabout;
- (g) the creation of grassland and woodland areas on the north side of the Fakenham Road Roundabout; and
- (h) the creation of grassland and woodland areas on the north and south sides of this length of the NDR classified road.

Work No. 3

- (3) Within the area identified as Work No. 3 on the Works Plan Sheet 2 of 12—
 - (a) the construction of a 50-metre length of the dual carriageway NDR classified road, from that length of the NDR classified road described in paragraph (2)(a), extending eastwards to the Fir Covert Road Roundabout;
 - (b) the construction of a roundabout junction as part of the NDR classified road, on and to connect with the C262 Fir Covert Road (known as ‘Fir Covert Road Roundabout’), including the construction of a footway and cycle track around the south west and north west arcs of the Fir Covert Road Roundabout, leading to crossing points on the north and south arms of the C262 Fir Covert Road;
 - (c) the construction of a 50-metre length of the dual carriageway NDR classified road, extending eastwards from the Fir Covert Road Roundabout;
 - (d) the improvement of the C262 Fir Covert Road, by widening on its east and west sides, on its immediate southerly and northerly approaches to the Fir Covert Road Roundabout;
 - (e) the construction of a continuing length of bridleway (extending from that length of bridleway described in paragraph (2)(c)), running alongside the north side of the NDR classified road, skirting the north west arc of the Fir Covert Road Roundabout and then extending northwards for some 100 metres, to a junction with the west side of the improved C262 Fir Covert Road at that point;
 - (f) the construction of a length of bridleway, from the east side of the improved C262 Fir Covert Road, at a point some 100 metres north of the Fir Covert Road Roundabout, extending southwards and then eastwards (to a junction with its continuing length of bridleway described in paragraph (4)(d)), running alongside the north side of the NDR classified road;
 - (g) the construction of a length of cycle track, from the east side of the improved C262 Fir Covert Road on the south side of the Fir Covert Road Roundabout, extending eastwards (to a junction with its continuing length of cycle track described in paragraph (4)(e)), running alongside the south side of the NDR classified road; and
 - (h) the creation of grassland, woodland and scrubland areas to the north of the Fir Covert Road Roundabout and grassland and woodland areas to the south of the Fir Covert Road Roundabout.

Work No. 4

(4) Within the area identified as Work No. 4 on the Works Plan Sheet 2 of 12 and Sheet 3 of 12—

- (a) the construction of a 970-metre length of the dual carriageway NDR classified road, from that length of the NDR classified road described in paragraph (3)(c), extending eastwards, then north eastwards, towards the Reephams Road Roundabout described in paragraph (5)(b);
- (b) the improvement of Furze Lane (U57168), on its east side, immediately to the north of the NDR classified road, by the construction of a cul-de-sac turning head at what is to become its southerly termination point on the north side of the NDR classified road;
- (c) the improvement of Breck Farm Lane (U57168), on its east side, just to the north east of Breck Farm Bungalow, by the construction of a cul-de-sac turning head at what is to become its north easterly termination point on the south side of the NDR classified road;
- (d) the construction of a continuing length of bridleway (extending from that length of bridleway described in paragraph (3)(f)), running alongside the north side of the NDR classified road, to connect with the west side of the new Marriott's Way (recreational public amenity path) Bridge crossing on the north side of the NDR classified road;
- (e) the construction of a continuing length of cycle track (extending from that length of cycle track described in paragraph (3)(g)), running alongside the south side of the NDR classified road, to its connection with both the west side of the Marriott's Way (recreational public amenity path), some 70 metres south of the NDR classified road, and with the bridleway described in sub-paragraph (i);
- (f) the construction of a Marriott's Way (recreational public amenity path) Bridge crossing of the NDR classified road;
- (g) the construction of a bridleway, running alongside the north side of the NDR classified road, from the east side of the new Marriott's Way (recreational public amenity path) Bridge crossing on the north side of the NDR classified road, eastwards to connect with both Furze Lane (U57168), at what is to become its southerly termination point on the north side of the NDR classified road, and with the bridleway described in sub-paragraph (h);
- (h) the construction of a length of bridleway, running alongside the north side of the NDR classified road, from its junction with the bridleway described in sub-paragraph (g), eastwards, running alongside the north side of the NDR classified road (to a junction with its continuing length of bridleway described in paragraph (5)(e));
- (i) the construction of a bridleway, to be combined in part with the private means of access described in sub-paragraph (k), from the south westerly termination point of stopped up Breck Farm Lane (U57168), north eastwards along that stopped up street, to a point on the east side of the existing Breck Farm Lane (U57168) bridge crossing of the Marriott's Way (recreational public amenity path);
- (j) the construction of a length of cycle track (with a right of way on foot), to be combined in part with the private means of access described in sub-paragraph (k), from the north easterly termination point of the bridleway described in sub-paragraph (i), north eastwards, then eastwards, running alongside the south side of the NDR classified road (to a junction with its continuing length of cycle track (with a right of way on foot) described in paragraph (5)(f));
- (k) the construction of a private means of access, to be combined in parts with the bridleway described in sub-paragraph (i) and the cycle track (with a right of way on foot) described in sub-paragraph (j), from the south westerly termination point of the stopped up Breck Farm Lane (U57168), north eastwards, then eastwards, crossing over Marriott's Way (recreational public amenity path), and continuing north eastwards, then eastwards, running alongside the south side of the NDR classified road (to a junction with the improved C261 Reephams Road described in paragraph (5)(d));

- (l) the construction of 1 drainage lagoon (No. 3), and access to it, to the west of the Reepham Road Roundabout; and
- (m) the creation of grassland, woodland and scrubland areas to the north side of the NDR classified road and grassland and woodland areas to the south side of the NDR classified road.

Work No. 5

(5) Within the area identified as Work No. 5 on the Works Plan Sheet 3 of 12—

- (a) the construction of a 50-metre length of the dual carriageway NDR classified road, from that length of the NDR classified road described in paragraph (4)(a), extending north eastwards to the Reepham Road Roundabout;
- (b) the construction of a roundabout junction as part of the NDR classified road, on and to connect with the C261 Reepham Road (known as ‘Reepham Road Roundabout’), including the construction of a footway and cycle track around the south east and north west arcs of the Reepham Road Roundabout;
- (c) the construction of a 45-metre length of the dual carriageway NDR classified road, extending eastwards from the Reepham Road Roundabout;
- (d) the improvement of the C261 Reepham Road, by widening on its north east and south west sides, over a 250-metre length (190 metres only on its south west side) on its north westerly approach and a 250-metre length on its south easterly approach, to the Reepham Road Roundabout;
- (e) the construction of a length of bridleway, extending from that length of bridleway described in paragraph (4)(h), eastwards, alongside the north side of the NDR classified road, and around the north west arc of the Reepham Road Roundabout, then extending north westwards to connect with the south west side of the improved C261 Reepham Road, some 135 metres north west of the Reepham Road Roundabout;
- (f) the construction of a length of cycle track (with a right of way on foot), combined with a private means of access, extending from those lengths of bridleway and private means of access described in paragraphs (4)(j) and (4)(k), respectively, eastwards, running along the south side of the NDR classified road, to connect with the south west boundary of the improved C261 Reepham Road, in relation to the cycle track some 50 metres south east of the Reepham Road Roundabout and in relation to the final length of private means of access some 160 metres south east of the Reepham Road Roundabout;
- (g) the construction of a bridleway, from a point on the north east boundary of the improved C261 Reepham Road some 130 metres north west of the Reepham Road Roundabout, extending south eastwards, then eastwards, to connect with the diverted route of Drayton Restricted Byway No. 6 described in sub-paragraph (h), and including a short spur connection to the improved C261 Reepham Road immediately north west of the Reepham Road Roundabout;
- (h) the construction of a 70-metre length of diverted route of Drayton Restricted Byway No. 6, combined with a private means of access track, north eastwards off the north arc of the Reepham Road Roundabout; and
- (i) the creation of grassland and woodland areas around the Reepham Road Roundabout.

Work No. 6

(6) Within the area identified as Work No. 6 on the Works Plan Sheet 3 of 12 and Sheet 4 of 12—

- (a) the construction of a 2,205-metre length of the dual carriageway NDR classified road, from that length of the NDR classified road described in paragraph (5)(c), extending eastwards, then south eastwards, towards the Drayton Lane Roundabout described in paragraph (7)(b);

- (b) the construction of a diverted route of Horsford Restricted Byway No. 5, combined with a private means of access track (known as Bell Farm Track), between the C261 Reepham Road and Dog Lane (U57176), together with the construction of a bridge, midway along the routes and to the south west of Bell Farm, to carry them over the NDR classified road;
- (c) the construction of a 230-metre length of private means of access, from the C261 Reepham Road, 235 metres south east of the Reepham Road Roundabout, north eastwards, then generally eastwards, alongside grassland and woodland areas, to the retained existing woodland on the south side of the NDR classified road;
- (d) the improvement and resurfacing of Drayton Restricted Byway No. 6 and Dog Lane (U57176)/Horsford Restricted Byway No. 4, between the junction with diverted Drayton Restricted Byway No. 6 and a point 30 metres east of Horsford Restricted Byway No. 5 (Bell Farm Track) and the improvement of Dog Lane (U57176), by widening on its southern side so as to provide a widened carriageway with passing bay, over a 210-metre length westwards from its junction with Horsford Restricted Byway No. 5 (Bell Farm Track);
- (e) the construction of a footway and cycle track within the northern verge of the C261 Reepham Road, between its junction with Long Dale (U51249) and its junction with Horsford Restricted Byway No. 5;
- (f) the construction of a length of private means of access alongside the north side of the NDR classified road, terminating 170 metres north west of drainage lagoon No. 5, and providing access to drainage lagoon No. 5 off that length, and running eastwards towards the new Drayton Lane Link Road;
- (g) the construction of 1 drainage lagoon (No. 4), and access to it, to the east of the Reepham Road Roundabout and to the north of the C261 Reepham Road;
- (h) the construction of 1 drainage lagoon (No. 5) to the north of the NDR classified road 500 metres north west of the Drayton Lane Roundabout; and
- (i) the creation of grassland and woodland areas to the north and south sides of this length of the NDR classified road.

Work No. 7

(7) Within the area identified as Work No. 7 on the Works Plan Sheet 4 of 12—

- (a) the construction of a 50-metre length of the dual carriageway NDR classified road, from that length of the NDR classified road described in paragraph (6)(a), extending south eastwards to the Drayton Lane Roundabout;
- (b) the construction of a roundabout junction as part of the NDR classified road, just to the west of the existing C282 Drayton Lane (known as 'Drayton Lane Roundabout'), including the construction of a footway and cycle track around the north east and south east arcs of the Drayton Lane Roundabout, leading to a crossing point on the northerly arm of the roundabout;
- (c) the construction of a 45-metre length of the dual carriageway NDR classified road, extending south eastwards from the Drayton Lane Roundabout;
- (d) the construction of the new Drayton Lane Link Road, from the Drayton Lane Roundabout, north eastwards to the B1149 Holt Road;
- (e) the construction of the new Drayton Lane Link Road, from the Drayton Lane Roundabout, southwards to the C261 Reepham Road, to connect with a new 4-arm roundabout (known as Reepham Road/Drayton Lane Roundabout) referred to in sub-paragraph (f);
- (f) the improvement and realignment of the C261 Reepham Road on its north side, to form over a 424-metre length, incorporating the Reepham Road/Drayton Lane Roundabout, where it meets with the new Drayton Lane Link Road described in sub-paragraph (e) and the C282 Drayton Lane (South), and including the construction of an integral footway

and cycle track around the roundabout and running south eastwards from the roundabout within the southern boundary of the C261 Reepham Road;

- (g) the improvement of the C282 Drayton Lane (North), on its west side, by the construction of a cul-de-sac turning head at its northerly point of stopping up;
- (h) the improvement of the B1149 Holt Road, over a 275-metre length south eastwards from its junction with the C253 Church Street, incorporating a 160-metre length of footway and cycle track within its north easterly boundary, south eastwards from a point 20 metres south east of its junction with the C253 Church Lane, and including the construction of a new roundabout (known as 'Holt Road/Drayton Lane Roundabout') 100 metres south west of its junction with the C253 Church Street, as a connection to the new Link Road described in sub-paragraph (d);
- (i) the construction of a cycle track (with a right of way on foot) between the C261 Reepham Road and the new Link Road described in sub-paragraph (e);
- (j) the construction of a cycle track (with a right of way on foot) between the improved and realigned C261 Reepham Road, at a point just east of its Reepham Road/Drayton Lane Roundabout, and the Drayton Lane Roundabout;
- (k) the construction of a bridleway between the new Drayton Lane Link Road described in sub-paragraph (d) and the cycle track (with a right of way on foot) described in sub-paragraph (j);
- (l) the construction of a bridleway between the new Drayton Lane Link Road described in sub-paragraph (d) and the Drayton Lane Roundabout, combined with a length of private means of access track from the new Drayton Lane Link Road extending south westwards, then north westwards, to connect up with the continuing length of private means of access described in paragraph (6)(f);
- (m) the construction of a private means of access to 'The Homestead', off the new Drayton Lane Link Road described in sub-paragraph (d);
- (n) the construction of 1 drainage lagoon (No. 6), and access to it, to the east of the new Drayton Lane/Reepham Road Roundabout;
- (o) the construction of 1 drainage lagoon (No. 6A), and access to it, to the east of Holt Road/Drayton Lane Roundabout; and
- (p) the creation of grassland areas at the Holt Road/Drayton Lane Roundabout; grassland and woodland areas at the Reepham Road/Drayton Lane Roundabout, and to the east and west sides of the new Drayton Lane Link Road, and grassland and woodland areas around the Drayton Lane Roundabout.

Work No. 8

(8) Within the area identified as Work No. 8 on the Works Plan Sheet 4 of 12—

- (a) the construction of a 800-metre length of the dual carriageway NDR classified road, extending south eastwards from that length of the NDR classified road described in paragraph (7)(c); and
- (b) the creation of grassland and woodland areas to the north and south sides of this length of the NDR classified road.

Work No. 9

(9) Within the area identified as Work No. 9 on the Works Plan Sheet 5 of 12—

- (a) the construction of a 1,025-metre length of the dual carriageway NDR classified road, extending eastwards from that length of the NDR classified road described in paragraph 8(a), together with the construction of a new A140 Cromer Road Bridge crossing of the NDR classified road, with integral eastern footway and cycle track to extend across that bridge length and around the north arc of the Cromer Road Roundabout North and around the south arc of the Cromer Road Roundabout South; and the construction of two NDR classified road westbound slip roads, to connect with the Cromer Road Roundabout South

and the construction of two NDR classified road eastbound slip roads, to connect with the Cromer Road Roundabout North; which together are to form the new NDR classified road/A140 Cromer Road grade separated junction;

- (b) the improvement of the B1149 Holt Road, on its south west side, immediately to the north of the NDR classified road and to the south east of New Holme Farm, by the construction of a cul-de-sac turning head at what is to become its south easterly termination point on the north side of the NDR classified road;
- (c) the improvement of Holly Lane (U57142), on its south side, just to the east of the private access road to Manor Farm, by the construction of a cul-de-sac turning head at what is to become its easterly termination point on the south side of the NDR classified road;
- (d) the improvement of a 200-metre length of the B1149 Holt Road, north westwards off the Cromer Road Roundabout South, to provide the tie-in with the NDR classified road westbound merge slip road at the grade separated junction, including the construction of a footway and cycle track within its south west boundary and for a further 85 metres north westwards within the south west boundary of the westbound merge slip road (so as to provide a continuous footway and cycle track between the Cromer Road Roundabout South and the cycle track (with a right of way on foot) along stopped up Holly Lane (U57142) described in sub-paragraph (f));
- (e) the construction of a cycle track (with a right of way on foot) between the south east termination point of the B1149 Holt Road, running eastwards along the north side of the NDR classified road, to a junction with Cromer Road Roundabout North;
- (f) the construction of a cycle track (with a right of way on foot), from the westerly termination point of stopped up Holly Lane (U57142) just to the east of Manor Farm Bungalow, eastwards to a junction with the NDR classified road westbound merge slip road at the grade separated junction, combined with a private means of access track along that part of the cycle track between the westerly termination point of stopped up Holly Lane (U57142) and drainage lagoon No. 8A;
- (g) the construction of a 140-metre length of cycle track (with a right of way on foot), from the Cromer Road Roundabout North, north eastwards to its junction with the Unnamed Highway (Cromer Road to West Lane) (U57647);
- (h) the construction of a 380-metre length of private means of access, from the Cromer Road Roundabout North, extending eastwards running alongside the north side of the NDR classified road eastbound merge slip road at the grade separated junction;
- (i) the construction of 1 drainage lagoon (No. 8), and access to it, to the south of the NDR classified road, within the south west quadrant of the grade separated junction;
- (j) the construction of 1 drainage lagoon (No. 8A) to the south west of drainage lagoon No. 8 and to the south west of the NDR classified road westbound merge slip road at the grade separated junction;
- (k) the construction of 1 drainage lagoon (No. 9), and access to it, to the west of the A140 Cromer Road 190 metres north east of the Cromer Road Roundabout North; and
- (l) the creation of woodland and grassland areas within, and adjacent to the NDR classified road/A140 Cromer Road grade separated junction.

Work No. 10

(10) Within the area identified as Work No. 10 on the Works Plan Sheet 5 of 12 and Sheet 6 of 12—

- (a) the construction of a 1,745-metre length of the dual carriageway NDR classified road, from that length of the NDR classified road described in paragraph (9)(a), extending eastwards, then north eastwards, towards the Airport Roundabout described in paragraph (11)(b);
- (b) the improvement of the C251 Bullock Hill, on its north east side, to the north of the NDR classified road and 70 metres south east of its junction with Calf Lane (U57229), by the

- construction of a cul-de-sac turning head, at the access point to drainage lagoon No. 12, at what is to become its south easterly termination point on the north side of the NDR classified road;
- (c) the construction of a 130-metre length of bridleway, from the north west termination point of stopped up C251 Bullock Hill, south eastwards, and then north eastwards alongside the north side of the NDR classified road, towards the Airport Roundabout;
 - (d) the construction of 1 drainage lagoon (No. 12), and access to it, to the north of the NDR classified road, and immediately to the north east of the C251 Bullock Hill and east of Calf Lane (U57229); and
 - (e) the creation of grassland, woodland, and scrubland areas to the north side of this length of the NDR classified road, and grassland areas to the south side of this length of the NDR classified road.

Work No. 11

(11) Within the area identified as Work No. 11 on the Works Plan Sheet 6 of 12—

- (a) the construction of a 50-metre length of the dual carriageway NDR classified road, from that length of the NDR classified road described in paragraph (10)(a), extending north eastwards to the Airport Roundabout;
- (b) the construction of a roundabout junction as part of the NDR classified road (known as ‘Airport Roundabout’), incorporating a footway and cycle track, connecting with the bridleway described in paragraph (10)(c), to cross the westerly arm of the Airport Roundabout to connect with the new road described in sub-paragraph (d);
- (c) the construction of a 45-metre length of the dual carriageway NDR classified road, extending south eastwards from the Airport Roundabout;
- (d) the construction of a new street southwards, then westwards, off the south arc of the Airport Roundabout, and incorporating a northerly footway and cycle track off the westerly arm crossing of the Airport Roundabout (to connect with the remaining C251 Bullock Hill), to the south of the NDR classified road and providing access to the Petans Training Centre facility, to the Airport Mast, and to Norwich International Airport;
- (e) the construction of a private means of access, from its junction with the new street described in sub-paragraph (d), generally south eastwards to, and to connect with, the internal circulatory road of Norwich International Airport;
- (f) the construction of a length of bridleway, extending from that length of bridleway described in paragraph 10(c), skirting around the north arc of the Airport Roundabout;
- (g) the construction of a length of private means of access, from the north easterly arc of the Airport Roundabout, running south eastwards on the north east side of the NDR classified road;
- (h) the construction of length of cycle track (with a right of way on foot), combined with a length of private means of access track, extending south eastwards off the new street described in sub-paragraph (d), running on the south west side of the NDR classified road; and
- (i) the creation of woodland and grassland areas around the Airport Roundabout.

Work No. 12

(12) Within the area identified as Work No. 12 on the Works Plan Sheet 6 of 12, Sheet 7 of 12 and Sheet 8 of 12—

- (a) the construction of a 2,755 metres length of the dual carriageway NDR classified road, from that length of the NDR classified road described in paragraph (11)(c), extending south eastwards, then eastwards, then north eastwards, towards the North Walsham Road Roundabout described in paragraph (13)(b);

- (b) the construction of a new street and bridge crossing of the NDR classified road, to the east of the existing C246 Buxton Road;
- (c) the improvement and realignment, by widening on its east side of its carriageway and verges, of a 240-metre length of the C246 Buxton Road on its northerly approach to the new street described in sub-paragraph (b), including the incorporation within its western boundary of a bridleway and pedestrian path connection between the easterly termination point of the bridleway described in sub-paragraph (g) and running down its west side to the junction of Beeston Lane (U57187), and of the layout of internal access ways leading to the existing private means of access to Nos. 318 to 324 (evens) Buxton Road and to the electricity substation to the west and rear of No. 318 Buxton Road; and the improvement and realignment, by widening on its west and east sides, of the carriageway and verges of a 370-metre length of the C246 Buxton Road on its southerly approach to the new street described in sub-paragraph (b);
- (d) the construction of a new street from the southern boundary of Quaker Lane (U57188), 40 metres west of its existing junction with the C246 Buxton Road, south eastwards to its junction with the C246 Buxton Road;
- (e) the construction of a length of bridleway, combined with a private means of access track, from those lengths of bridleway and private means of access track described in paragraphs (11)(f) and (11)(g), respectively, running alongside the north east side of the NDR classified road, extending south eastwards to a junction with Quaker Lane (U57188) at its westerly termination point;
- (f) the construction of a length of cycle track (with a right of way on foot), combined with a length of private means of access track, from that length of cycle track (with a right of way on foot) and private means of access track described in paragraph 11(h), running alongside the south west side of the NDR classified road, extending south eastwards to a junction with the C251 St Faiths Road;
- (g) the construction of a bridleway, from its junction with the C251 St Faiths Road and the cycle track (with a right of way on foot) described in sub-paragraph (f), running alongside the south side of the NDR classified road, to connect with the west side of the improved C246 Buxton Road, south of the NDR classified road;
- (h) the improvement and realignment of a 30-metre length of Quaker Lane (U57188) to connect with the new street described in sub-paragraph (d);
- (i) the improvement and widening of Quaker Lane (U57188), at its westerly termination point to the west of Nos. 1 and 2 Quaker Cottages, by way of the construction of a cul-de-sac turning head on the south side of that street, to the north of the NDR classified road;
- (j) the improvement of the C251 St Faiths Road at its northerly termination point, 140 metres south west of Nos. 1 and 2 Quaker Cottages, by way of the construction of a cul-de-sac turning head on the west side of that street, to the south of the NDR classified road;
- (k) the construction of a bridleway, from its junction with the improved C246 Buxton Road, on the south side of the NDR classified road, extending eastwards, under the new bridge crossing of the NDR classified road described in sub-paragraph (b), and then extending southwards, alongside the east side of, and connecting with, the improved and realigned C246 Buxton Road, at a point 65 metres generally north of its junction with Beeston Lane (U57187);
- (l) the construction of 1 drainage lagoon (No. 13) to the north east side of the NDR classified road and to the west of Quaker Farm;
- (m) the construction of 1 drainage lagoon (No. 13A) to the south side of the NDR classified road and to the south west of Quaker Farm;
- (n) the construction of 1 drainage lagoon (No. 14), and access to it, to the north side of the NDR classified road and to the east of the improved and realigned C246 Buxton Road;
- (o) the construction of 1 drainage lagoon (No. 14A), and access to it, to the south side of the NDR classified road and to the east of the improved and realigned C246 Buxton Road;

- (p) the construction of a private means of access to the gas governor, off the new street described in sub-paragraph (d); and
- (q) the creation of grassland, woodland and scrubland areas to the north side of the NDR classified road and grassland and woodland areas to the south side of the NDR classified road.

Work No. 13

(13) Within the area identified as Work No. 13 on the Works Plan Sheet 8 of 12—

- (a) the construction of a 50-metre length of the dual carriageway NDR classified road, from that length of the NDR classified road described in paragraph (12)(a), extending eastwards to the North Walsham Road Roundabout;
- (b) the construction of a roundabout junction as part of the NDR classified road, on and to connect with the B1150 North Walsham Road (known as ‘North Walsham Road Roundabout’), incorporating footways and cycle tracks around all four arcs of the roundabout;
- (c) the construction of a 45-metre length of the dual carriageway, NDR classified road, extending eastwards from the North Walsham Road Roundabout;
- (d) the improvement of the B1150 North Walsham Road, by widening on its east and west sides on its immediate southerly and northerly approaches to the North Walsham Road Roundabout;
- (e) the construction of a length of private means of access track, from the east side of the improved B1150 North Walsham Road, 95 metres north of the North Walsham Road Roundabout, running southwards, then eastwards, along the north side of the NDR classified road; and
- (f) the creation of grassland and woodland areas around the North Walsham Road Roundabout.

Work No. 14

(14) Within the area identified as Work No. 14 on the Works Plan Sheet 8 of 12 and Sheet 9 of 12—

- (a) the construction of a 1,945-metre length of the dual carriageway NDR classified road, from that length of the NDR classified road described in paragraph (13)(c), extending eastwards, then south eastwards, towards the Wroxham Road Roundabout described in paragraph (15)(b);
- (b) the construction of a length of private means of access track, as a continuation of the length of private means of access described in paragraph (13)(e), extending eastwards alongside the north side of the NDR classified road, to terminate at drainage lagoon No. 17 and with access off that length to drainage lagoon No. 16;
- (c) the construction of a length of bridleway, from the northern (90 degree) corner of Beeston Lane (U57186), extending northwards, and combined with a private means of access track along that northerly running length, then eastwards, alongside the south side of the NDR classified road, to a junction with the north west side of the improved A1151 Wroxham Road, 80 metres south west of the Wroxham Road Roundabout;
- (d) the construction of 1 drainage lagoon (No. 16) to the north of the NDR classified road, 170 metres north east of North Park Cottage;
- (e) the construction of 1 drainage lagoon (No. 17), including permanent wet area, to the north of the NDR classified road, 200 metres north east of the 90 degree corner of Beeston Lane (U57186); and
- (f) the creation of grassland and woodland areas to the north side of this length of the NDR classified road and grassland, woodland and scrubland areas to the south side of this length of the NDR classified road.

Work No. 15

(15) Within the area identified as Work No. 15 on the Works Plan Sheet 9 of 12—

- (a) the construction of a 50-metre length of the dual carriageway NDR classified road, from that length of the NDR classified road described in paragraph (14)(a), extending south eastwards to the Wroxham Road Roundabout;
- (b) the construction of a roundabout junction as part of the NDR classified road, on and to connect with the A1151 Wroxham Road (known as ‘Wroxham Road Roundabout’), incorporating the construction of footways and cycle tracks around the west, north and east arcs of the roundabout;
- (c) the construction of a 45-metre length of the dual carriageway NDR classified road, extending south eastwards from the Wroxham Road Roundabout;
- (d) the improvement, by widening on its south east and north west sides, of 120-metre lengths of the A1151 Wroxham Road on its north easterly and south westerly approaches to the Wroxham Road Roundabout;
- (e) the construction of a length of bridleway, as a continuation of the bridleway described in paragraph (14)(c), extending south westwards to a junction with the north west side of the improved A1151 Wroxham Road, 120 metres south west of the Wroxham Road Roundabout;
- (f) the construction of a length of bridleway, from the south east side of the improved A1151 Wroxham Road, extending north eastwards, then skirting the south arc of the Wroxham Road Roundabout, to continue south eastwards alongside the west side of the NDR classified road;
- (g) the construction of two private means of access, to the sewage works and the springs, off the north arc of the Wroxham Road Roundabout;
- (h) the construction of a private means of access track off the south arc of the Wroxham Road Roundabout; and
- (i) the creation of grassland and woodland areas around the Wroxham Road Roundabout.

Work No. 16

(16) Within the area identified as Work No. 16 on the Works Plan Sheet 9 of 12 and Sheet 10 of 12—

- (a) the construction of a 1,655-metre length of the dual carriageway NDR classified road, from that length of the NDR classified road described in paragraph (15)(c), extending south westwards towards the Salhouse Road Roundabout described in paragraph (17)(b);
- (b) the construction of a private means of access track, off the C258 Green Lane West, lying to the south of The Close, extending south westwards and terminating at drainage lagoons No. 18 and No. 18A and the pumping station;
- (c) the construction of a bridleway, from the junction of Newman Road (U57490) with Long’s Crescent (U57852), extending south westwards to the west side of the NDR classified road, combined with part of the private means of access track described in sub-paragraph (d), including the construction of a bridge to carry the bridleway and the private means of access track across the NDR classified road;
- (d) the construction of a private means of access track, from the junction of Newman Road (U57490) with Long’s Crescent (U57852), extending south westwards, then generally westwards, and combined with the bridleway described in sub-paragraph (c) over its first 265-metre length, for 550 metres, and with three main access track spurs leading off it;
- (e) the construction of a length of bridleway, as a continuation to the bridleway described in paragraph (15)(f), running alongside the west side of the NDR classified road, to connect with the Newman Track bridleway and private means of access bridge;

- (f) the construction of a length of cycle track (with a right of way on foot), from the junction with the bridleway described in sub-paragraph (c), running alongside the west side of the NDR classified road, extending south eastwards towards the Salhouse Road Roundabout;
- (g) the construction of a bat underpass, combined with a drainage culvert, under the NDR classified road, west of Sir Edward Stacey Road (U57538), including the provision of a natural flow ditch running from the eastern end of the culvert;
- (h) the demolition of Gazebo Farm and Hall Farm buildings;
- (i) the creation of 1 drainage lagoon (No. 18), including permanent wet area, to the east side of this length of the NDR classified road and 210 metres north west of Sir Edward Stracey Road (U57358);
- (j) the creation of a natural flow ditch to the south and west of drainage lagoon No. 18;
- (k) the creation of 1 drainage lagoon (No. 18A) to the east side of this length of the NDR classified road and to the north of drainage lagoon No. 18;
- (l) the creation of a flood plain compensatory storage area (No. 18B) to the east of this length of the NDR classified road and to the south of drainage lagoon No. 18;
- (m) the provision of ecological ponds to the west of this length of the NDR classified road and to north west of Newman Road overbridge; and
- (n) the creation of grassland and woodland areas to the east side of this length of the NDR classified road and grassland, woodland and scrubland areas to the west side of this length of the NDR classified road.

Work No. 17

(17) Within the area identified as Work No. 17 on the Works Plan Sheet 10 of 12—

- (a) the construction of a 50-metre length of the dual carriageway NDR classified road, from that length of the NDR classified road described in paragraph (16)(a), extending south eastwards to the Salhouse Road Roundabout;
- (b) the construction of a roundabout junction as part of the NDR classified road, on and to connect with, the C283 Salhouse Road (known as ‘Salhouse Road Roundabout’), incorporating the construction of footways and cycle tracks around the north, south and east arcs of the Salhouse Road Roundabout;
- (c) the construction of a 50-metre length of the dual carriageway NDR classified road, extending south eastwards from the Salhouse Road Roundabout;
- (d) the improvement, by widening on its north west and south east sides, of a 175-metre length of the C283 Salhouse Road on its south westerly approach to the Salhouse Road Roundabout and of a 70-metre length on its north easterly approach to the Salhouse Road Roundabout, and the improvement, by widening on its south east side only, of a further 120-metre length of the C283 Salhouse Road, extending south westwards from a point 20 metres south west of its junction with the carriageway of the C258 Green Lane West/Green Lane East, and of a 55-metre length extending south westwards from a point 70 metres south west of its junction with the Salhouse Road Roundabout;
- (e) the construction of a length of cycle track (with a right of way on foot), as a continuation of the cycle track described in paragraph (16)(f), extending south eastwards, around the west arc of the Salhouse Road Roundabout, then south westwards to a junction with the north west side of the improved C283 Salhouse Road, 60 metres south west of the Salhouse Road Roundabout; and
- (f) the creation of grassland and woodland areas around the Salhouse Road Roundabout.

Work No. 18

(18) Within the area identified as Work No. 18 on the Works Plan Sheet 10 of 12 and Sheet 11 of 12—

- (a) the construction of a 1,205-metre length of the dual carriageway NDR classified road, from that length of the NDR classified road described in paragraph (17)(c), extending south eastwards to and including the construction of a new roundabout junction (known as 'Plumstead Road Roundabout South'), 310 metres south east of the NDR classified road crossing of the Norwich to Cromer and Sheringham Railway line, and extending 45 metres southwards of that roundabout junction;
- (b) the improvement of the C258 Broad Lane, on its south west side, opposite the property 'Leighton House', by the construction of a cul-de-sac turning head at that point; and of the undertaking of other landscaping and verge works across the north west junction of the C258 Broad Lane/C874 Plumstead Road 90 metres to the south east of that turning head, which is to provide the physical works of closure at that junction;
- (c) the improvement, by widening on its south east side, of a 420-metre length of the C874 Plumstead Road extending south westwards from a point 20 metres south west of its junction with the C258 Broad Lane, including the construction of a footway and cycle track within the north western boundary of that length of improved street and the construction of a roundabout junction (known as 'Plumstead Road Roundabout North') on, and as part of the improvement of, the C874 Plumstead Road, at a point 220 metres south west of its junction with the C258 Broad Lane;
- (d) the construction of a new street between the Plumstead Road Roundabout North and the Plumstead Road Roundabout South;
- (e) the construction of a bridge to carry the NDR classified road over the C874 Plumstead Road;
- (f) the construction of a bridleway, combined with the private means of access described in sub-paragraph (g) for its first 90 metres length, running along the west side of the Norwich to Cromer and Sheringham railway line, from a point on the C874 Plumstead Road just west of the gas compound, extending north westwards, then north eastwards, then northwards, to a junction with the C258 Green Lane East;
- (g) the construction of a private means of access, combined with the bridleway described in sub-paragraph (f) for its first 90-metre length, from the C874 Plumstead Road just west of the gas compound, extending north westwards, then north eastwards, then north westwards, running along the south west side of the NDR classified road;
- (h) the construction of a bridleway, from the south east side of the improved C874 Plumstead Road, opposite 'Ladoma', extending south westwards, along the south east side of the improved C874 Plumstead Road, then southwards, along the east side of the street described in sub-paragraph (d), then skirting the east arc of the Plumstead Road Roundabout South, then extending 45 metres southwards of that roundabout junction, along the east side of the NDR classified road;
- (i) the construction of a 110-metre length of private means of access, running westwards, then northwards, off the west arc of the Plumstead Road Roundabout South;
- (j) the construction of a 75-metre length of private means of access, running eastwards off the new street described in sub-paragraph (d);
- (k) the construction of 1 drainage lagoon (No. 19), and access to it, to the east side of this length of the NDR classified road and 250 metres south west of the C283 Salhouse Road/C258 Green Lane East junction;
- (l) the construction of 1 drainage lagoon (No. 20), and access to it, to the east side of this length of the NDR classified road and 370 metres south of the C283 Salhouse Road/C258 Green Lane East junction;
- (m) the construction of 1 drainage lagoon (No. 21), and access to it, to the east side of the Plumstead Road Roundabout North and 160 metres west of the C874 Plumstead Road/C258 Broad Lane junction;
- (n) the construction of 1 drainage lagoon (No. 22), and access to it, to the north side of the Plumstead Road Roundabout South and 300 metres south west of the C874 Plumstead Road/C258 Broad Lane junction; and

- (o) the creation of grassland and woodland areas adjoining and within the junction works described in sub-paragraphs (a) to (c), and on the east and west sides of this length of the NDR classified road.

Work No. 19

(19) Within the area identified as Work No. 19 on the Works Plan Sheet 10 or 12, the construction of a new bridge to carry the NDR classified road over the Norwich to Cromer and Sheringham Railway line, including drainage works, earthworks, pavement works, kerbing and paved area works, signing and road marking works, safety barrier works, fencing works, landscaping works and other works associated with the construction of that bridge component of the NDR classified road.

Work No. 20

(20) Within the area identified as Work No. 20 on the Works Plan Sheet 11 of 12 and Sheet 12 of 12—

- (a) the construction of a 2,015-metre length of the dual carriageway NDR classified road, extending from that length of the NDR classified road described in paragraph (18)(a), southwards, then south eastwards, towards the Business Park Roundabout described in paragraph (21)(b), including the construction of northbound and southbound lay-bys on this length of the NDR classified road, immediately east of drainage lagoon No. 24;
- (b) the improvement, by widening on both its north and south sides, of the C442 Middle Road on its 310-metre length easterly approach, and 190-metre length westerly approach to its bridge crossing of the NDR classified road, together with the construction of a bridge to carry its 75-metre realigned length, between the two previously mentioned lengths, over the NDR classified road, and incorporating a bridleway and pedestrian path within its southern embankment improvement, west of the NDR classified road, to connect with the new bridleway described in sub-paragraph (k);
- (c) the improvement, by widening on its north side, of a length of Low Road (U59392) immediately to the east of the NDR classified road, by way of the construction of a turning head at what is to be its western termination point on the east side of the NDR classified road;
- (d) the improvement, by widening on its north side, of a length of Low Road (U59392) immediately to the east of its junction with Green Lane (U59278), by way of the construction of a turning head at what is to be its eastern termination point on the west side of the NDR classified road;
- (e) the improvement, by widening on its south side, of a length of Smee Lane (U59400), at a point 180 metres east of its junction with the Green Lane (U59278)/C832 Cranley Road/C830 Broadland Way roundabout junction, by way of the construction of a turning head at what is to be its eastern termination point on the west side of the NDR classified road;
- (f) the improvement, by widening on its south side, of a length of Smee Lane (U59400) immediately to the east of the NDR classified road, by way of the construction of a turning head at what is to be its western termination point on the east side of the NDR classified road;
- (g) the construction of a length of bridleway, as a continuation of the bridleway described in paragraph (18)(h), running southwards alongside the east side of the NDR classified road, to a junction with the C442 Middle Road (U59400);
- (h) the construction of a new private means of access to Oaks Farm;
- (i) the construction of a bridleway, from the C442 Middle Road (U59400), running southwards alongside the east side of the NDR classified road, to a junction with Smee Lane (U59400);
- (j) the construction of a cycle track (with a right of way on foot), from the bridleway described in sub-paragraph (i), at Smee Lane (U59400), combined with a private means

of access track over a 185-metre length to lagoon No. 25, running south eastwards alongside the east side of the NDR classified road, towards the Business Park Roundabout;

- (k) the construction of a bridleway running south eastwards alongside the west side of the NDR classified road, from the C442 Middle Road to a junction with the bridleway described in sub-paragraph (m) and having a junction part way along its length with the bridleway described in sub-paragraph (l);
- (l) the construction of a bridleway, combined with a private means of access track to various premises along that length, along stopped up Low Road (U59392), from the turning head on Low Road (U59392), immediately east of Green Lane (U59278), running eastwards to a junction with the bridleway described in sub-paragraph (k);
- (m) the construction of a bridleway, combined with part of the private means of access track described in sub-paragraph (n), from the westerly turning head on Smee Lane (U59400), running eastwards to a junction with the bridleway described in sub-paragraph (k);
- (n) the construction of a private means of access track, combined in part with the bridleway described in sub-paragraph (m), from the westerly turning head on Smee Lane (U59400), running eastwards to and including an access turning head to be constructed immediately to the west of the NDR classified road;
- (o) the construction of 1 drainage lagoon (No. 23), and access to it, to the east side of the NDR classified road 120 metres south west of the junction of the C442 Middle Road with Toad Lane (U59284);
- (p) the construction of 1 drainage lagoon (No. 24), and access to it, to the west side of the NDR classified road 120 metres east of the Nursery outbuildings located north off Smee Lane (U59400);
- (q) the construction of 1 drainage lagoon (No. 25), and access to it, east of the NDR classified road and 160 metres to the north of the Business Park Roundabout; and
- (r) the creation of grassland and woodland areas to the east and west sides of this length of the NDR classified road.

Work No. 21

(21) Within the area identified as Work No. 21 on the Works Plan Sheet 12 of 12 the construction of a new junction (known as 'Postwick Hub Junction') to link the dual carriageway NDR classified road described in paragraph 20(a) with the A47 Trunk Road, comprising—

- (a) the construction of a 50-metre length of the dual carriageway NDR classified road from that length of the NDR classified road described in paragraph 20(a), extending south eastwards to the Business Park Roundabout;
- (b) the construction of a roundabout junction as part of the NDR classified road, at the south east end of the NDR classified road described in sub-paragraph (a) (known as 'Business Park Roundabout');
- (c) the construction of a 550-metre length of the dual carriageway NDR classified road, from the Business Park Roundabout, south westwards to a new roundabout on the north side of the A47 Trunk Road (known as 'Postwick North East Roundabout');
- (d) the construction of the Postwick North East Roundabout at the south west end of the NDR classified road described in sub-paragraph (c);
- (e) the construction of a new bifurcated A47 Trunk Road eastbound diverge slip road, from a point on the eastbound carriageway of the A47 Trunk Road 250 metres generally east of where the A47 Trunk Road crosses over the Norwich to Yarmouth and Lowestoft Railway line, generally eastwards to connect with the Postwick North East Roundabout and with the northbound carriageway of the NDR classified road;
- (f) the construction of a new A47 Trunk Road eastbound merge slip road, from the Postwick North East Roundabout, generally eastwards to connect with the eastbound carriageway of the A47 Trunk Road 125 metres west of the private access to 'The Grange';

- (g) the construction of a 300-metre length of the single carriageway NDR classified road, and a new bridge crossing of the A47 Trunk Road (known as 'New Postwick Bridge'), incorporating an easterly footway and cycle track along its length, from the Postwick North East Roundabout, south westwards to the junction of the A1042 Yarmouth Road, in the vicinity of the existing and proposed Postwick Park and Ride sites;
- (h) the improvement of the A1042 Yarmouth Road, by the construction of a signalised junction (known as 'Park and Ride Signalised Junction'), to replace the existing roundabout on the A1042 Yarmouth Road at the existing Postwick Park and Ride site;
- (i) the improvement of the A1042 Yarmouth Road, over a 630-metre length east from the signalised junction described in sub-paragraph (h), including the provision of its tie-in with the new signalised junction and, along its northern verge, the construction of a new footway and cycle track eastwards to its junction with the C440 Church Road;
- (j) bridge, carriageway and verge alterations to the existing A1042 Yarmouth Road bridge over the A47 Trunk Road, including replacement of the bridge parapets, remodelling of its carriageway to provide three, 3 metre wide lanes (2 southbound and 1 northbound), the construction of a footway and cycle track within the widened west side of the bridge, and the construction of a new vertical retaining northern bridge abutment, to replace the existing sloping paved embankment;
- (k) the construction of a 550-metre length single carriageway link road (known as 'Broadland Gate Link'), from the Business Park Roundabout, westwards to the C829/C830 Broadland Way/C831 Peachman Way roundabout, incorporating the construction of a new roundabout (known as 'Broadland Gate Roundabout') and a 15-metre length southwards stub connection (for future access connection to the internal road layout proposed to serve the proposed Broadland Gate mixed commercial development), 310 metres along its length west of the Business Park Roundabout;
- (l) the improvement of the east arc of the C829/C830 Broadland Way/C831 Peachman Way roundabout, to provide the tie-in connection with the Broadland Gate Link described in sub-paragraph (k) and to part realign the southbound entry through the roundabout from the C831 Peachman Way;
- (m) alterations to the existing Postwick North West Roundabout, comprising the construction of a 14-metre eastwards stub connection (for the provision of future access to the proposed Broadland Gate development), and its widening on its south arc to incorporate carriageway alterations resulting from the removal of its connection with the A47 Trunk Road diverge slip road which is to be stopped up, together with the construction of a footway and cycle track connection across the north easterly connection point of the A47 Trunk Road diverge slip road which is to be removed;
- (n) the construction of a length of cycle track (with a right of way on foot), as a continuation of the cycle track described paragraph 20(j), running south, around the east side of the Business Park Roundabout, then continuing south westwards to a junction with the Postwick North East Roundabout;
- (o) the construction of a cycle track (with a right of way on foot), from the eastbound carriageway of the A47 Trunk Road to the Postwick North West Roundabout;
- (p) the construction of a private means of access from the Postwick North East Roundabout running eastwards to 'The Grange', and along its length providing access to drainage lagoon No. 30;
- (q) the construction of a length of private means of access (continuing the existing length of access as extends off the C829 Broadland Way), running alongside the north side of the new A47 Trunk Road eastbound diverge slip road, to Heath Farm;
- (r) the construction of 1 drainage lagoon (No. 26) west of the Broadland Gate Roundabout and to the east of the C829/C830 Broadland Way/C831 Peachman Way roundabout;
- (s) the construction of 1 wide infiltration swale (No. 27) within the west side of the NDR classified road, between the Postwick North East Roundabout and the Business Park Roundabout;

- (t) the construction of 1 drainage lagoon (No. 28), and access to it, to the west of the Postwick North East Roundabout, to the south of the new A47 Trunk Road eastbound diverge slip road, and to the north of the A47 Trunk Road eastbound carriageway;
- (u) the construction of 1 drainage lagoon (No. 29) to the north east of the A1042 Yarmouth Road Park and Ride Signalised Junction;
- (v) the construction of 1 drainage lagoon (No. 30) to the east of the Postwick North East Roundabout and to the north of the new A47 Trunk Road eastbound merge slip road; and
- (w) the creation of grassland, woodland and scrubland areas adjoining and within the Postwick Hub Junction.

Associated Development

Development which, in accordance with a direction made by the Secretary of State for Transport on 9th August 2013 under section 35 of the 2008 Act^(a), is associated to development for which development consent is required, comprising—

Work No. 22

(22) Within the area identified as Work No. 22 on the Works Plan Sheet 9 of 12—

- (a) the construction of a 95-metre length of single carriageway road, from a junction with the C258 Green Lane West 115 metres south east of its existing junction with the A1151 Wroxham Road, generally north westwards to a junction with the A1151 Wroxham Road;
- (b) the improvement, by widening and realignment on its west side, of a 62-metre length of the C258 Green Lane West, from the south easterly connection point of, and so as to provide a tie-in with, the new street described in sub-paragraph (a);
- (c) the improvement, by widening, of a 15-metre length of the C258 Green Lane West at its junction with the A1151 Wroxham Road, by way of the construction of a cul-de-sac turning head at that point (at which its existing junction with the A1151 Wroxham Road is to be closed); and
- (d) the improvement of a 160-metre length of the A1151 Wroxham Road south west of, and a 160-metre length north east of, the junction of the new street described in sub-paragraph (a), including widening and verge alterations along parts of that length, and at the point of the junction of the A1151 with the existing C258 Green Lane West landscaping and verge works to provide the physical works of closure of that junction.

Work No. 23

(23) Within the area identified as Work No. 23 on the Works Plan Sheet 11 of 12, street improvement works over a 750-metre length of the C874 Plumstead Road, south westwards from a point 230 metres north east of its junction with Broadland Drive (U51073), and over a 20-metre length of Broadland Drive (U51073) from its junction with the C874 Plumstead Road, at Thorpe End, including the construction of a mini-roundabout at the junction of the C874 Plumstead Road with Broadland Drive (U51073), and the construction of a footway and cycle track within the northern verge of the C874 Plumstead Road along the frontages of No. 15 Percy Howes Close and Nos. 49-63 (odds) Plumstead Road.

Work No. 24

(24) Within the area identified as Work No. 24 on the Works Plan Sheet 8 of 12—

- (a) the improvement of an 80-metre length of the B1150 North Walsham Road south of, and a 78-metre length north of, its junction with the C249 Rackheath Lane, incorporating verge alterations along parts of those lengths, including at the point of its junction with

(a) Section 35 was substituted by section 26(2) of the Growth and Infrastructure Act 2013 (c. 27).

the existing C249 Rackheath Lane landscaping and verge works which are to provide the physical works of closure of that junction, together with the provision of a widened filter lane from the C249 Crostwick Lane to the northbound lane of the B1150 North Walsham Road;

- (b) the improvement, by widening, of a 15-metre length of the C249 Rackheath Lane at its junction with the B1150 North Walsham Road, by way of the construction of a cul-de-sac turning head at that point (at which its existing junction with the B1150 North Walsham Road is to be closed); and
- (c) the formation of a private means of access for the Wroxham Estate between the C249 Rackheath Lane and the B1150 North Walsham Road.

Work No. 25

(25) Within the areas covered by Works Plan Sheet 2 of 12, the diversion of 435 metres of National Grid gas transmission pipeline, so that it crosses the NDR classified road at some 90 degrees rather than at an oblique angle.

Work No. 26

(26) Within the areas covered by Works Plans Sheets 1, 4, 7, 8, 10, 11 and 12 of 12, provision of bat gantries and bat houses at the following locations—

- (a) the construction of a bat gantry crossing the NDR classified road, 200 metres east of the Fakenham Road Roundabout;
- (b) the construction of a bat gantry crossing the NDR classified road, 390 metres south east of the Drayton Lane Roundabout;
- (c) the construction of a bat gantry crossing the NDR classified road, 100 metres east of drainage lagoon No. 13A;
- (d) the construction of a bat gantry crossing the NDR classified road, 600 metres east of the North Walsham Road Roundabout;
- (e) the construction of a bat gantry crossing the NDR classified road, 1,000 metres east of the North Walsham Road Roundabout;
- (f) the construction of 1 bat house at Gazebo Farm and 1 bat house at Hall Farm;
- (g) the construction of a bat gantry crossing the NDR classified road, 450 metres south of the Plumstead Road Roundabout South; and
- (h) the construction of a bat gantry crossing the NDR classified road, 500 metres north of the Business Park Roundabout.

And in connection with the carrying out of any of the numbered works such further development within the Order limits as may comprise—

- (i) drainage works, earthworks, pavement works, kerbing and paved area works, signing and road marking works, safety barrier works, fencing works, landscaping works and other works integral to or otherwise incidental to the construction of the NDR classified road and to the construction or improvement of other streets, junctions, roundabouts, structures, private means of access and other associated development;
- (ii) alteration of the layout of any street permanently or temporarily, including but not limited to increasing the width of the carriageway of the street by reducing the width of any kerb, footway, cycle track or verge within the street; altering the level or increasing the width of any such kerb, footway, cycle track or verge; reducing the width of the carriageway of the street; and provision of turning heads;
- (iii) ramps, means of access, field accesses, footpaths, bridleways, cycle tracks, embankments, viaducts, aprons, abutments, shafts, foundations, retaining walls, drainage, wing walls, street lighting, fencing and culverts;

- (iv) street works, including breaking up or opening a street, or any sewer, drain or tunnel under it; tunnelling or boring under a street; works to place or maintain apparatus in a street, works to alter the position of apparatus, including mains, sewers, drains and cables;
- (v) works to divert, alter, or other works to, apparatus including mains, sewers, drains and cables;
- (vi) works to alter the course of, or otherwise interfere with, a watercourse other than a navigable watercourse;
- (vii) landscaping and other works, including the provision of hedgerows, to mitigate any adverse effects of the construction, maintenance or operation of the authorised development, including fencing and other boundary treatments;
- (viii) works for the benefit or protection of land affected by the authorised development;
- (ix) works required for the strengthening, improvement, maintenance, or reconstruction of any streets;
- (x) the provision of bat boxes, bat gantries, newt fencing, badger fencing and boxes for other wildlife; and
- (xi) such other works, including contractor's compounds, working sites, storage areas, temporary top soil storage areas, and works of demolition, as may be necessary or expedient for the purposes of or in connection with the construction or maintenance of the authorised development and which fall within the scope of the environmental impact assessment.

SCHEDULE 2 REQUIREMENTS

Articles 2, 41 and 45

Interpretation

1.—(1) In this Schedule the following expressions have the following meanings—

“Design Manual for Roads and Bridges” means the document of that name published by Highways England;

“European protected species” has the same meaning as in regulations 40 and 44 of the Conservation of Habitats and Species Regulations 2010(a);

“heavy goods vehicle” means a heavy goods vehicle of more than 7.5 tonnes gross vehicle weight;

“Marriott’s Way” means the land defined as the “Marriott’s Way open space land” in article 2 (interpretation);

“mitigation table” means the table describing the mitigation measures identified in the environmental statement for the authorised development called the “NDR mitigation table Revision 1” and dated 2nd December 2014;

“Public Holidays” means Christmas Day, Good Friday or a bank holiday in England and Wales under section 1 of the Banking and Financial Dealings Act 1971(b); and

“relevant district authority” means in respect of each of their respective administrative areas Broadland District Council, Norwich City Council and the Broads Authority (as applicable in respect of each numbered work).

(2) Nothing in this Schedule prevents the carrying out of environmental (including archaeological) investigations or site or soil surveys immediately upon this Order coming into force.

Time limits

2. The authorised development must not commence later than the expiration of 5 years beginning with the date that this Order comes into force.

Commencement of the authorised development

3. Notice of commencement of the authorised development must be given to the relevant planning authority in writing within 7 days of the date that the authorised development is commenced.

Development to be carried out in accordance with plans

4.—(1) The authorised development must be carried out in accordance with the approved plans, such plans being subject to the limits of deviation, bearing references listed below and any other plans, drawings, documents, details, schemes, statements or strategies which have been approved in writing by the relevant planning authority under any requirement—

<i>Plan name</i>	<i>Plan numbers</i>
Works Plans	R1C093-R1-5002A, R1C093-R1-5003A, R1C093-R1-5004A, R1C093-R1-5005A,

(a) S.I. 2010/490, to which there are amendments not relevant to this Order.

(b) 1971 c. 80.

	R1C093-R1-5006A, R1C093-R1-5007A, R1C093-R1-5008A, R1C093-R1-5009A, R1C093-R1-50010A, R1C093-R1-50011A, R1C093-R1-50012A, R1C093-R1-50013A
General Arrangement Plans	R1C093-R1-5015A, R1C093-R1-5016A, R1C093-R1-5017A, R1C093-R1-5018A, R1C093-R1-5019A, R1C093-R1-5020A, R1C093-R1-5021A, R1C093-R1-5022A, R1C093-R1-5023A, R1C093-R1-5024A, R1C093-R1-5025A, R1C093-R1-5026A
Landscaping plans	MMD-233906-DT-0866 Rev 1, MMD-233906-DT-0867 Rev 1, MMD-233906-DT-0868 Rev 1, MMD-233906-DT-0869 Rev 1, MMD-233906-DT-0870 Rev 1, MMD-233906-DT-0871 Rev 1, MMD-233906-DT-0872 Rev 1, MMD-233906-DT-0873 Rev 1, MMD-233906-DT-0874 Rev 1, MMD-233906-DT-0875 Rev 1, MMD-233906-DT-0876 Rev 1, MMD-233906-DT-0877 Rev 1, MMD-233906-DT-0878 Rev 1
Bat Gantry Plans	233906-EC01-0010 Rev A, 233906-EC01-0001 Rev A, 233906-EC01-0002 Rev A, 233906-EC01-0003 Rev A, 233906-EC01-0004 Rev A, 233906-EC01-0005 Rev A, 233906-EC01-0006 Rev A, 233906-EC01-0007 Rev A
Bat House Plans	MMD-233906-DT-0654 Rev O, MMD-233906-DT-0655 Rev O
Street Lighting Plan	R1C093-R1-4950
Plan and Long Sections (mainline)	R1C093-R1-5089 Rev O, R1C093-R1-5090 Rev O, R1C093-R1-5091 Rev O, R1C093-R1-5092 Rev O, R1C093-R1-5093 Rev O, R1C093-R1-5094 Rev O, R1C093-R1-5095 Rev O, R1C093-R1-5096 Rev O, R1C093-R1-5097 Rev O, R1C093-R1-5098 Rev O, R1C093-R1-5099 Rev O, R1C093-R1-5100 Rev O
Plan and Long Sections (structures and side roads)	R1C093-R1-5102 Rev O, R1C093-R1-5103 Rev B, R1C093-R1-5104 Rev O, R1C093-R1-5105 Rev O, R1C093-R1-5106 Rev O, R1C093-R1-5107 Rev O, R1C093-R1-5108 Rev O, R1C093-R1-5109 Rev O, R1C093-R1-5110
Cross Sections	R1C093-R1-5115 Rev O, R1C093-R1-5116 Rev A, R1C093-R1-5117 Rev A, R1C093-R1-5118 Rev O, R1C093-R1-5119 Rev O, R1C093-R1-5120 Rev O, R1C093-R1-5121 Rev O, R1C093-R1-5122 Rev O, R1C093-R1-5123 Rev A, R1C093-R1-5124 Rev O, R1C093-R1-5125 Rev O, R1C093-R1-5126 Rev O, R1C093-R1-5127 Rev O, R1C093-R1-5128 Rev A, R1C093-R1-5129 Rev O, R1C093-R1-5130 Rev O, R1C093-R1-5131 Rev O
Bridge plans and elevations	R1C093-BD-BR1/300 Rev B, R1C093-BD-BR1/301 Rev A, R1C093-BD-BR2/300 Rev B, R1C093-BD-BR2/301 Rev A, R1C093-BD-

	BR3/300 Rev B, R1C093-BD-BR3/301 Rev A, R1C093-BD-BR4/300 Rev B, R1C093-BD-BR4/301 Rev A, R1C093-BD-BR5/300 Rev B, R1C093-BD-BR6/300 Rev C, R1C093-BD-BR6/301 Rev A, R1C093-BD-BR9/300 Rev B, R1C093-BD-BR9/301 Rev A, R1C150-TC-4101 Rev A, R1C150-TC-4102 Rev A, R1C150-TC-4103 Rev A, R1C150-CI-4001 Rev A, R1C150-CI-4002 Rev A, 233906-DU01-P002 Rev B, 233906-DU01-P0003 Rev B, 233906-DU01-P006 Rev B, 233906-DU01-P007 Rev B
Outline drainage works	R1C093-R1-5064 Rev A, R1C093-R1-5065 Rev A, R1C093-R1-5066 Rev A, R1C093-R1-5067 Rev A, R1C093-R1-5068 Rev A, R1C093-R1-5069 Rev A, R1C093-R1-5070 Rev A, R1C093-R1-5071 Rev A, R1C093-R1-5072 Rev A, R1C093-R1-5073 Rev A, R1C093-R1-5074 Rev A, R1C093-R1-5075 Rev A, R1C093-R1-5076 Rev A, R1C093-R1-5077 Rev A, R1C093-R1-5078 Rev A, R1C093-R1-5079 Rev A, R1C093-R1-5080 Rev B, R1C093-R1-5081 Rev A, R1C093-R1-5082 Rev A, R1C093-R1-5083 Rev A, R1C093-R1-5084 Rev A, R1C093-R1-5085 Rev A, R1C093-R1-5086 Rev A, R1C093-R1-5087 Rev A
Drainage and surface water management	MMD-233906-DT-0942 Rev 1, MMD-233906-DT-0943 Rev 1, MMD-233906-DT-0944 Rev 1, MMD-233906-DT-0945 Rev 1, MMD-233906-DT-0946 Rev 1, MMD-233906-DT-0947 Rev 1, MMD-233906-DT-0948 Rev 1, MMD-233906-DT-0949 Rev 1, MMD-233906-DT-0950 Rev 1, MMD-233906-DT-0951 Rev 1, MMD-233906-DT-0952 Rev 1, MMD-233906-DT-0991 Rev 1
Land plans	DCO-LP-01A, DCO-LP-02A, DCO-LP-03A, DCO-LP-04A, DCO-LP-05A, DCO-LP-06A, DCO-LP-07A, DCO-LP-08A, DCO-LP-09A, DCO-LP-10A, DCO-LP-11A, DCO-LP-12A
Street plans	DCO-SP-01A, DCO-SP-02A, DCO-SP-03A, DCO-SP-04A, DCO-SP-05A, DCO-SP-06A, DCO-SP-07A, DCO-SP-08A, DCO-SP-09A, DCO-SP-10A, DCO-SP-11A, DCO-SP-12A
Speed Limit Orders and proposed clearways	R1C093-R1-5028A, R1C093-R1-5029A, R1C093-R1-5030A, R1C093-R1-5031A, R1C093-R1-5032A, R1C093-R1-5033A, R1C093-R1-5034A, R1C093-R1-5035A, R1C093-R1-5036A, R1C093-R1-5037A, R1C093-R1-5038A, R1C093-R1-5039A, R1C093-R1-5041, R1C093-R1-5042, R1C093-R1-5043, R1C093-R1-5044, R1C093-R1-5045, R1C093-R1-5046, R1C093-R1-5047, R1C093-R1-5048, R1C093-R1-5049, R1C093-R1-5050, R1C093-R1-5051, R1C093-R1-5052
Highway classification plan	DCO-CLASS-01

(2) The authorised development must be carried out in accordance with and incorporating the measures set out in the mitigation table.

Landscape and ecology

5.—(1) No part of any numbered work in Schedule 1 (authorised development) is to commence until a written landscape and ecological management plan covering the landscape and ecological and nature conservation elements forming part of the relevant work number has been submitted to and, following consultation with the relevant district authorities and Natural England, approved in writing by the relevant planning authority.

(2) The landscape and ecological management plan must include the following which must comply with or include relevant measures, details or mitigation set out in the environmental statement—

- (a) details of the landscape, ecological and nature conservation works and measures;
- (b) details of the implementation of the landscape, ecological and nature conservation works and measures; and
- (c) details of the management, monitoring and maintenance of the landscape, ecological and nature conservation works and measures.

(3) The approved landscape and ecological management plan must be implemented in full.

(4) Any tree or shrub planted as part of the approved landscape and ecological management plan that, within a period of 5 years after planting, is removed, dies or becomes 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 as that originally planted.

(5) Once constructed, the bat houses described in work number 26(f) must be maintained in such condition that they are suitable for the roosting of bats.

(6) In the event that any European protected species is found at any time when carrying out the authorised development which was not previously identified in the environmental statement, the species and its location must be reported immediately to Natural England and the relevant planning authority.

(7) A scheme for the protection of, and mitigation measures for, the relevant European protected species, must be agreed in writing with Natural England and implemented immediately.

Existing trees and hedgerows and soil

6.—(1) All hedges and trees forming part of the boundary of the Order land or situated within it (unless shown to be removed in the environmental statement or in a landscape and ecological management plan approved under requirement 5 (landscape and ecology)) must be protected from any damage during the construction of the authorised development in accordance with British Standard BS5837 (2012) ‘Trees in relation to design, demolition and construction’.

(2) If any hedge or tree protected under sub-paragraph (1) is removed, uprooted, destroyed or damaged during the construction of the authorised development it must be replaced in the first available planting season and afterwards maintained for a period of 5 years.

(3) All areas of the site left undisturbed, and all soil, soil-making material and overburden mounds must be kept free from noxious weeds throughout the construction of the authorised development. Soil-making material must be kept free of compaction. The provisions of the DEFRA Construction Code of Practice for the Sustainable Use of Soils on Construction Sites (2009) must be complied with.

(4) Any felling, lopping or removal of hedges or trees during the bird nesting season must be preceded by a written report by a suitably qualified ecologist, which must be supplied to the relevant planning authority. The recommendations of the ecologist as set out in the report must be complied with in relation to any relevant activity involving felling, lopping or removal of hedges or trees.

Contamination

7.—(1) No part of any numbered work in Schedule 1 (authorised development) is to commence until a written scheme applicable to that work, to deal with the contamination of any land, including water resources and in particular groundwater quality, within the Order limits which is likely to cause significant harm to persons or the environment has been submitted to and, following consultation with the relevant district authorities and the Environment Agency, approved in writing by the relevant planning authority.

(2) The written scheme submitted under sub-paragraph (1) must include an investigation and assessment report, prepared by a suitably qualified person, identifying the extent and character of the contamination and the programme of remedial measures to be taken as necessary to render the land fit for the intended purpose.

(3) The implementation of numbered works for which remedial measures are required must be carried out in accordance with the written scheme and relevant programme of remedial measures approved under sub-paragraph (1).

(4) In the event that contaminated materials are found at any time when carrying out the authorised development which were not previously identified in the environmental statement or a scheme approved under sub-paragraph (1), work in the location affected by such contamination must immediately stop, the contamination must be reported in writing to the relevant planning authority and the undertaker must complete a risk assessment of the contamination.

(5) Following a notification under sub-paragraph (4), where the relevant planning authority determines that remediation is necessary, a written scheme and programme for the remedial measures to be taken as necessary to render the land fit for its intended purpose, must be submitted to and, following consultation with the relevant district authorities and the Environment Agency, approved in writing by the relevant planning authority and afterwards carried out.

(6) Remediation must be carried out in accordance with the scheme approved under this requirement. Following completion of remedial measures identified in the approved scheme a verification report must be prepared, which must be approved in writing by the relevant planning authority, in consultation with the relevant district authorities and the Environment Agency.

Noise and vibration

8.—(1) No part of any numbered work in Schedule 1 (authorised development) is to commence until a written scheme for noise and vibration management during construction of that work has been submitted to and, following consultation with the relevant district authorities, approved in writing by the relevant planning authority.

(2) The scheme, which must comply with or include relevant measures, details or mitigation set out in the environmental statement, must set out the particulars of—

- (a) the works necessary for the numbered work in question and the method by which they are to be carried out;
- (b) the noise attenuation measures to be taken to minimise noise resulting from such works including any noise limits; and
- (c) a scheme for monitoring the noise during such works to ensure compliance with the noise limits and the effectiveness of the attenuation measures.

(3) The approved noise and vibration management scheme must be implemented before, and maintained during, the construction of the relevant part of the authorised development.

(4) The construction works must be undertaken in accordance with the approved noise and vibration management scheme.

Hours of working

9.—(1) No construction works, or the delivery or removal of materials, is to take place outside the hours of—

- (a) 07:00 to 19:00 hours on Mondays to Fridays (except for Public Holidays); and

- (b) 07:00 to 13:00 hours on Saturdays or on Public Holidays.
- (2) Sub-paragraph (1) does not prevent outside such hours—
 - (a) the use of pumping equipment or the carrying out of essential on-site repairs to plant and machinery; and
 - (b) construction works, or the delivery or removal of materials, carried out with the prior written approval of the relevant planning authority.

Construction workers travel plan

10.—(1) No part of any numbered work in Schedule 1 (authorised development) is to commence until a travel plan covering the construction of that numbered work, which must include details of the expected means of travel to and from the authorised development and any parking to be provided, has been submitted to and, following consultation with the relevant district authorities, approved in writing by the relevant planning authority.

(2) The travel plan approved under sub-paragraph (1) must be implemented in full during the construction of the authorised development.

Construction traffic management

11.—(1) No part of any numbered work in Schedule 1 (authorised development) is to commence until the locations and details of the access points, routing and temporary signing for traffic associated with the construction of that numbered work from the public highway have been submitted to and, following consultation with the relevant district authorities and Breckland District Council, approved in writing by the relevant planning authority.

(2) The temporary signing must be provided in accordance with the details approved under sub-paragraph (1).

(3) All construction traffic must access the authorised development using routes and access points approved under sub-paragraph (1) at all times.

Dust and mud on the highway during construction

12.—(1) No part of any numbered work in Schedule 1 (authorised development) is to commence until wheel cleaning facilities have been installed to clean the wheels of all construction vehicles entering the public highway from the site of that numbered work, the design, specification and locations of which must first be approved in writing by the relevant planning authority.

(2) The approved facilities must remain in position and be maintained in full working order and be used by all heavy goods vehicles throughout the construction of the authorised development to minimise the risk that dust, mud or other deleterious matter is transferred to the public highway by vehicles leaving the authorised development.

Dust and mud during construction – air quality

13.—(1) No part of any numbered work in Schedule 1 (authorised development) is to commence until measures relevant to the construction of that numbered work to minimise the risk of dust or windblown material being carried on to adjacent land have been submitted to and, following consultation with the relevant district authorities, approved in writing by the relevant planning authority.

(2) The approved measures relevant to the construction of that numbered work must be implemented in full throughout the construction of the authorised development.

(3) The loads of a heavy goods vehicles carrying material in to or out of the authorised development during the construction of the authorised development must be secured appropriately, having particular regard to granular material.

Safeguarding of watercourses and drainage

14.—(1) No part of any numbered work in Schedule 1 (authorised development) is to commence until a written scheme for the provision and implementation of pollution control relevant to the construction of that numbered work has been submitted to and, following consultation with the relevant district authorities and the Environment Agency, approved in writing by the relevant planning authority.

(2) The written scheme must include the following, which must comply with or include relevant measures or details set out in the environmental statement—

- (a) details of measures for the collection, treatment and disposal of all water entering or arising on the Order land;
- (b) details of measures for the collection and disposal of foul drainage; and
- (c) details of measures for the storage of any chemicals, oil or fuel.

(3) The approved scheme must be implemented in full.

Archaeology

15.—(1) No part of any numbered work in Schedule 1 (authorised development) is to commence until a written scheme of archaeological investigation covering the relevant numbered work has been submitted to and, following consultation with the relevant district authorities, approved in writing by the relevant planning authority.

(2) The authorised development must be carried out at all times in accordance with the scheme approved under sub-paragraph (1).

(3) Any archaeological remains not previously identified in the written scheme approved under sub-paragraph (1) or in the environmental statement which are revealed when carrying out the authorised development must be retained in situ (subject to sub-paragraph (4)) and reported to the relevant planning authority within 3 working days.

(4) No construction operations are to take place within 10 metres of such remains for a period of 14 days from the date of such notification unless otherwise agreed in writing by the relevant planning authority.

(5) If the relevant planning authority confirm to the undertaker during the 14 day period referred to in sub-paragraph (4) that the archaeological remains require further investigation, then no construction operations may take place within 10 metres of the remains until provision has been made for the investigation and recording of the remains in accordance with details first submitted to and approved in writing by the relevant planning authority.

Site waste management plan

16.—(1) No part of any numbered work in Schedule 1 (authorised development) is to commence until a Site Waste Management Plan (“SWMP”) covering the relevant numbered work has been submitted to and, following consultation with the relevant district authorities and the Environment Agency, approved in writing by the relevant planning authority.

(2) All construction works must be undertaken in accordance with the approved SWMP.

Control of emissions during construction

17.—(1) No part of any numbered work in Schedule 1 (authorised development) is to commence until a written scheme covering the construction of that numbered work for the management and mitigation of emissions from the authorised development of—

- (a) odour;
- (b) artificial light; and
- (c) smoke,

has been submitted to and, following consultation with the relevant district authorities, approved in writing by the relevant planning authority.

(2) All construction works must be undertaken in accordance with the schemes approved under sub-paragraph (1).

Construction environmental management plan

18.—(1) No part of any numbered work in Schedule 1 (authorised development) is to commence until a Construction Environment Management Plan (“CEMP”) covering the relevant numbered work has been submitted to and, following consultation with the relevant district authorities, the Environment Agency and Natural England, approved in writing by the relevant planning authority.

(2) Any CEMP must reflect the details of controls on construction operations approved under other requirements and must reflect the draft CEMP submitted within Volume 1 of the environmental statement and updated on 8th October 2014.

(3) All construction works must be undertaken in accordance with the approved CEMP.

Construction of highway works affecting the Trunk Road network

19. All highway works (including their construction) that directly affect the Trunk Road network, must comply in all respects with the relevant requirements of the Design Manual for Roads and Bridges, except where Highways England first approves otherwise in writing.

Fencing and other means of enclosure

20.—(1) No part of any numbered work in Schedule 1 (authorised development) is to commence until written details of all proposed permanent and temporary fences, walls and other means of enclosure relevant to that numbered work have been submitted to and approved in writing by the relevant planning authority.

(2) The approved temporary fencing or enclosure must be erected in accordance with the details approved under sub-paragraph (1) and must be retained throughout the construction of the relevant numbered work.

(3) Any temporary fencing must be removed on completion of the authorised development.

(4) The approved permanent fencing or enclosure must be erected in accordance with the details approved under sub-paragraph (1) prior to the relevant part of the authorised development being opened to the public for use.

Operational noise attenuation measures and their on-going maintenance

21.—(1) No later than 6 months after commencement of the authorised development a written scheme detailing operational noise management and attenuation measures, and their ongoing maintenance, must be submitted to the relevant planning authority for its approval.

(2) The authorised development must not be brought into use until, following consultation with the relevant district authorities, the scheme submitted under sub-paragraph (1) has been approved in writing by the relevant planning authority.

(3) The noise attenuation measures detailed in the scheme approved under sub-paragraph (2) must be installed during the course of the construction of the authorised development and the authorised development must be operated afterwards in accordance with the scheme approved under sub-paragraph (2).

Public rights of way

22.—(1) No public right of way to be closed or diverted during the construction of or as part of the operation of the authorised development is to be closed or diverted before the relevant planning authority has given its approval in writing to the details of the relevant closure or diversion.

(2) All public rights of way closures and diversions must be carried out in accordance with the details approved under sub-paragraph (1).

Alternative route for Marriott's Way

23.—(1) Prior to the closure of Marriott's Way to the public the undertaker must provide a reasonable alternative route so as to permit the passage of pedestrians, cyclists and equestrians, between the two points at which Marriott's Way is to be temporarily closed during construction of the authorised development, such alternative route to be first approved in writing by the relevant planning authority.

(2) The undertaker must provide the alternative route approved under sub-paragraph (1) from the date on which Marriott's Way is closed to the public until the date on which the replacement land for Marriott's Way is provided and open to the public, subject to the undertaker being permitted to—

- (a) cross the alternative route including with vehicles, plant and machinery;
- (b) temporarily close the alternative route for the purposes of health and safety or in case of emergency; and
- (c) temporarily close the alternative route for the purposes of works requiring its closure, and in relation to which the undertaker must give notice in accordance with sub-paragraph (3).

(3) If the undertaker is to temporarily close the alternative route under sub-paragraph (2)(c) it must, at least 3 days prior to any closure, erect notices advising of the closure of the alternative route, such notices to state the date of the closure and the date the alternative route will be re-opened. The notices must be erected at the end points of the closure and at such other points at which public users of the way would need to depart from their route if wishing to make a through route journey between Pendlesham Rise and Fir Covert Road.

(4) The undertaker must seek to minimise the number and extent of closures under sub-paragraph 2(c).

Surface water drainage

24.—(1) No part of any numbered work in Schedule 1 (authorised development) is to commence until a detailed surface water drainage strategy (including pollution control measures) relating to both the construction and operation of the authorised development for the relevant work numbers has been submitted to and, following consultation with the relevant district authorities and the Environment Agency, approved in writing by the relevant planning authority.

(2) The authorised development must be constructed in accordance with the approved surface water drainage strategy, including any timetable or programme approved within it.

A1067 and Weston Hall Road drainage

25.—(1) No part of any numbered work in Schedule 1 (authorised development) is to commence until a mitigation measures action plan ("MMA") for the A1067 at Attlebridge and Lenwade, and for Weston Hall Road, has been submitted to and, following consultation with Natural England and the Environment Agency, approved in writing by the relevant planning authority.

(2) The MMA must include measures for the prevention of sediment entering the River Wensum special area of conservation (as defined in regulation 3(1) of the Conservation of Habitats and Species Regulations 2010) and for monitoring their effectiveness.

(3) The approved MMA must be implemented in full.

Routeing to Norwich International Airport and Cromer

26.—(1) The NDR classified road must not open to traffic until details indicating the preferred routeing for vehicles travelling to and from the A47 (to the west of Norwich) to Norwich

International Airport and Cromer have been submitted to and, following consultation with Highways England, Broadland District Council, Norwich City Council and Breckland District Council, approved in writing by the relevant planning authority.

(2) Prior to the opening to traffic of the NDR classified road the signage for the approved routing to and from the A47 to Norwich International Airport and Cromer must be displayed and afterwards maintained.

Weston Longville and Hockering traffic

27.—(1) Prior to the NDR classified road being open to traffic a scheme of traffic management measures to minimise ‘rat-running’ for the villages of Weston Longville and Hockering must be submitted to and, following consultation with Broadland District Council and Breckland District Council, approved in writing by the relevant planning authority.

(2) The submitted scheme must include a timetable for implementation. The feasibility of traffic management measures to be considered must include (but not be limited to) the following—

- (a) the imposition of speed limits;
- (b) flashing signs;
- (c) road humps or tables;
- (d) pinch-points; and
- (e) other physical barriers or impediments.

(3) The approved scheme must be implemented in full in accordance with the approved timetable. The approved scheme must be completed and in use no later than 6 months after the opening of the NDR classified road.

(4) In the event that post-monitoring of traffic passing through Weston Longville and Hockering (in accordance with requirement 30 (traffic monitoring generally)) identifies a material increase in traffic that could be directly associated with the NDR classified road, a further scheme of traffic management measures and a timetable for their implementation must be submitted to and, following consultation with Broadland District Council and Breckland District Council, approved in writing by the relevant planning authority.

(5) The approved scheme must be implemented in full in accordance with the approved timetable.

Ringland, Costessey, Taverham and Drayton traffic

28.—(1) Prior to the NDR classified road being open to traffic a scheme of measures to minimise ‘rat-running’ through Ringland, Costessey, Taverham and Drayton must be submitted to and, following consultation with Broadland District Council and South Norfolk District Council, approved in writing by the relevant planning authority.

(2) The submitted scheme must include a timetable for implementation and consideration of the feasibility of the following measures—

- (a) the potential for enhancement of the existing traffic calming measures on West End, Costessey, including the use of average speed cameras;
- (b) the enforcement of the existing weight restrictions (including the potential for camera enforcement) on roads over the River Wensum between Costessey and Taverham and Drayton, namely Ringland Road, Taverham Lane and Costessey Lane;
- (c) a 30 miles per hour speed limit based on a speed limit assessment on Ringland Road through Ringland; and
- (d) traffic calming on Hall Lane (north and south), Drayton.

(3) The approved scheme must be implemented in full in accordance with the approved timetable.

Lyng traffic

29.—(1) No later than 12 months after commencement of the authorised development a scheme showing the arrangements for the pre- and post-monitoring of traffic through the village of Lyng must be submitted to and, following consultation with Breckland District Council, approved in writing by the relevant planning authority.

(2) The scheme submitted under sub-paragraph (1) must set out particulars of the locations and period of monitoring before and after the opening of the NDR classified road, and the timetable and arrangements for reporting the results and submitting any further details under sub-paragraph (4).

(3) The approved monitoring scheme must be implemented in full.

(4) In the event that the monitoring identifies a material increase in traffic that could be directly associated with the NDR classified road, a scheme of traffic management measures and a timetable for their implementation must be submitted (in accordance with the timetable set out in the scheme approved under sub-paragraph (1)) to and, following consultation with Breckland District Council, approved in writing by the relevant planning authority.

(5) The scheme of traffic management measures approved under sub-paragraph (4) must be implemented in full in accordance with the approved timetable.

Traffic monitoring generally

30.—(1) Prior to the NDR classified road being opened to traffic a scheme for the post-monitoring of traffic on the local highway network must be submitted to and, following consultation with Broadland District Council, South Norfolk District Council, Breckland District Council and Norwich City Council, approved in writing by the relevant planning authority.

(2) The approved scheme must include the monitoring locations, the monitoring periods and the timetable and arrangements for reporting the results, and must be implemented in full.

Complementary traffic measures

31.—(1) The NDR classified road must not be fully opened to vehicular traffic until an action plan of complementary traffic measures has been submitted to and approved in writing by the relevant planning authority. The action plan must have regard to the Norwich Area Transportation Strategy Implementation Plan Update 2013 (published by Norfolk County Council) and include (but is not limited to)—

- (a) the Norwich Area Transportation Strategy (“NATS”) measures within Norfolk County Council’s Capital Programme for 2014/15 and 2015/16;
- (b) other NATS measures which Norfolk County Council proposes to bring forward in the period before 2020/21;
- (c) a detailed feasibility study for the measures in sub-paragraph (b); and
- (d) a schedule of those measures in sub-paragraphs (a) and (b) that are to be implemented by the undertaker before 2020/21.

(2) The action plan must contain a timetable for implementation of the measures to be carried out by the undertaker.

(3) The complementary traffic measures set out in the schedule to the action plan approved under sub-paragraph (1) must be carried out in accordance with the approved timetable subject to any review of that timetable approved in accordance with sub-paragraph (4).

(4) No later than 18 months after the opening of the NDR classified road to vehicular traffic the undertaker must submit for the approval in writing of the relevant planning authority a review of the action plan, which must include a timetable for the implementation of any unimplemented measures within the schedule to the action plan approved in accordance with sub-paragraph (1). The complementary traffic measures set out in the reviewed action plan must be carried out in accordance with the approvals given and with the approved timetable.

(5) In addition to the provisions of the action plan for the period to 2020/21 as referred to in sub-paragraphs (1) to (3), the action plan and its review under sub-paragraph (4), must contain a statement of the longer-term measures intended to be introduced in the period up to 2032, such as BRT1, BRT5 and orbital bus routes, and an explanation as to why they cannot reasonably be progressed earlier.

Lighting of the authorised development

32.—(1) Regardless of the provisions of Class A of Part 13 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995, no part of the authorised development is to be lit other than—

- (a) where expressly permitted by this Order; and
- (b) in accordance with details submitted to and, following consultation with the relevant district authorities, approved in writing by the relevant planning authority.

(2) Nothing in this requirement restricts lighting of the authorised development during its construction or where temporarily required for maintenance.

Surfacing of the carriageway of the authorised development

33.—(1) No part of the authorised development is to commence until written details of the materials to be used for the surfacing of the carriageway for any new highway comprised in the authorised development have been submitted to and, following consultation with the relevant district authorities, approved in writing by the relevant planning authority.

(2) The details submitted under sub-paragraph (1) must include provision for the use of low noise road surfacing materials on the carriageway.

(3) The authorised development must be carried out using the materials approved under sub-paragraph (1).

(4) When the surfacing of the carriageway for any new highway comprised in the authorised development is to be replaced, similar low noise road surfacing materials to those approved under sub-paragraph (1) must be used.

Surfacing of bridleways

34.—(1) No part of any numbered work in schedule 1 (authorised development) is to commence until details of the proposed surfacing of bridleways relating to that numbered work have been submitted to and, following consultation with the relevant district authorities, approved in writing by the relevant planning authority.

(2) The surfacing of bridleways must be carried out using the materials approved under sub-paragraph (1).

Amendments to approved details

35.—(1) With respect to any requirement which requires the approval of any details, plans or schemes by the relevant planning authority, the undertaker may submit to the relevant planning authority for approval in writing any amendments to the approved details, plans or schemes (provided that they are not likely to give rise to any significant adverse environmental effects beyond those assessed in the environmental statement) and following any further approval by the relevant planning authority the approved details, plans or schemes include the amendments approved under this requirement.

(2) In considering any amendment to any details, plans or schemes the relevant planning authority must consult those bodies it would have been required to consult before granting approval initially in relation to the same details, plans, or schemes.

SCHEDULE 3

Article 8

STREETS SUBJECT TO PERMANENT ALTERATION OF LAYOUT

<i>(1)</i> <i>Street Plans</i> <i>Number/Title/Area</i>	<i>(2)</i> <i>Street subject to alteration of</i> <i>layout</i>	<i>(3)</i> <i>Description of alteration</i>
<p>Street Plans (Sheet 1 of 12)/ Fakenham Road/ In the Parishes of Attlebridge, and Taverham In the District of Broadland In the County of Norfolk</p>	<p>A1067 Fakenham Road</p>	<p>(i) An increase in width, and the realignment of its carriageway and verges, on its north east side, from a point 295 metres north west of its junction with Attlebridge Restricted Byway No. 3, north westwards for 935 metres, including the provision of a new roundabout junction ('Fakenham Road Roundabout'), as the westerly commencement point of the NDR classified road, at a point 380 metres north west of its junction with Attlebridge Restricted Byway No. 3;</p> <p>(ii) The provision of footways and cycle tracks as part of, and around the south and north west arcs of the carriageway of, Fakenham Road Roundabout, to connect with the eastern tie-in of the A1067 Fakenham Road, on its north westerly approach to that roundabout, and with the diverted route of Attlebridge Restricted Byway No. 3 (A on the Street Plans (Sheet 1 of 12)), where it connects with the north arc of the Fakenham Road Roundabout;</p> <p>(iii) The reconfiguration of that part of its redundant carriageway, within the length described in (i), to provide verge, together with other verge alterations within that length.</p>
	<p>Attlebridge Restricted Byway No. 3</p>	<p>The provision of a diverted length of Restricted Byway (A on the Street Plans (Sheet 1 of 12)), which will provide a new</p>

<i>(1)</i> <i>Street Plans</i> <i>Number/Title/Area</i>	<i>(2)</i> <i>Street subject to alteration of</i> <i>layout</i>	<i>(3)</i> <i>Description of alteration</i>
		southerly connection for Attlebridge Restricted Byway No. 3 with the A1067 Fakenham Road Roundabout.
<p>Street Plans (Sheet 2 of 12)/ Fir Covert Road to Breck Farm Lane and Marriott's Way/ In the Parishes of Attlebridge, and Taverham In the District of Broadland In the County of Norfolk</p>	C262 Fir Covert Road	<p>(i) An increase in width and alteration to the adjoining verges, and in part its carriageway, on both its east and west sides, over a distance of 150 metres on its southerly approach and a distance of 100 metres on its northerly approach to the NDR classified road Fir Covert Road Roundabout;</p> <p>(ii) The provision of short lengths of footway and cycle track on its west side on its northerly approach and on both its west and east sides on its southerly approach to the NDR classified road Fir Covert Road Roundabout, to connect with the existing western footway and verge of the C262 Fir Covert Road;</p> <p>(iii) the provision of a footway and cycle track on its west side with the new Bridleway (B on the Street Plans (Sheet 2 of 2)) which runs eastwards from Attlebridge Restricted Byway No. 3 on the north side of the NDR classified road; and</p> <p>(iv) the provision of a footway and cycle track on its east side, with the new Bridleway (C on the Street Plans (Sheet 2 of 2)) which runs eastwards from the C262 Fir Covert Road on the north side of the NDR classified road.</p>
	Breck Farm Lane (U57168)	An increase in width, on its east side, together with associated carriageway tie-in works, from a point 12 metres north north-east of the access to Breck Farm Bungalow,

<i>(1)</i> <i>Street Plans</i> <i>Number/Title/Area</i>	<i>(2)</i> <i>Street subject to alteration of</i> <i>layout</i>	<i>(3)</i> <i>Description of alteration</i>
		north north-eastwards for 26 metres, so as to provide a turning head at what is to become its north easterly termination point on the south side of the NDR classified road.
	Furze Lane (U57168)	An increase in width, on its east side, together with associated carriageway tie-in works, from a point 65 metres south of the south western corner of the curtilage of 'The Warren', southwards for 26 metres, so as to provide a turning head at what is to become its southerly termination point on the north side of the NDR classified road.
<p>Street Plans (Sheet 3 of 12)/ Reepham Road to Bell Farm Track/</p> <p>In the Parishes of Taverham, Drayton, and Horsford</p> <p>In the District of Broadland</p> <p>In the County of Norfolk</p>	C261 Reepham Road	<p>(i) An increase in width and alteration to the adjoining verges, and in part its carriageway, on both its north east and south west sides, over a distance of 250 metres on the south easterly approach and a distance of 250 metres on the north westerly approach to the NDR classified road Reepham Road Roundabout;</p> <p>(ii)The provision of lengths of footway and cycle track on its south western side, on its north westerly and south easterly approaches to the NDR classified road Reepham Road Roundabout, to connect with a new cycle track (with a right of way on foot) (H on the Street Plans (Sheet 3 of 12)), on the south side of the NDR classified road and with a new bridleway (F on the Street Plans (Sheet 3 of 12)), on the north side of the NDR classified road, and leading to a crossing point of the north westerly arm of the NDR classified road Reepham Road Roundabout, to connect with another new bridleway (I on</p>

<i>(1)</i> <i>Street Plans</i> <i>Number/Title/Area</i>	<i>(2)</i> <i>Street subject to alteration of</i> <i>layout</i>	<i>(3)</i> <i>Description of alteration</i>
		<p>the Street Plans (Sheet 3 of 12)) on the north side of the NDR classified road;</p> <p>(iii) The removal of 220 metres of the northerly grassed verge, between its junction with Long Dale (U51249), along the southern frontage of the premises of Kieft & Sons (growers, storage and packaging), and its replacement with a footway and cycle track along that length of verge.</p>
	<p>Drayton Restricted Byway No. 6/Dog Lane (U5176)/ Horsford Restricted Byway No. 4</p>	<p>(i) The provision of a new diverted length of restricted byway (J on the Street Plans (Sheet 3 of 12)), which is to provide a new south westerly connection for Drayton Restricted Byway No. 6 with the NDR classified road Reephams Road Roundabout;</p> <p>(ii) The resurfacing of the length between the diverted route described in (i), north eastwards, then eastwards, to a point 30 metres east of the junction with Horsford Restricted Byway No. 5.</p>
	<p>Horsford Restricted Byway No. 5</p>	<p>The provision of a new diverted route between Dog Lane (U57176) and the C261 Reephams Road (K on the Street Plans (Sheet 3 of 12)).</p>
<p>Street Plans (Sheet 4 of 12)/ East of Bell Farm Track to Drayton Lane/</p> <p>In the Parishes of Horsford, and Drayton</p> <p>In the District of Broadland</p> <p>In the County of Norfolk</p>	<p>C282 Drayton Lane (North)</p>	<p>An increase in width, together with associated carriageway tie-in works, on its west side, from the southern boundary of the curtilage of 'Rookery North', southwards for 28 metres, so as to provide a turning head, at the northerly point of the stopped up C282 Drayton Lane.</p>
	<p>B1149 Holt Road</p>	<p>(i) An increase in width, and the realignment of its carriageway and adjoining verges, from a point 40 metres north west of its junction with the access to Glebe Farm,</p>

<i>(1)</i> <i>Street Plans</i> <i>Number/Title/Area</i>	<i>(2)</i> <i>Street subject to alteration of</i> <i>layout</i>	<i>(3)</i> <i>Description of alteration</i>
		<p>north westwards to its junction with the C253 Church Street, including the provision of a new roundabout junction ('Holt Road/Drayton Lane Roundabout'), at a point 100 metres south east of its junction with the C253 Church Street;</p> <p>(ii) The provision of a footway and cycle track on the north eastern side of and joining with its carriageway, from a point 20 metres south east of its junction with the C253 Church Street, south eastwards for 160 metres.</p>
	C261 Reepham Road	An increase in width, and realignment of its carriageway and verges, on its north side, and for part of its length on its south side in relation to verge, over a 424 metres length, and incorporating a new roundabout junction Reepham Road/Drayton Lane Roundabout, at its junction with the new street (P on the Street Plans (Sheet 4 of 12)) which is to be constructed (as a realignment of the C282 Drayton Lane) and with Drayton Lane (South), thereby creating a 4-arm roundabout junction at the convergence of those streets.
	C282 Drayton Lane (South)	An increase in width, on both its west and east sides, over a 100-metre length on its northerly approach to the realigned C261 Reepham Road and its Reepham Road/Drayton Lane roundabout, where it is to provide the fourth arm of a 4-arm roundabout.
Street Plans (Sheet 5 of 12)/ Cromer Road Interchange to Old Norwich Road/ In the Parishes of Horsford, and Horsham St. Faith and	B1149 Holt Road	An increase in width, on its south west side, from the south easterly boundary of the access to New Holme Farm, south eastwards for 26 metres, so as to provide a turning head at the

<i>(1)</i> <i>Street Plans</i> <i>Number/Title/Area</i>	<i>(2)</i> <i>Street subject to alteration of</i> <i>layout</i>	<i>(3)</i> <i>Description of alteration</i>
Newton St. Faith In the District of Broadland In the County of Norfolk		north westerly point of the stopped up B1149 Holt Road, on the north side of the NDR classified road.
	Holly Lane (U57142)	An increase in width, on its south side, from a point 10 metres east of the access to Manor Farm, eastwards for 26 metres, so as to provide a turning head at the westerly point of stopped up Holly Lane (U57142), at what is to become its easterly termination point on the south side of the NDR classified road.
	B1149/A140 Holt Road	<p>(i) A reconfiguration of its carriageway and verges and of the Cromer Road Roundabout South, from a point 30 metres south of its junction with the access to Harts Hill Farm, north westwards for 330 metres;</p> <p>(ii) The provision of an incorporated footway and cycle track along its south west side, connecting to the footway and cycle track to be provided along the south west side of the carriageway of the westbound merge slip road of the NDR classified road at Cromer Road Interchange, leading up to the connection point with the new cycle track (with a right of way on foot) (T on the Street Plans (Sheet 5 of 12)) along stopped up Holly Lane (U57142);</p> <p>(iii) The provision of a footway and cycle track on the east arc of the Cromer Road Roundabout South, connecting to the eastern footway and cycle track of the new street (W on the Street Plans (Sheet 5 of 12)) to be provided as the Cromer Road Overbridge</p>

<i>(1)</i> <i>Street Plans</i> <i>Number/Title/Area</i>	<i>(2)</i> <i>Street subject to alteration of</i> <i>layout</i>	<i>(3)</i> <i>Description of alteration</i>
		grade separated crossing of the NDR classified road.
	A140 Cromer Road	An increase in width, and realignment of its carriageway and verges, on its west side, and the provision of a footway and cycle track within its east side, from a point 105 metres north of its junction with the Unnamed Highway (Cromer Road to West Lane) (U57647), northwards for 200 metres, to provide the tie-in approach to the new street (W on Street Plans (Sheet 5 of 6)) and incorporated roundabout (Cromer Road Roundabout North), which is to provide the Cromer Road Overbridge grade separated crossing of the NDR classified road.
<p>Street Plans (Sheet 6 of 12)/ Access to Norwich International Airport and St. Faiths Road</p> <p>In the Parishes of Horsham St. Faith and Newton St. Faith, and Spixworth</p> <p>In the District of Broadland and in the City of Norwich</p> <p>In the County of Norfolk</p>	C251 Bullock Hill	An increase in width, together with associated carriageway tie-in works, on its north east side, from a point some 70 metres south east of its junction with Calf Lane (U57229), south eastwards for 24 metres, so as to provide a turning head at the north westerly point of the stopped up C251 Bullock Hill, on the north side of the NDR classified road.
<p>Street Plans (Sheet 7 of 12)/ Buxton Road</p> <p>In the Parish of Spixworth</p> <p>In the District of Broadland</p> <p>In the County of Norfolk</p>	C251 St. Faiths Road	An increase in width, together with associated carriageway tie-in works, on its west side, from a point 134 metres generally south of its junction with Spixworth Bridleway No. 1, southwards for 26 metres, so as to provide a turning head at the southerly point of the stopped up C251 St Faiths Road, on the south side of the NDR classified road.
	Quaker Lane (U57188)	(i) An increase in width, together with associated carriageway tie-in works, on its south side, from the western boundary of the access to Quaker Farm, westwards for

<i>(1)</i> <i>Street Plans</i> <i>Number/Title/Area</i>	<i>(2)</i> <i>Street subject to alteration of</i> <i>layout</i>	<i>(3)</i> <i>Description of alteration</i>
		<p>26 metres, so as to provide a turning head at the easterly point of the stopped up Quaker Lane (U57188), on the north side of the NDR classified road;</p> <p>(ii) An increase in width, on its south side, from a point 46 metres west of its junction with the C246 Buxton Road, westwards for 30 metres, so as to provide the tie-in for the new street (CC on the Street Plans (Sheet 7 of 12)) connecting Quaker Lane (U57188) with the C246 Buxton Road.</p>
	C246 Buxton Road	<p>(i) An increase in width, on its east side, from its junction with Arthurton Road (U51200), southwards for 365 metres, to its junction with the new street (DD on the Street Plans (Sheet 7 of 12)) to be provided as the Buxton Road Overbridge crossing of the NDR classified road, including realignment of its carriageway eastwards; removal of its former carriageway and replacement with verge; and the provision of a footway and cycle track along its eastern side;</p> <p>(ii) An increase in width, on its east side, from a point 60 metres north of its junction with Beeston Lane (U57187), northwards for 240 metres, to its junction with the new street (DD on the Street Plans (Sheet 7 of 12)) to be provided as the Buxton Road Overbridge crossing of the NDR classified road, including realignment of its carriageway eastwards; replacement of its former carriageway with an equestrian and pedestrian path; the provision of a footway and cycle track along its east side; and the provision of new</p>

<i>(1)</i> <i>Street Plans</i> <i>Number/Title/Area</i>	<i>(2)</i> <i>Street subject to alteration of</i> <i>layout</i>	<i>(3)</i> <i>Description of alteration</i>
<p>and Wroxham Road/Green Lane West Junction Improvement</p> <p>In the Parishes of Beeston St. Andrew, Rackheath, and Sprowston</p> <p>In the District of Broadland</p> <p>In the County of Norfolk</p>		<p>distance of 120 metres on its north easterly approach and a distance of 160 metres on its south westerly approach to the NDR classified road Wroxham Road Roundabout;</p> <p>(ii) The provision of footways and cycle tracks around the west, north and east arcs of the NDR classified road Wroxham Road Roundabout carriageway, leading to a crossing point of the NDR classified road on the western arm of the Wroxham Road Roundabout;</p> <p>(iii) Carriageway and verge reconfiguration works over a 160-metre length south west of, and a 160-metre length north east of, its junction with the new street (GG on the Street Plans (Sheet 9 of 12)) which is to provide a new Link Road from the C258 Green Lane West, incorporating landscaping and verge works which are to provide the physical works of closure of the existing C258 Green Lane West junction with the A1151 Wroxham Road.</p>
	C258 Green Lane West	<p>(i) The widening, on its north and south sides, of a 15-metre length from its junction with the A1151 Wroxham Road, so as to provide a cul-de-sac turning head at that point, at which its existing junction with the A1151 Wroxham Road is to be closed;</p> <p>(ii) The widening and reconfiguration of its carriageway and verges, on its south west side, of a 62 metres length, from the south easterly connection point of the new Link Road (GG on Street Plans (Sheet 9 of 12)) which is to be constructed between the A1151 Wroxham Road and the</p>

<i>(1)</i> <i>Street Plans</i> <i>Number/Title/Area</i>	<i>(2)</i> <i>Street subject to alteration of</i> <i>layout</i>	<i>(3)</i> <i>Description of alteration</i>
		C258 Green Lane West, which alteration works are to provide the tie-in with that latter street and which are to form a T-junction with its remaining length which is to become a residential cul-de-sac
<p>Street Plans (Sheet 10 of 12)/ Newman Road, Salhouse Road and Railway Crossing</p> <p>In the Parishes of Rackheath, and Great and Little Plumstead</p> <p>In the District of Broadland</p> <p>In the County of Norfolk</p>	C283 Salhouse Road	<p>(i) An increase in width and alteration to the adjoining verges, on both its north west and south east sides, over a distance of 165 metres on its south westerly approach to the NDR classified road Salhouse Road Roundabout, and over a further 120 metres on the south east side only on that same approach, from its junction with the C258 Green Lane East, and over a distance of 70 metres on its north easterly approach to the NDR classified road Salhouse Road Roundabout, and over a further 60 metres on the south east side only, south west of those former alteration works;</p> <p>(ii) The provision of footways and cycle trackss around the north, east and south arcs of the NDR classified road Salhouse Road Roundabout carriageway, leading to a crossing point of the NDR classified road on the north westerly arm of the NDR Salhouse Road Roundabout, and with a short length of footway and cycle track around the west arc of the roundabout connecting with the new cycle track (JJ on the Street Plans (Sheet 9 of 12)), leading north westwards from the C283 Salhouse Road along the south west side of the NDR classified road.</p>
	C258 Broad Lane	(i) An increase in width, together with associated carriageway tie-in works, on its south west side, from a point some 86 metres north west of its junction with the

<i>(1)</i> <i>Street Plans</i> <i>Number/Title/Area</i>	<i>(2)</i> <i>Street subject to alteration of</i> <i>layout</i>	<i>(3)</i> <i>Description of alteration</i>
		<p>C874 Plumstead Road, north westwards for 30 metres, so as to provide a turning head to the north west of the north western and rear curtilage boundary of the property 'Braemar';</p> <p>(ii) Landscaping and verge works across the north west junction of the C258 Broad Lane/C874 Plumstead Road, which are to provide the physical works of closure at that junction.</p>
Street Plans (Sheet 11 of 12)/ Plumstead Road, Middle Road and Low Road and	C874 Plumstead Road	<p>(i) An increase in width, and realignment of its carriageway and verges, on its south east side, and in part on its north west side, from a point 20 metres south west of its junction with the C258 Broad Lane, south westwards for 420 metres, including the provision of a new roundabout ('Plumstead Road Roundabout North'), at a point 220 metres south west of its junction with the C258 Broad Lane;</p> <p>(ii) The provision of an integral footway and cycle track along its north west side, from a point 100 metres south west of its junction with the C258 Broad Lane, south westwards for 450 metres leading, at its south westerly termination, to the connection point with the new bridleway (KK on the Street Plans (Sheet 10 of 12)) which is to run along the west side of the Norwich to Cromer and Sheringham Railway, between the C874 Plumstead Road and the C258 Green Lane East.</p> <p>(i) The construction of a mini-roundabout junction, at its junction with Broadland Drive (U51073);</p> <p>(ii) The removal of its north</p>

<i>(1)</i> <i>Street Plans</i> <i>Number/Title/Area</i>	<i>(2)</i> <i>Street subject to alteration of</i> <i>layout</i>	<i>(3)</i> <i>Description of alteration</i>
Thorpe End Highway Improvement Measures In the Parish of Great and Little Plumstead		western verge and replacement with a footway and cycle track, along the frontages of No. 15 Percy Howes Close and Nos. 49 to 63 (odds) Plumstead Road.
In the District of Broadland In the County of Norfolk	Broadland Drive (U51073)	The reconfiguration of a 20-metre length of carriageway on its south easterly approach to tie-in with the new C874 Plumstead Road mini-roundabout.
	C442 Middle Road	<p>(i) An increase in width and alteration and regrading of the adjoining verges, on both its north and south sides, over a distance of 315 metres on its easterly approach and a distance of 170 metres on its westerly approach, to the point at which the C442 Middle Road is to be carried over the NDR on the Middle Road Overbridge, together with the raising of that length between those two points, to be carried on Overbridge across the NDR classified road;</p> <p>(ii) The provision of an integral footway and cycle track along its south side, along its elevated approaches and Overbridge crossing of the NDR classified road, from a point 10 metres west of its junction with Toad Lane (U59284), westwards for 550 metres, together with the provision of an equestrian and pedestrian path connection within the southern embankment, to the west of the NDR classified road, leading to its connection with the new bridleway (OO on the Street Plans (Sheet 11 of 12)), running southwards on the west side of the NDR classified road.</p>
	Low Road (U59392)	(i) An increase in width, together with associated carriageway tie-in works, on

<i>(1)</i> <i>Street Plans</i> <i>Number/Title/Area</i>	<i>(2)</i> <i>Street subject to alteration of</i> <i>layout</i>	<i>(3)</i> <i>Description of alteration</i>
		<p>its north side, from a point 55 metres west of its junction with the access to the 'Red House', westwards for 26 metres, so as to provide a turning head at what is to become the westerly termination point of Low Road (U59392), on the east side of the NDR classified road;</p> <p>(ii) An increase in width, together with associated carriageway tie-in works, on its north side, immediately to the east of its junction with Green Lane (U59278) at what is to become the easterly termination point of Low Road (U59392), on the west side of the NDR classified road, and lying to the west of the property 'Meadow View' and the Laurel Farm group of properties.</p>
<p>Street Plans (Sheet 12 of 12)/ Smee Lane and Postwick Interchange</p> <p>In the Parishes of Great and Little Plumstead, and Postwick with Witton</p> <p>In the District of Broadland and in the administrative area of the Broads Authority</p> <p>In the County of Norfolk</p>	<p>Smee Lane (U59400)</p>	<p>(i) An increase in width, together with associated carriageway tie-in works, on its south side, from a point 110 metres west of its junction with the access to Apple Tree Farm, westwards for 26 metres, so as to provide a turning head at the easterly point of the stopped up Smee Lane (U59400), and what is to become its westerly termination point, on the east side of the NDR classified road;</p> <p>(ii) An increase in width, together with associated carriageway tie-in works, on its south side, from a point 180 metres east of its junction with the Green Lane (U59278)/C832 Cranley Road/C830 Broadland Way roundabout junction, eastwards for 26 metres, so as to provide a turning head at the westerly point of the stopped up Smee Lane (U59400), and</p>

<i>(1)</i> <i>Street Plans</i> <i>Number/Title/Area</i>	<i>(2)</i> <i>Street subject to alteration of</i> <i>layout</i>	<i>(3)</i> <i>Description of alteration</i>
		what is to become its easterly termination point, on the west side of the NDR classified road.
	C829 Broadland Way	<p>(i) The removal of its verge around the east arc of its roundabout junction and replacement with carriageway to provide the tie-in connection with the new Broadland Gate Link Road (SS on the Street Plans Sheet 12 of 12)), to be provided between the C829/C830 Broadland Way/C831 Peachman Way Roundabout and the NDR classified road Business Park Roundabout;</p> <p>(ii) The realignment and reconfiguration of the southbound lane and verge, and removal of the segregated filter lane off the southbound lane leading to the A47 Trunk Road Eastbound Merge Slip Road and its substitution with verge, from its junction with the access track to Heath Farm, southwards for 110 metres, on its southerly approach to the Postwick North West Roundabout, together with reconfiguration works over a 30-metre north east arc of the Postwick North West Roundabout, to provide the tie-in and short length stub arm entry and exit point (for future development purposes) in the north east quadrant of the roundabout.</p>
	A1042 Yarmouth Road	(i) The reconfiguration of the verges and footway and cycle track around the south arc of the Postwick North West Roundabout, including the provision of a new footway and cycle track connection, between the two existing footways and cycle tracks, across the top of the A47 Eastbound Diverge Slip Road (which is to be stopped up);

<i>(1)</i> <i>Street Plans</i> <i>Number/Title/Area</i>	<i>(2)</i> <i>Street subject to alteration of</i> <i>layout</i>	<i>(3)</i> <i>Description of alteration</i>
		<p>(ii) The removal of the verge and its substitution with a footway and cycle track, along the west side of the A1042 Yarmouth Road Overbridge of the A47 Trunk Road, so as to provide a continuous footway and cycle track along its west side between Postwick North West Roundabout and the Postwick Park and Ride site;</p> <p>(iii) Reconfiguration of the verges, footways and cycle tracks and of its roundabout junction in the vicinity of the Postwick Park and Ride site, so as to replace the roundabout with a new signalised controlled junction (Park and Ride Signalised Junction);</p> <p>(iv) Realignment of the carriageway and verges, on its south side, of that length over a distance of 160 metres on its westerly approach to the proposed signalised controlled junction in the vicinity of the Postwick Park and Ride site, so as to provide a 3-lane westerly approach to the proposed signalised junction;</p> <p>(v) The reconfiguration of the northern verge and in part the footway and cycle track, together with the removal of part of the northern verge and its substitution with a new footway and cycle track, over a 630 metres length east from the signalised junction at Postwick, to the junction of the C440 Church Road.</p>
	A47 Trunk Road Eastbound Diverge Slip Road	Reconfiguration and regrading of the verges of that length of the slip road, and in part substitution of part of its carriageway by new verge, over a length of 275 metres eastwards from where the A47

<i>(1)</i> <i>Street Plans</i> <i>Number/Title/Area</i>	<i>(2)</i> <i>Street subject to alteration of</i> <i>layout</i>	<i>(3)</i> <i>Description of alteration</i>
		Trunk Road crosses over the Norwich to Yarmouth and Lowestoft railway line, so as to provide a tie-in with both the New A47 Trunk Road Eastbound Diverge Slip Road, at the easterly termination point of those permanent alteration works, and also with a new cycle track (TT on the Street Plans (Sheet 12 of 12)) which is to be provided along a length of the stopped up A47 Trunk Road Eastbound Diverge Slip Road, leading to the A1042 Yarmouth Road at the Postwick North West Roundabout.
	A47 Trunk Road Eastbound Merge Slip Road	Reconfiguration and regrading of the verges of that length of the slip road, and in part substitution of part of its carriageway by new verge, from a point 125 metres west of its junction with the access to 'The Grange', eastwards for 240 metres, so as to provide a tie-in with the New A47 Trunk Road Eastbound Merge Slip Road, at the westerly termination point of those permanent alteration works.

SCHEDULE 4

Article 9

STREETS SUBJECT TO STREET WORKS

<i>(1)</i> <i>Street Plans Number/Title</i>	<i>(2)</i> <i>Location</i>	<i>(3)</i> <i>Street subject to street works</i>
Street Plans (Sheet 1 of 12)/ Fakenham Road	In the Parishes of Attlebridge, and Taverham In the District of Broadland In the County of Norfolk	A1067 Fakenham Road Attlebridge Restricted Byway No. 3
Street Plans (Sheet 2 of 12)/ Fir Covert Road to Breck Farm Lane and Marriott's Way	In the Parishes of Attlebridge, and Taverham In the District of Broadland In the County of Norfolk	C262 Fir Covert Road Breck Farm Lane/Furze Lane (U57168)
Street Plans (Sheet 3 of 12)/ Reepham Road to Bell Farm Track	In the Parishes of Taverham, Drayton, and Horsford In the District of Broadland In the County of Norfolk	C261 Reepham Road Drayton Restricted Byway No. 6/Dog Lane (U57176)/Horsford Restricted Byway No. 4 Horsford Restricted Byway No. 5
Street Plans (Sheet 4 of 12)/ East of Bell Farm Track to Drayton Lane	In the Parishes of Horsford, and Drayton In the District of Broadland In the County of Norfolk	C282 Drayton Lane (North)/ Drayton Lane (South) B1149 Holt Road C261 Reepham Road
Street Plans (Sheet 5 of 12)/ Cromer Road Interchange to Old Norwich Road	In the Parishes of Horsford, and Horsham St. Faith and Newton St. Faith In the District of Broadland In the County of Norfolk	B1149 Holt Road Holly Lane (U57142) Unnamed Highway (Holt Road to Cromer Road) (U51625) Unnamed Highway (Cromer Road to West Lane) (U57647) A140 Cromer Road/Holt Road
Street Plans (Sheet 6 of 12)/ Access to Norwich International Airport and St. Faiths Road	In the Parishes of Horsham St. Faith and Newton St. Faith, and Spixworth In the District of Broadland and in the City of Norwich	C251 Bullock Hill

	In the County of Norfolk	
Street Plans (Sheet 7 of 12)/ Buxton Road	In the Parish of Spixworth In the District of Broadland In the County of Norfolk	C251 St Faiths Road Quaker Lane (U57188) C246 Buxton Road
Street Plans (Sheet 8 of 12)/ North Walsham Road to Beeston Lane and North Walsham Road/ Rackheath Lane/Crostwick Lane Junction Improvement	In the Parishes of Beeston St. Andrew, and Crostwick In the District of Broadland In the County of Norfolk	B1150 North Walsham Road C249 Crostwick Lane C249 Rackheath Lane
Street Plans (Sheet 9 of 12)/ Wroxham Road and Wroxham Road/Green Lane West Junction Improvement	In the Parishes of Beeston St. Andrew, Rackheath, and Sprowston In the District of Broadland In the County of Norfolk	A1151 Wroxham Road C258 Green Lane West
Street Plans (Sheet 10 of 12)/ Newman Road, Salhouse Road and Railway Crossing	In the Parishes of Rackheath, and Great and Little Plumstead In the District of Broadland In the County of Norfolk	C283 Salhouse Road C874 Plumstead Road C258 Broad Lane
Street Plans (Sheet 11 of 12)/ Plumstead Road, Middle Road and Low Road and Thorpe End Highway Improvement Measures	In the Parish of Great and Little Plumstead In the District of Broadland In the County of Norfolk	C874 Plumstead Road Broadland Drive (U51073) C442 Middle Road Low Road (U59392)
Street Plans (Sheet 12 of 12)/ Smee Lane and Postwick Interchange	In the Parishes of Great and Little Plumstead, and Postwick with Witton In the District of Broadland and in the administrative area of the Broads Authority In the County of Norfolk	Smee Lane (U59400) C829 Broadland Way A1042 Yarmouth Road A47 Trunk Road (Norwich Southern Bypass at Postwick Interchange)— •Eastbound Diverge Slip Road •Eastbound Merge Slip Road

CLASSIFICATION OF ROADS

PART 1

THE NEW A47 TRUNK ROAD POSTWICK INTERCHANGE SLIP ROADS

1. New A47 Trunk Road Eastbound Diverge Slip Road: A new, bifurcated, slip road, from a point on the existing A47 Trunk Road eastbound diverge slip road, where it is proposed to be improved, at Postwick Interchange, 250 metres generally east of where the A47 Trunk Road crosses over the Norwich to Yarmouth and Lowestoft railway line, extending generally eastwards to connect—

- (a) for its first bifurcated part with the NDR classified road Postwick North East Roundabout; and
- (b) for its second bifurcated part with the northbound carriageway of the NDR classified road, some 60 metres north of the NDR classified road Postwick North East Roundabout,

identified on the street plans ((Sheet 12 of 12)/Smee Lane and Postwick Interchange) by the symbol indicated on those plans for ‘The New A47 Trunk Road Postwick Interchange Slip Roads’ and annotated on that sheet as ‘New A47 Trunk Road Eastbound Diverge Slip Road’, and as is identified on the highway classification plans by a solid green line.

2. New A47 Trunk Road Eastbound Merge Slip Road: A new slip road, from the NDR classified road Postwick North East Roundabout, extending eastwards to connect with the existing A47 Trunk Road eastbound merge slip road, where it is proposed to be improved, at a point 125 metres west of the private access to ‘The Grange’, identified on the street plans ((Sheet 12 of 12)/Smee Lane and Postwick Interchange) by the symbol indicated on those plans for ‘The New A47 Trunk Road Postwick Interchange Slip Roads’ and annotated on that sheet as ‘New A47 Trunk Road Eastbound Merge Slip Road’, and as is identified on the highway classification plan by a solid green line.

PART 2

THE NDR CLASSIFIED ROAD

3. A 19.8 kilometre highway, to be constructed as the A1270 Principal Road—

- (a) commencing from its junction with the proposed roundabout, which will be constructed as an improvement of the A1067 Fakenham Road (‘Fakenham Road Roundabout’), 390 metres west north-west of its junction with Attlebridge Restricted Byway No. 3;
- (b) then extending in a generally north easterly, then easterly, direction to its at-grade roundabout junction with the C262 Fir Covert Road (‘Fir Covert Road Roundabout’), situated to the north of the Taverham Garden Centre and to the south of the property ‘Chestnut House’;
- (c) then extending generally eastwards, crossing under Marriott’s Way, then crossing and severing Furze Lane (U57168)/Breck Farm Lane (U57168), to the south of the property ‘The Warren’, to its at-grade roundabout junction with the C261 Reepham Road (‘Reepham Road Roundabout’), 450 metres north west of the junction of the C261 Reepham Road with Drewray Drive (U51248);
- (d) then extending east south-eastwards, crossing under Bell Farm Track/Horsford Restricted Byway No. 5, midway along its length, to its at-grade roundabout junction (‘Drayton Lane Roundabout’), with two new highway connections to the B1149 Holt Road and the C261 Reepham Road which will replace the former C282 Drayton Lane, just to the south west of the property ‘The Homestead’;

- (e) then continuing east south-eastwards to its grade-separated dumb-bell interchange, incorporating two eastbound diverge and merge slip roads connecting with the A140 Cromer Road Roundabout North, just to the south of New Holme Farm, and two westbound diverge and merge slip roads connecting with the A140 Cromer Road Roundabout South, and with the B1149 Holt Road (also to become the A1270), respectively, just to the north of Manor Park Sports Club;
- (f) then continuing eastwards, passing to the south of the City of Norwich Aviation Museum and to the north of the Norwich International Airport Control Tower, then north eastwards, to its roundabout junction at the north west corner of Norwich International Airport ('Airport Roundabout'), 160 metres north east of The Petans Training Centre at Bullock Hill;
- (g) then turning south eastwards, crossing and severing Quaker Lane (U57188) and the C251 St Faiths Road where those two highways connect, then eastwards, crossing under the new and realigned C246 Buxton Road, to the north east of No. 318 Buxton Road and to the south of Quaker Lane (U57188), then north eastwards, to its at-grade roundabout junction with the B1150 North Walsham Road ('North Walsham Road Roundabout'), to the north of the HFG Farm Shop and Garden Centre;
- (h) then extending eastwards, then east south-eastwards, to its at-grade roundabout junction with the A1151 Wroxham Road ('Wroxham Road Roundabout'), 140 metres south west of its junction with Sloe Lane (U57095);
- (i) then extending generally south eastwards, crossing under a proposed private access and bridleway bridge, 200 metres south west of the junction of Newman Road (U57490) with Long's Crescent (U57852), to its at-grade roundabout junction with the C283 Salhouse Road ('Salhouse Road Roundabout'), 310 metres south west of its crossroads junction with the C258 Green Lane East and C258 Green Lane West;
- (j) then continuing south eastwards, crossing over, by bridges, the Norwich to Cromer and Sheringham railway line and the C874 Plumstead Road, just to the north east of the existing railway crossing on the C874 Plumstead Road, to its new roundabout junction ('Plumstead Road Roundabout South'), with a new connecting Link Road with, and 270 metres south east of, the improved C874 Plumstead Road;
- (k) then extending generally southwards, crossing under the C442 Middle Road, just to the west of Oaks Farm;
- (l) then continuing southwards, crossing and severing Low Road (U59392), 70 metres to the west of the curtilage of the property 'The Red House';
- (m) then continuing southwards, crossing and severing Smee Lane (U59400), 90 metres west of the curtilage of Apple Tree Farm;
- (n) then continuing south south-eastwards to a new roundabout junction ('Business Park Roundabout'), 550 metres east of the C829/C830 Broadland Way/C831 Peachman Way Roundabout;
- (o) then turning south westwards to a new roundabout junction ('Postwick North East Roundabout'), on the northern side of the A47 Trunk Road Norwich Southern Bypass; and
- (p) then continuing south westwards, on overbridge across the A47 Trunk Road Norwich Southern Bypass, terminating at its junction with the A1042 Yarmouth Road, where it is to be improved to provide a signalised junction, just east of the Postwick Park and Ride Site, and

identified on the street plans, by the symbol indicated on those plans for 'The NDR classified road', and as is identified on the highway classifications plan by a solid red line.

PART 3

HOLT ROAD

4. A 200 metre length of the B1149 Holt Road, to be classified as the A1270 Principal Road, as extends north westwards from its junction with the A140 Cromer Road roundabout junction ('Cromer Road Roundabout South'), identified by cross hatching on the street plans ((Sheet 5 of 12)/Cromer Road Interchange to Old Norwich Road), as the north westerly arm off the Cromer Road Roundabout South, and as is identified on the highway classification plans by a red pecked line.

PART 4

THE A140 CROMER ROAD CLASSIFIED ROAD

5. A 450 metre length of new highway, to be constructed as the A140 Principal Road, from its junction with the B1149 Holt Road/A140 Cromer Road roundabout junction ('Cromer Road Roundabout South'), extending generally northwards, and incorporating a new roundabout ('Cromer Road Roundabout North') at a point 280 metres north along its length, to its junction with the existing A140 Cromer Road, at a point 110 metres north of its junction with the unnamed highway (Cromer Road to West Lane (U57647)), identified on the street plans ((Sheet 5 of 12)/Cromer Road Interchange to Old Norwich Road) as new highway W, and as is identified on the highway classification plans by a solid pink line.

PART 5

THE BROADLAND GATE LINK ROAD

6. A 550 metre length of new highway ('Broadland Gate Link Road'), to be constructed as the A1194 Principal Road, from its junction with the C829/C830 Broadland Way/C831 Peachman Way roundabout junction, extending eastwards to its junction with the NDR classified road Business Park Roundabout, identified on the street plans ((Sheet 12 of 12)/Smee Lane and Postwick Interchange) as new highway SS, and as is identified on the highway classification plans by a solid purple line.

PART 6

BROADLAND WAY

7. A 385 metre length, being the whole of the C829 Broadland Way, to be classified as the A1194 Principal Road, from its junction with the A1042 Yarmouth Road roundabout junction ('Postwick North West Roundabout'), extending northwards to and including its roundabout junction with the C830 Broadland Way North and C831 Peachman Way, as appears on the street plans ((Sheet 12 of 12)/Smee Lane and Postwick Interchange), and as is identified on the highway classification plans by a pecked purple line.

SCHEDULE 6

Article 12

STREETS TO BE STOPPED UP

In relating this Schedule to its corresponding Street Plans, the provisions described in this Schedule are shown on the Street Plans in the following manner—

- (a) streets to be stopped up, described in column (3) of Part 1 of this Schedule, are shown by thick black hatching, over the extent of stopping up described in column (4) of that Part;
- (b) new streets to be substituted for a street to be stopped up, or are otherwise to be provided, other than the NDR classified road, the New A47 Trunk Road Eastbound Diverge Slip Road and the New A47 Trunk Road Eastbound Merge Slip Road in relation to which those other new streets are to be constructed, as are included in column (5) of Part 1 of this Schedule, are shown by stipple and given a reference letter, and are to be a vehicular highway unless the word “Bridleway”, “Cycle Track with a right of way on foot” or “Restricted Byway” appears in brackets beneath its reference letter in that column;
- (c) private accesses to be stopped up, described in column (3) of Parts 2 and 3 of this Schedule, are shown by a solid black band, over the extent of stopping up described in column (4) of each of those Parts, and are given a reference number, preceded by ‘PMA’, commencing with ‘PMA 0’; and
- (d) new private accesses to be substituted for a private access to be stopped up, or are otherwise to be provided in relation to the NDR classified road and/or the New A47 Trunk Road Eastbound Diverge Slip Road and the New A47 Trunk Road Eastbound Merge Slip Road, as are included in column (5) of Part 2 of this Schedule, are shown by thin diagonal hatching, and are given a reference number, preceded by ‘X’, commencing with ‘X0’.

PART 1

STREETS FOR WHICH A SUBSTITUTE IS TO BE PROVIDED AND OTHER NEW STREETS TO BE PROVIDED

(1) <i>Street Plans Number/Title</i>	(2) <i>Area</i>	(3) <i>Street to be stopped up</i>	(4) <i>Extent of stopping up</i>	(5) <i>New street to be substituted, and other new streets to be provided</i>
Street Plans (Sheet 1 of 12)/ Fakenham Road	In the Parishes of Attlebridge, and Taverham	Attlebridge Restricted Byway No. 3	See Schedule 7 (public rights of way)	A (restricted byway)
	In the District of Broadland			See Schedule 7 (public rights of way)
	In the County of Norfolk	-	-	B (part) (bridleway)
Street Plans (Sheet 2 of 12)/ Fir Covert	In the Parishes of Attlebridge, and Taverham	C262 Fir Covert Road	A length: Where crossed by the NDR	The NDR classified road Fir Covert Road

<i>(1)</i> <i>Street Plans</i> <i>Number/Title</i>	<i>(2)</i> <i>Area</i>	<i>(3)</i> <i>Street to be</i> <i>stopped up</i>	<i>(4)</i> <i>Extent of</i> <i>stopping up</i>	<i>(5)</i> <i>New street to</i> <i>be substituted,</i> <i>and other new</i> <i>streets to be</i> <i>provided</i>
Road to Breck Farm Lane and Marriott's Way	In the District of Broadland In the County of Norfolk		classified road, from a point 170 metres generally south of its junction with the access to 'Fir Covert', generally southwards for a distance of 90 metres.	Roundabout
		-	-	B (part) (bridleway)
		-	-	C (bridleway)
		-	-	D (cycle track with a right of way on foot)
		Breck Farm Lane/ Furze Lane (U57168)	A length: From a point 40 metres north north-east of the access to Breck Farm Bungalow, north north-eastwards for a distance of 540 metres.	D (part)* (cycle track with a right of way on foot) E (bridleway)* G (bridleway)* * Substitute streets for non-motorised vehicular traffic (together with Marriott's Way overbridge open space recreational way)
-	-	F (part) (bridleway)		
		-	-	H (part) (cycle track with a right of way on foot)
Street Plans (Sheet 3 of 12)/	In the Parishes of Taverham,	C261 Reepham Road	A length:	The NDR classified road

<i>(1)</i> <i>Street Plans</i> <i>Number/Title</i>	<i>(2)</i> <i>Area</i>	<i>(3)</i> <i>Street to be</i> <i>stopped up</i>	<i>(4)</i> <i>Extent of</i> <i>stopping up</i>	<i>(5)</i> <i>New street to</i> <i>be substituted,</i> <i>and other new</i> <i>streets to be</i> <i>provided</i>
Reepham Road to Bell Farm Track	Drayton, and Horsford In the District of Broadland In the County of Norfolk		Where crossed by the NDR classified road, from a point 450 metres north west of the junction of the C261 Reepham Road with Drewray Drive (U51248), north westwards for a distance of 90 metres.	Reepham Road Roundabout
		-	-	F (part) (bridleway)
		-	-	H (part) (cycle track with a right of way on foot)
				I (bridleway)
		Drayton Restricted Byway No. 6	See Schedule 7 (public rights of way)	J (restricted byway) See Schedule 7 (public rights of way)
		Horsford Restricted Byway No. 5	See Schedule 7 (public rights of way)	K (restricted byway) See Schedule 7 (public rights of way)
Street Plans (Sheet 4 of 12)/ East of Bell Farm Track to Drayton Lane	In the Parishes of Horsford, and Drayton In the District of Broadland In the County of Norfolk	C282 Drayton Lane (North)	A length: From its junction with the C621 Reepham Road, generally northwards for a distance of 898 metres.	L* (cycle track with a right of way on foot) M* (cycle track with a right of way on foot) N

(1) <i>Street Plans Number/Title</i>	(2) <i>Area</i>	(3) <i>Street to be stopped up</i>	(4) <i>Extent of stopping up</i>	(5) <i>New street to be substituted, and other new streets to be provided</i>
				O* (bridleway) P Q* (cycle track with a right of way on foot) * Substitute streets for non- motorised vehicular traffic
		Horsford Restricted Byway No. 7	A length: From its junction with the C282 Drayton Lane, eastwards for a distance of 60 metres.	N
		-	-	R – not used
		-	-	S – not used
Street Plans (Sheet 5 of 12)/ Cromer Road Interchange to Old Norwich Road	In the Parishes of Horsford, and Horsham St. Faith and Newton St. Faith In the District of Broadland In the County of Norfolk	Holly Lane (U57142)	A length: From its junction with the B1149 Holt Road, west south westwards for a distance of 290 metres.	T* (cycle track with a right of way on foot) *Substitute street for non- motorised vehicular traffic
		B1149 Holt Road	A length: From a point 200 metres north west of its roundabout junction with the A140 Cromer Road, north westwards for a distance of	N P The NDR classified road Drayton Lane Roundabout (On Street Plans (Sheet 4 of 12)/East of

(1) <i>Street Plans Number/Title</i>	(2) <i>Area</i>	(3) <i>Street to be stopped up</i>	(4) <i>Extent of stopping up</i>	(5) <i>New street to be substituted, and other new streets to be provided</i>
			250 metres.	Bell Farm Track to Drayton Lane)
		Highway (Holt Road to Cromer Road) (U51625)	The whole length: From its junction with the B1149 Holt Road, north eastwards, then eastwards, to its junction with the A140 Cromer Road, a distance of 260 metres.	U* (cycle track with a right of way on foot) *Substitute street for non- motorised vehicular traffic
		A140 Cromer Road	A length: From its roundabout junction with the B1149 Holt Road, northwards for a distance of 430 metres.	W
		Unnamed Highway (Cromer Road to West Lane) (U57647)	A length: From its junction with the A140 Cromer Road, north eastwards for a distance of 132 metres.	V* (cycle track with a right of way on foot) * Substitute street for non- motorised vehicular traffic
Street Plans (Sheet 6 of 12)/ Access to Norwich International Airport and St. Faiths Road	In the Parishes of Horsham St. Faith and Newton St. Faith, and Spixworth In the District of Broadland and in the City of Norwich In the County	C251 Bullock Hill	A length: From a point 22 metres north west of its south eastern termination point, north westwards for a distance of 194 metres.	The NDR classified road Airport Roundabout Y Z X (part)* (bridleway) * Substitute

<i>(1) Street Plans Number/Title</i>	<i>(2) Area</i>	<i>(3) Street to be stopped up</i>	<i>(4) Extent of stopping up</i>	<i>(5) New street to be substituted, and other new streets to be provided</i>
	of Norfolk			street for non-motorised vehicular traffic
		Horsham St. Faith and Newton St. Faith Bridleway No. 6	The whole length: From its junction with Spixwoth Restricted Byway No. 1, extending north westwards to its north westerly termination point, just east of Norwich International Airport, a distance of 85 metres.	AA (part) (cycle track with a right of way on foot)
		-	-	X (part) (bridleway)
		-	-	AA (part) (cycle track with a right of way on foot)
Street Plans (Sheet 7 of 12)/ Buxton Road	In the Parish of Spixworth In the District of Broadland In the County of Norfolk	Spixwoth Bridleway No. 1	The whole length: From its junction with the C251 St. Faiths Road/Quaker Lane (U57188), extending north westwards to its junction with Horsham St. Faith and Newton St. Faith Bridleway No. 6, a distance of 65 metres.	AA (part) (cycle track with a right of way on foot)

<i>(1)</i> <i>Street Plans</i> <i>Number/Title</i>	<i>(2)</i> <i>Area</i>	<i>(3)</i> <i>Street to be</i> <i>stopped up</i>	<i>(4)</i> <i>Extent of</i> <i>stopping up</i>	<i>(5)</i> <i>New street to</i> <i>be substituted,</i> <i>and other new</i> <i>streets to be</i> <i>provided</i>
Street Plans (Sheet 7 of 12)/ Buxton Road (Cont'd)	In the Parish of Spixworth	Quaker Lane (U57188)	A length: From its junction with the C251 St Faiths Road, extending generally eastwards for a distance of 106 metres.	X (part)* (bridleway)
	In the District of Broadland			The NDR classified road Airport Roundabout*
	In the County of Norfolk		Y (part)*	
			AA (part)* (cycle track with a right of way on foot)	
			* Substitute streets for non- motorised vehicular traffic	
		C251 St Faiths Road	A length: From its junction with Quaker Lane (U57188), extending generally southwards for a distance of 138 metres.	X (part)* (bridleway)
				The NDR classified road Airport Road Roundabout*
				Z (part)*
				AA (part)* (cycle track with a right of way on foot)
				* Substitute streets for non- motorised vehicular traffic
		-	-	X (part) (bridleway)
		-	-	AA (part) (cycle track with a right of way on foot)
		-	-	BB (bridleway)
		Quaker Lane	A length:	CC

<i>(1)</i> <i>Street Plans</i> <i>Number/Title</i>	<i>(2)</i> <i>Area</i>	<i>(3)</i> <i>Street to be</i> <i>stopped up</i>	<i>(4)</i> <i>Extent of</i> <i>stopping up</i>	<i>(5)</i> <i>New street to</i> <i>be substituted,</i> <i>and other new</i> <i>streets to be</i> <i>provided</i>
		(U57188)	From its junction with the C246 Buxton Road, extending generally westwards for a distance of 46 metres.	
		C246 Buxton Road	A length: Between the boundaries of the NDR classified road, from a point 136 metres generally south of its junction with Quaker Lane (U57188), southwards for a distance of 96 metres.	DD
		-	-	EE (bridleway)
Street Plans (Sheet 8 of 12)/ North Walsham Road to Beeston Lane and North Walsham Road/ Rackheath Lane/ Croswick Lane Junction Improvement	In the Parishes of Beeston St. Andrew, and Croswick In the District of Broadland In the County of Norfolk	B1150 North Walsham Road	A length: Between the boundaries of the NDR classified road, from a point 140 metres generally north of its junction with the access to the HFG Farm Shop and Garden Centre, generally northwards for a distance of 90 metres.	The NDR classified road North Walsham Road Roundabout
				FF (part) (bridleway)
Street Plans (Sheet 9 of 12)/	In the Parishes of Beeston St.	-	-	FF (part) (bridleway)

<i>(1) Street Plans Number/Title</i>	<i>(2) Area</i>	<i>(3) Street to be stopped up</i>	<i>(4) Extent of stopping up</i>	<i>(5) New street to be substituted, and other new streets to be provided</i>
Wroxham Road and Wroxham Road/ Green Lane West Junction Improvement	Andrew, Rackheath, and Sprowston In the District of Broadland In the County of Norfolk	-	-	GG
		A1151 Wroxham Road	A length: Between the boundaries of the NDR classified road, from a point 80 metres south west of its junction with Sloe Lane, south westwards for a distance of 90 metres.	The NDR classified road Wroxham Road Roundabout
		A1151 Wroxham Road	A south eastern part width: Comprising a highway layby area and verge, from its junction with the private access to No. 8 Wroxham Road and Oakwood House, north eastwards for a distance of 75 metres and having a maximum width of 10 metres.	HH (part) (bridleway)
-		-	-	HH (part) (bridleway)
Street Plans (Sheet 10 of 12)/ Newman Road, Salhouse Road and Railway Crossing	In the Parishes of Rackheath, and Great and Little Plumstead In the District of Broadland In the County	Newman Road (Any public highway rights) (U57490)	A length: From its junction with Long's Crescent, south westwards for a distance of 180 metres, to its south western	II (bridleway)* * Substitute street for non-motorised vehicular traffic

(1) <i>Street Plans Number/Title</i>	(2) <i>Area</i>	(3) <i>Street to be stopped up</i>	(4) <i>Extent of stopping up</i>	(5) <i>New street to be substituted, and other new streets to be provided</i>
	of Norfolk		termination point.	
		C283 Salhouse Road	A length: Where crossed by the NDR classified road, from a point 306 metres south west of its junction with the C258 Green Lane West/Green Lane East carriageway, south westwards for a distance of 90 metres.	The NDR classified road Salhouse Road Roundabout
		-	-	HH (part) bridleway)
		-	-	II (bridleway)
		-	-	JJ (cycle track with a right of way on foot)
		-	-	KK (bridleway)
		-	-	LL (part) (bridleway)
Street Plans (Sheet 11 of 12)/ Plumstead Road, Middle Road and Low Road and Thorpe End Highway Improvement Measures	In the Parish of Great and Little Plumstead	-	-	LL (part) (bridleway)
		-	-	MM
	In the District of Broadland	-	-	NN (part) (bridleway)
	In the County of Norfolk	Low Road (U59392)	A length: From a point 84 metres west of its junction with the access to 'The Red House', generally westwards for	NN (part)* (bridleway) OO (part)* (bridleway) PP* (bridleway)

<i>(1)</i> <i>Street Plans</i> <i>Number/Title</i>	<i>(2)</i> <i>Area</i>	<i>(3)</i> <i>Street to be</i> <i>stopped up</i>	<i>(4)</i> <i>Extent of</i> <i>stopping up</i>	<i>(5)</i> <i>New street to</i> <i>be substituted,</i> <i>and other new</i> <i>streets to be</i> <i>provided</i>
			a distance of 480 metres.	* Substitute streets for non-motorised vehicular traffic
		Great and Little Plumstead Footpath No. 5 (Stopping Up extends onto Street Plans (Sheet 12 of 12)/Smee Lane and Postwick Interchange)	A length: From a point 70 metres south west of its junction with Low Road (U59392), extending south westwards, then southwards, to its junction with Smee Lane (U59400), a distance of 554 metres.	NN (part) (bridleway) OO (bridleway) QQ (bridleway) (Parts extend onto Street Plans (Sheet 12 of 12)/Smee Lane and Postwick Interchange)
Street Plans (Sheet 12 of 12)/ Smee Lane and Postwick Interchange	In the Parishes of Great and Little Plumstead, and Postwick with Witton In the District of Broadland and in the administrative area of the Broads Authority In the County of Norfolk	Smee Lane (U59400)	A length: From a point 204 metres generally east of its roundabout junction with Green Lane (U59278)/C83 2 Cranley Road/C830 Broadland Way, generally eastwards for a distance of 300 metres.	NN* (bridleway) OO* (bridleway) QQ* (bridleway) (Parts extend onto Street Plans (Sheet 11 of 12)/ Plumstead Road, Middle Road and Low Road and Thorpe End Highway Improvement Measures) * Substitute streets for non-motorised vehicular

(1) <i>Street Plans Number/Title</i>	(2) <i>Area</i>	(3) <i>Street to be stopped up</i>	(4) <i>Extent of stopping up</i>	(5) <i>New street to be substituted, and other new streets to be provided</i>
				traffic
		-	-	RR (cycle track with a right of way on foot)
		-	-	SS
		-	-	TT (cycle track with a right of way on foot)
		A47 Trunk Road Eastbound Exit Slip Road	A tapered part of its Carriageway: From a point 250 metres west of where the A1042 Yarmouth Road Overbridge passes over the A47 Trunk Road, north eastwards for a distance of 228 metres, to its roundabout junction with the A1042 Yarmouth Road.	The New A47 Trunk Road Eastbound Diverge Slip Road
		A47 Trunk Road Westbound Access Slip Road	A length: From its junction with the A1042 Yarmouth Road and C829 Broadland Way roundabout junction, eastwards for a distance of 560 metres, to where it joins the eastbound carriageway of the A47 Trunk	The New A47 Trunk Road Eastbound Merge Slip Road

<i>(1) Street Plans Number/Title</i>	<i>(2) Area</i>	<i>(3) Street to be stopped up</i>	<i>(4) Extent of stopping up</i>	<i>(5) New street to be substituted, and other new streets to be provided</i>
		Postwick Footpath No. 2	Road A length: From its junction with the A1042 Yarmouth Road, on the south side of the A47 Trunk Road, northwards for a distance of 700 metres.	RR (part) (cycle track with a right of way on foot)

PART 2

PRIVATE ACCESS FOR WHICH A SUBSTITUTE IS TO BE PROVIDED AND OTHER NEW MEANS OF ACCESS TO BE PROVIDED

<i>(1)</i> <i>Street Plans</i> <i>Number/Title</i>	<i>(2)</i> <i>Area</i>	<i>(3)</i> <i>Private access to</i> <i>be stopped up</i>	<i>(4)</i> <i>Extent of</i> <i>stopping up</i>	<i>(5)</i> <i>Private access to</i> <i>be substituted,</i> <i>and other new</i> <i>means of access</i> <i>to be provided</i>
Street Plans (Sheet 1 of 12)/ Fakenham Road	In the Parishes of Attlebridge, and Taverham In the District of Broadland In the County of Norfolk	PMA 0	Field access to agricultural land on the north east side of the A1067 Fakenham Road, opposite to the access to 'Woodstock', north eastwards for a distance of 2 metres.	X0
		PMA 2	Access track from the A1067 Fakenham Road, situated at a point 206 metres west north-west of its junction with Attlebridge Restricted Byway No. 3, to— Farmland lying immediately to the north of the A1067 Fakenham Road; 'Deighton Hills'; and 'The Lodge' and The Firing Range and Clubhouse of the Mid-Norfolk Shooting School, from a point 52 metres north of	X1

<i>(1) Street Plans Number/Title</i>	<i>(2) Area</i>	<i>(3) Private access to be stopped up</i>	<i>(4) Extent of stopping up</i>	<i>(5) Private access to be substituted, and other new means of access to be provided</i>
			its junction with the A1067 Fakenham Road, northwards to its junction with Attlebridge Restricted Byway No. 3, a distance of 200 metres.	
		-	-	X2 (part)
		PMA 3	Access track from the A1067 Fakenham Road to – Farmland lying to the north of the A1067 Fakenham Road; 'Deighton Hills'; 'The Lodge' and The Firing Range and Clubhouse of the Mid-Norfolk Shooting School; Biffa Waste Services Ltd; and 'Peacehaven', from a point 256 metres north west of its junction with the A1067 Fakenham Road, running along a co-existent route with Attlebridge Restricted Byway No. 3, north westwards	X1

<i>(1)</i> <i>Street Plans</i> <i>Number/Title</i>	<i>(2)</i> <i>Area</i>	<i>(3)</i> <i>Private access to</i> <i>be stopped up</i>	<i>(4)</i> <i>Extent of</i> <i>stopping up</i>	<i>(5)</i> <i>Private access to</i> <i>be substituted,</i> <i>and other new</i> <i>means of access</i> <i>to be provided</i>
			for a distance of 130 metres.	
Street Plans (Sheet 2 of 12)/	In the Parishes of Attlebridge, and Taverham	-	-	X2 (part)
Fir Covert Road		-	-	X3
to Breck Farm Lane and Marriott's Way	In the District of Broadland	PMA 4	Field access to farmland of Spring Farm, from the C262 Fir Covert Road, at a point 160 metres generally south of the access to 'Fir Covert', westwards for a distance of 2 metres.	X4
	In the County of Norfolk	PMA 5	Field access to field situated to the south of the curtilage of 'Fir Covert' and to the north of the curtilage of 'Chestnut House', from the C262 Fir Covert Road, eastwards for a distance of 2 metres.	X5
PMA 6		PMA 6	Access from the C262 Fir Covert Road to 'Chestnut House', eastwards for a distance of 2 metres.	X6
PMA 7		PMA 7	Field access to farmland to the east of, and from, the C262 Fir Covert Road, at a point 220 metres generally south of the access to 'Fir Covert', eastwards for a distance of 2	X7

<i>(1) Street Plans Number/Title</i>	<i>(2) Area</i>	<i>(3) Private access to be stopped up</i>	<i>(4) Extent of stopping up</i>	<i>(5) Private access to be substituted, and other new means of access to be provided</i>
			metres.	
		PMA 8	Access to farmland and buildings, to the west of, and from, Breck Farm Lane (U57168), at a point 70 metres north north-eastwards of the access to Breck Farm Bungalow, generally westwards for a distance of 2 metres.	X8 (part)
		PMA 9	Access to the most northerly barn and adjacent farmland, to the west of, and from, Breck Farm Lane (U57168), at a point 85 metres north north-eastwards of the access to Breck Farm Bungalow, generally westwards for a distance of 2 metres.	X8 (part)
		PMA 10	Field access to farmland to the west of, and from, Breck Farm Lane (U57168), at a point 194 metres north north-eastwards of the access to Breck Farm Bungalow, generally westwards for a distance of 2 metres.	X8 (part)

<i>(1) Street Plans Number/Title</i>	<i>(2) Area</i>	<i>(3) Private access to be stopped up</i>	<i>(4) Extent of stopping up</i>	<i>(5) Private access to be substituted, and other new means of access to be provided</i>
		PMA 11	Field access to farmland to the west of, and from, Breck Farm Lane (U57168), at a point 234 metres north north-eastwards of the access to Breck Farm Bungalow, generally westwards for a distance of 2 metres.	X8 (part)
		PMA 12	Field access to farmland to the east of, and from, Furze Lane (U57168), at a point 110 metres north north-eastwards of where Furze Lane/Breck Farm Lane (U57168) crosses over Marriott's Way, south eastwards for a distance of 2 metres.	X8 (part)
		PMA 13	Field access to farmland to the east of, and from, Breck Farm Lane (U57168), at a point 194 metres north north-eastwards of the access to Breck Farm Bungalow, eastwards for a distance of 2 metres.	X8 (part)
Street Plans (Sheet 3 of 12)/ Reepham Road	In the Parishes of Taverham, Drayton, and Horsford	-	-	X9
		-	-	X10
		PMA 14	Access track to farmland, lying	X11

<i>(1) Street Plans Number/Title</i>	<i>(2) Area</i>	<i>(3) Private access to be stopped up</i>	<i>(4) Extent of stopping up</i>	<i>(5) Private access to be substituted, and other new means of access to be provided</i>
to Bell Farm Track	In the District of Broadland In the County of Norfolk		immediately to the north east of the C261 Reepham Road, to the south east of Brands Lane and to the north west of Drayton Restricted Byway No. 6, from its junction with the C261 Reepham Road, extending generally northwards, then north eastwards, for a distance of 82 metres.	
		PMA 15	Access track to Felthorpe Woods, from its junction with the C261 Reepham Road, running along a co-existent route with Drayton Restricted Bridleway No. 6, extending north eastwards, for a distance of 85 metres.	X12
		-	-	X13
		-	-	X14
		PMA 17	Access track (known as Bell Farm Track) to Bell Farm, from its junction with the C261 Reepham Road, generally northwards to its junction with Dog Lane (U57176), a distance of 736 metres.	X15

<i>(1) Street Plans Number/Title</i>	<i>(2) Area</i>	<i>(3) Private access to be stopped up</i>	<i>(4) Extent of stopping up</i>	<i>(5) Private access to be substituted, and other new means of access to be provided</i>
		-	-	X16 (part)
Street Plans (Sheet 4 of 12)/ East of Bell Farm Track to Drayton Lane	In the Parishes of Horsford, and Drayton In the District of Broadland In the County of Norfolk	PMA 18	Field access (at the point of a concrete hard- standing area) to farmland to the west of, and from, the C282 Drayton Lane, at a point 166 metres south south-west of the southern boundary of the property 'Rookery North', westwards for a distance of 2 metres.	X17
		PMA 19	Field access to farmland to the east of, and from, the C282 Drayton Lane, at a point 164 metres south south-west of the southern boundary of the property 'Rookery North', eastwards for a distance of 2 metres.	X17
		-	-	X18
		PMA 20	Access to 'The Homestead' (Kennels and Cattery), from the C282 Drayton Lane, generally eastwards for a distance of 4 metres.	X19
		PMA 21	Access to smallholding/	X16 (Part)

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			paddock, lying opposite and just to the south west of 'The Homestead' (Kennels and Cattery), from its junction with the C282 Drayton Lane, generally westwards for a distance of 8 metres.	
		PMA 22	Field access to farmland to the west of, and from, the C282 Drayton Lane, at a point 470 metres north north-east of its junction with the C261 Reepham Road, westwards for a distance of 2 metres.	X16 (part)
		PMA 24 – not used	-	X20 – not used
		-	-	X21
		PMA 25	Access from the C261 Reepham Road to 'Borderlands', southwards for a distance of 2 metres.	X22
Street Plans (Sheet 5 of 12)/ Cromer Road Interchange to Old Norwich Road	In the Parishes of Horsford, and Horsham St. Faith and Newton St. Faith In the District of Broadland In the County of Norfolk	-	-	X23
		-	-	X24
		-	-	X25
		-	-	X26
		-	-	X27
		PMA 31	Field access to farmland to the	X28

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			south east of, and from, the Unnamed Highway (Cromer Road to West Lane (U57647)), at a point 50 metres north east of its junction with the A140 Cromer Road, south eastwards for a distance of 2 metres.	
		PMA 32	Field access to farmland to the east of, and from, the A140 Cromer Road, at a point 100 metres north of its roundabout junction with the B1149 Holt Road, eastwards for a distance of 2 metres.	X28
		PMA 34	Access track to Norwich International Airport and to the Norwich International Airport Control Tower, where crossed by the NDR classified road, from a point 20 metres south west of the access to the City of Norwich Aviation Museum, south westwards for 74 metres.	X30 (On Street Plans (Sheet 6 of 12)/Access to Norwich International Airport and St. Faiths Road))
Street Plans (Sheet 6 of 12)/	In the Parishes of Horsham St. Faith and	-	-	X29
		PMA 35	Field access to farmland, of	X32 (part)

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Access to Norwich International Airport and St. Faiths Road	Newton St. Faith, and Spixworth In the District of Broadland and in the City of Norwich In the County of Norfolk		Oak Tree Farm, from the C251 Bullock Hill, some 14 metres north west of its south easterly termination point, north eastwards for a distance of 2 metres.	
		PMA 36 (Part shown on Street Plans (Sheet 7 of 12)/ Buxton Road)	Access track to farmland, of Grange Farm, and to Norwich International Airport, from its junction with Quaker Lane (U57188)/C251 St Faiths Road, running along a co-existent route with Spixworth Bridleway No. 1, and Horsham St. Faith and Newton St. Faith Bridleway No. 6, west north- westwards for a distance of 160 metres. (Part shown on Street Plans (Sheet 7 of 12)/ Buxton Road)	X31 (part) X32
Street Plans (Sheet 7 of 12)/ Buxton Road	In the Parish of Spixworth	-	-	X31 (part)
		-	-	X32 (part)
		-	-	X33
	In the District of Broadland	-	-	X34
		PMA 37	Access to the Gas Governor site, from Quaker Lane (U57188), at a point 14 metres west of its	X35

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			junction with the C246 Buxton Road, southwards for a distance of 2 metres.	
		-	-	X36
		-	-	X37
		-	-	X38
Street Plans (Sheet 8 of 12)/ North Walsham Road to Beeston Lane and North Walsham Road/ Rackheath Lane/ Croswick Lane Junction Improvement	In the Parishes of Beeston St. Andrew, and Croswick In the District of Broadland In the County of Norfolk	PMA 39	Access track to farmland of Red Hall Farm, from Beeston Lane (U57187), from a point 2 metre south east of the south eastern boundary of the NDR classified road, extending north westwards, then generally northwards, for a distance of 212 metres.	X36 (On Street Plans (Sheet 7 of 12)/Buxton Road))
		PMA 40	Access to farmland of Red Hall Farm, from the B1150 North Walsham Road, at a point 266 metres north of the access to the HFG Farm Shop and Garden Centre, westwards for a distance of 2 metres.	X36 (On Street Plans (Sheet 7 of 12)/Buxton Road))
		-	-	X39
		-	-	X40a
		PMA 41	Access to farmland and woodland to the north, and off, the northernmost corner of Beeston Lane (U57186), at a point 240 metres	X40 (part) X41

<i>(1) Street Plans Number/Title</i>	<i>(2) Area</i>	<i>(3) Private access to be stopped up</i>	<i>(4) Extent of stopping up</i>	<i>(5) Private access to be substituted, and other new means of access to be provided</i>
			north east of No. 2 Manor Farm Cottages, generally northwards for a distance of 255 metres.	
Street Plans (Sheet 9 of 12)/ Wroxham Road and Wroxham Road/Green Lane West Junction Improvement	In the Parishes of Beeston St. Andrew, Rackheath, and Sproston	PMA 42	Access to the Sewage Works, from the A1151 Wroxham Road, westwards for a distance of 82 metres.	X42
	In the District of Broadland	PMA 43	Access to Hill Farm Lodge and to Hill Farm House, from the A1151 Wroxham Road, westwards for a distance of 3 metres.	X43
	In the County of Norfolk	-	-	X44
	PMA 44	Access to woodland 'Osier Carr', from the A1151 Wroxham Road, at a point 16 metres south west of its junction with Sloe Lane (U57095), south eastwards for a distance of 8 metres.	X46	
	PMA 45	Access to farmland to the south east of, and from, the A1151 Wroxham Road, opposite to the access to the Sewage Works, generally eastwards for a	X44	

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			distance of 2 metres.	
		PMA 46	Access to No. 8 Wroxham Road and Oakwood House, from the A1151 Wroxham Road, southwards for 3 metres.	X45 (to No. 8 Wroxham Road) X44a (to Oakwood House)
		PMA 47	Access track to farmland and other premises to the west of, and from the C258 Green Lane West, at a point immediately south of Nos. 1 to 4 The Close and opposite to the access to Green Farm, generally westwards, then south westwards, then southwards, for a distance of 525 metres.	X46 (to premises on the eastern side of the NDR classified road) X47g, X47h and X47i (On Street Plans (Sheet 10 of 12/ Newman Road, Salhouse Road and Railway Crossing)) (to certain premises on the western side of the NDR classified road)
Street Plans (Sheet 10 of 12)/ Newman Road, Salhouse Road and Railway Crossing	In the Parishes of Rackheath, and Great and Little Plumstead In the District of Broadland In the County of Norfolk	PMA 48	Access to Commercial Unit No. 1, situated on Newman Road/Private Access Road (U57490), at a point some 108 metres south west of its junction with Long's Crescent (U57852), north westwards for a distance of 2 metres.	X47a
		PMA 49	Access to Commercial	X47a

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			Unit No. 2, situated on Newman Road/Private Access Road (U57490), at a point some 124 metres south west of its junction with Long's Crescent (U57852), north westwards for a distance of 2 metres.	
		PMA 50	Access to Commercial Unit No. 3, situated on Newman Road/Private Access Road (U57490), at a point some 134 metres south west of its junction with Long's Crescent (U57852), north westwards for a distance of 2 metres.	X47b
		-	-	X47c – not used
		PMA 51	Disused access track, situated on Newman Road/Private Access Road (U57490), at a point 170 metres south west of its junction with Long's Crescent (U57852), northwards for a distance of 50 metres.	X47d
		-	-	X47e
		PMA 52	Access track to Gazebo Farm,	X47j

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			situated on Newman Road/Private Access Road (U57490), at a point 280 metres south west of its junction with Long's Crescent (U57852), northwards for a distance of 10 metres.	
		PMA 53	Newman Road Private Access Track, from its junction with Long's Crescent (U57852), generally south westwards for a distance of 400 metres.	X47g, X47h and X47i
		PMA 54	Access track to woodland, situated on Newman Road/Private Access Road (U57490), at a point 140 metres south west of its junction with Long's Crescent (U57852), south eastwards for a distance of 12 metres.	X47f
		PMA 55	Access track to Hall Farm, as extends off the C258 Green Lane West, opposite No. 40 Green Lane West, from a point 300 metres south west of its junction with the C258 Green	X48

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			Lane West, generally south westwards, then northwards, for a distance of 140 metres, terminating at the farm yard and buildings.	
		PMA 56	Disused access track to woodland and to Hall Farm, from the C283 Salhouse Road, at a point 454 metres south west of its junction with the carriageway of the C258 Green Lane West/Green Lane East, north westwards for a distance of 12 metres.	X48
		-	-	X49
		-	-	X50
		PMA 58	Field access to farmland of Dairy Farm, from the C874 Plumstead Road, at a point 15 metres north east of the existing railway crossing on the C874 Plumstead Road, north westwards for 2 metres.	X51
		PMA 60	Field access to farmland to the south east of, and from, the C874 Plumstead Road, at a point some 60 metres south west of its	X54 (On Street Plans (Sheet 11 of 12)/ Plumstead Road, Middle Road and Low Road and

<i>(1) Street Plans Number/Title</i>	<i>(2) Area</i>	<i>(3) Private access to be stopped up</i>	<i>(4) Extent of stopping up</i>	<i>(5) Private access to be substituted, and other new means of access to be provided</i>
			junction with the C258 Broad Lane, south eastwards for a distance of 2 metres.	Thorpe End Highway Improvement Measures)
		PMA 61	Field access to farmland to the south east of, and from, the C874 Plumstead Road, at a point some 175 metres south west of its junction with the C258 Broad Lane, south eastwards for a distance of 2 metres.	X54 (On Street Plans (Sheet 11 of 12)/ Plumstead Road, Middle Road and Low Road and Thorpe End Highway Improvement Measures)
		PMA 62	Field access to farmland to the south east of, and from, the C874 Plumstead Road, at a point some 230 metres south west of its junction with the C258 Broad Lane, south eastwards for a distance of 2 metres.	X56 (On Street Plans (Sheet 11 of 12)/ Plumstead Road, Middle Road and Low Road and Thorpe End Highway Improvement Measures)
		PMA 63	Field gate access to farmland to the south east of, and from, the C874 Plumstead Road, at a point some 170 metres north east of the railway level crossing of the C874 Plumstead Road, south eastwards for a distance of 2 metres.	X56 (On Street Plans (Sheet 11 of 12)/Plumstead Road, Middle Road and Low Road and Thorpe End Highway Improvement Measures)
		PMA 64	Field gate access	X56

(1) <i>Street Plans Number/Title</i>	(2) <i>Area</i>	(3) <i>Private access to be stopped up</i>	(4) <i>Extent of stopping up</i>	(5) <i>Private access to be substituted, and other new means of access to be provided</i>
			to farmland to the south east of, and from, the C874 Plumstead Road, at a point some 35 metres north east of the railway level crossing of the C874 Plumstead Road, south eastwards for a distance of 6 metres.	(On Street Plans (Sheet 11 of 12)/Plumstead Road, Middle Road and Low Road and Thorpe End Highway Improvement Measures)
		PMA 65	Access to the property 'the Railway Crossing', from the C874 Plumstead Road, south westwards for a distance of 5 metres.	X52
Street Plans (Sheet 11 of 12)/ Plumstead Road, Middle Road and Low Road and Thorpe End Highway Improvement Measures	In the Parish of Great and Little Plumstead	-	-	X53
		-	-	X55
	In the District of Broadland	PMA 66	Field access to Oaks Farm, from the C442 Middle Road, at a point 65 metres west of the main access track to Oaks Farm, northwards for a distance of 2 metres.	X57
		PMA 67	Main access track to Oaks Farm, from the C442 Middle Road, northwards for a distance of 8 metres.	X57
		PMA 68	Field access to the south of, and from, the C442 Middle Road, immediately to	X58

<i>(1) Street Plans Number/Title</i>	<i>(2) Area</i>	<i>(3) Private access to be stopped up</i>	<i>(4) Extent of stopping up</i>	<i>(5) Private access to be substituted, and other new means of access to be provided</i>
			the west of where Great and Little Plumstead Footpath No. 5 junctions with the C442 Middle Road, southwards for a distance of 2 metres.	
		PMA 69	Westerly access to land and buildings of Laurel Farm, from Low Road (U59392), some 102 metres east of its junction with Green Lane (U59278), northwards for a distance of 2 metres.	X59/X59a
		PMA 70	Two horse shoe access connections to buildings of Laurel Farm, from Low Road (U59392), some 154 metres and 178 metres, respectively, east of its junction of with Green Lane (U59278), northwards for a distance of 2 metres.	X59/X59b
		PMA 71	Easterly access to easternmost barn of Laurel Farm, and to two residential properties lying to the east thereof, from Low Road (U59392), some	X59/X59c

<i>(1) Street Plans Number/Title</i>	<i>(2) Area</i>	<i>(3) Private access to be stopped up</i>	<i>(4) Extent of stopping up</i>	<i>(5) Private access to be substituted, and other new means of access to be provided</i>
			208 metres east of its junction with Green Lane (U59278), northwards for a distance of 2 metres.	
		PMA 72	Field access to farmland to the north of, and from, Low Road (U59392), some 276 metres east of its junction with Green Lane (U59278), northwards for a distance of 2 metres.	X59/X59d
		PMA 73	Field access to farmland to the north of, and from, Low Road (U59392), some 442 metres east of its junction with Green Lane (U59278), northwards for a distance of 2 metres.	X59/X59d
		PMA 74	Access track to the Nurseries and to farmland to the south of, and from a point 70 metres south west of its junction with Low Road (U59392), extending south westwards, then southwards, running along a co-existent route with Great and Little Plumstead Footpath No. 5, to its junction	X61b (On Street Plans (Sheet 12 of 12)/Smee Lane and Postwick Interchange) (to land to the west of the NDR classified road)

<i>(1) Street Plans Number/Title</i>	<i>(2) Area</i>	<i>(3) Private access to be stopped up</i>	<i>(4) Extent of stopping up</i>	<i>(5) Private access to be substituted, and other new means of access to be provided</i>
			with Sme Lane (U59400), a distance of 554 metres. (Part shown on Street Plans (Sheet 12 of 12)/Sme Lane and Postwick Interchange)	
		PMA 75	Field access to farmland to the south of, and from, Low Road (U59392), some 368 metres east of its junction with Green Lane (U59278), southwards for a distance of 2 metres.	X59/X59e
		PMA 76	Field access to farmland to the south of, and from, Low Road (U59392), some 276 metres east of its junction with Green Lane (U59278), southwards for a distance of 2 metres.	X59/X59f
		PMA 77	Access to 'The Bungalow', from Low Road (U59392), southwards for a distance of 2 metres.	X59/X59g
		PMA 78	Access to 'Laurel Farm Farmhouse', from Low Road (U59392), southwards for a distance of 2 metres.	X59/X59h

<i>(1)</i> <i>Street Plans</i> <i>Number/Title</i>	<i>(2)</i> <i>Area</i>	<i>(3)</i> <i>Private access to</i> <i>be stopped up</i>	<i>(4)</i> <i>Extent of</i> <i>stopping up</i>	<i>(5)</i> <i>Private access to</i> <i>be substituted,</i> <i>and other new</i> <i>means of access</i> <i>to be provided</i>
		PMA 79	Field access to farmland to the south of, and from, Low Road (U59392), some 110 metres east of its junction of with Green Lane (U59278), southwards for a distance of 2 metres.	X59/X59j
		PMA 80	Access track to the detached garage of 'Meadow View', from Low Road (U59392), southwards for a distance of 2 metres.	X59/X59k
		PMA 81	Access to 'Meadow View', from Low Road (U59392), southwards for a distance of 2 metres.	X59/X59l
		-	-	X60
Street Plans (Sheet 12 of 12)/ Smee Lane and Postwick Interchange	In the Parishes of Great and Little Plumstead, and Postwick with Witton In the District of Broadland and in the administrative area of The Broads Authority In the County of Norfolk	-	-	X61a
		-	-	X62
		PMA 82	Access track to Heath Farm, from a point 510 metres south of its junction with Smee Lane (U59400), southwards for a distance of 22 metres.	X63
		PMA 83	Access track to Heath Farm, from a point 190 metres generally south, then east, of its junction with the C829 Broadland Way,	X64

<i>(1) Street Plans Number/Title</i>	<i>(2) Area</i>	<i>(3) Private access to be stopped up</i>	<i>(4) Extent of stopping up</i>	<i>(5) Private access to be substituted, and other new means of access to be provided</i>
			generally eastwards, then northwards, for a distance of 380 metres.	
		-	-	X65
		PMA 84	Access to 'The Grange', from its junction with the A47 Trunk Road eastbound carriageway, northwards for a distance of 4 metres.	X66

PART 3

PRIVATE ACCESS FOR WHICH NO SUBSTITUTE IS TO BE PROVIDED

<i>(1) Street Plan Number/ Title</i>	<i>(2) Area</i>	<i>(3) Private access to be stopped up</i>	<i>(4) Extent of stopping up</i>
Street Plans (Sheet 1 of 12)/ Fakenham Road	In the Parishes of Attlebridge, and Taverham In the District of Broadland In the County of Norfolk	PMA 1	Gated access point, at the south easterly point of the private service road to Old Hall Farm, from the A1067 Fakenham Road layby, at a point 495 metres south east of the main access track to Old Hall Farm, north westwards for 2 metres.
Street Plans (Sheet 2 of 12)/ Fir Covert Road to Breck Farm Lane and Marriott's Way	In the Parishes of Attlebridge, and Taverham In the District of Broadland In the County of Norfolk	None	None
Street Plans (Sheet 3 of 12)/ Reepham Road to Bell	In the Parishes of Taverham, Drayton, and Horsford	PMA 16	Access track to Bell Farm, running along the western boundary of Kieft & Sons

<i>(1)</i> <i>Street Plan Number/ Title</i>	<i>(2)</i> <i>Area</i>	<i>(3)</i> <i>Private access to be stopped up</i>	<i>(4)</i> <i>Extent of stopping up</i>
Farm Track	In the District of Broadland In the County of Norfolk		(Growers, storage & packaging), where crossed by the NDR classified road, from a point 265 metres north of its junction with the C261 Reepham Road, northwards for a distance of 85 metres.
Street Plans (Sheet 4 of 12)/ East of Bell Farm Track to Drayton Lane	In the Parishes of Horsford, and Drayton In the District of Broadland In the County of Norfolk	PMA 23	Field access to farmland to the south east of, and from, the C282 Drayton Lane, at a point 266 metres north east of its junction with the C261 Reepham Road, eastwards for a distance of 2 metres.
		PMA 26	Access track to farmland of Glebe Farm, from the C261 Reepham Road, at a point 260 metres east of its junction with the C282 Drayton Lane, where crossed by the NDR classified road, a distance of 112 metres.
Street Plans (Sheet 5 of 12)/ Cromer Road Interchange to Old Norwich Road	In the Parishes of Horsford, and Horsham St. Faith and Newton St. Faith In the District of Broadland In the County of Norfolk	PMA 27	Field access to farmland lying to the east of, and from the Unnamed Highway (Holt Road to Cromer Road) (U51625), at its junction with the B1149 Holt Road, eastwards for a distance of 2 metres.
		PMA 28	Field access to farmland lying to the north of, and from, the Unnamed Highway (Holt Road to Cromer Road) (U51625), at a point 212 metres north east, then east, of its junction with the B1149 Holt Road, northwards for a distance of 2 metres.

<i>(1)</i> <i>Street Plan Number/ Title</i>	<i>(2)</i> <i>Area</i>	<i>(3)</i> <i>Private access to be stopped up</i>	<i>(4)</i> <i>Extent of stopping up</i>
		PMA 29	Field access to farmland to the south of, and from, the Unnamed Highway (Holt Road to Cromer Road) (U51625), at a point 210 metres north east, then east, of its junction with the A140 Cromer Road, southwards for a distance of 2 metres.
		PMA 30	Field access to farmland to the west of, and from, the A140 Cromer Road, at a point 98 metres north of its roundabout junction with the B1149 Holt Road, westwards for a distance of 2 metres.
		PMA 33	Field access to farmland to the east of, and from, the A140 Cromer Road, at a point 86 metres north of its roundabout junction with the B1149 Holt Road, eastwards for a distance of 2 metres.
Street Plans (Sheet 6 of 12)/ Access to Norwich International Airport and St. Faiths Road	In the Parishes of Horsham St. Faith and Newton St. Faith, and Spixworth In the District of Broadland and in the City of Norwich In the County of Norfolk	None	None
Street Plans (Sheet 7 of 12)/ Buxton Road	In the Parish of Spixworth In the District of Broadland In the County of Norfolk	PMA 38	Access to farmland of Red Hall Farm, from the C246 Buxton Road, at a point 265 metres north of its junction with Beeston Lane (U57187), eastwards for a distance of 2 metres.
Street Plans (Sheet 8	In the Parishes of	None	None

<i>(1)</i> <i>Street Plan Number/ Title</i>	<i>(2)</i> <i>Area</i>	<i>(3)</i> <i>Private access to be stopped up</i>	<i>(4)</i> <i>Extent of stopping up</i>
of 12)/ North Walsham Road to Beeston Lane and North Walsham Road/Rackheath Lane/Crostwick Lane Junction Improvement	Beeston St. Andrew, and Crostwick In the District of Broadland In the County of Norfolk		
Street Plans (Sheet 9 of 12)/ Wroxham Road and Wroxham Road/Green Lane West Junction Improvement	In the Parishes of Beeston St. Andrew, Rackheath, and Sprowston In the District of Broadland In the County of Norfolk	None	None
Street Plans (Sheet 10 of 12)/ Newman Road, Salhouse Road and Railway Crossing	In the Parishes of Rackheath, and Great and Little Plumstead In the District of Broadland In the County of Norfolk	PMA 57	Field access to farmland to the south east of, and from, the C283 Salhouse Road, at a point 370 metres south west of its junction with the C258 Green Lane West/Green Lane East carriageway, south eastwards for a distance of 2 metres.
		PMA 59	Field access to fuel allotment land, from the C874 Plumstead Road, at a point 280 metres south west of its junction with the C258 Broad Lane, north westwards for a distance of 2 metres.
Street Plans (Sheet 11 of 12)/ Plumstead Road, Middle Road and Low Road and Thorpe End Highway Improvement Measures	In the Parish of Great and Little Plumstead In the District of Broadland In the County of Norfolk	None	None
Street Plans (Sheet 12 of 12)/	In the Parishes of Great and Little Plumstead, and	None	None

<i>(1)</i> <i>Street Plan Number/ Title</i>	<i>(2)</i> <i>Area</i>	<i>(3)</i> <i>Private access to be stopped up</i>	<i>(4)</i> <i>Extent of stopping up</i>
Smee Lane and Postwick Interchange	Postwick with Witton In the District of Broadland and in the administrative area of the Broads Authority In the County of Norfolk		

SCHEDULE 7

Article 13

PUBLIC RIGHTS OF WAY

PART 1

ATTLEBRIDGE RESTRICTED BYWAY NO. 3

1. That length of Attlebridge Restricted Byway No. 3, from its junction with the A1067 Fakenham Road, extending north westwards for a distance of 386 metres, shown by thick black diagonal hatching on the Street Plans ((Sheet 1 of 12)/Fakenham Road).

2. An alternative section of Attlebridge Restricted Byway No. 3, to co-exist with a private means of access to premises, from the proposed Fakenham Road Roundabout on the A1067 Fakenham Road, extending east north eastwards, then north westwards, for a distance of 315 metres, shown by stipple and given the reference letter A on the Street Plans ((Sheet 1 of 12)/Fakenham Road – Inset 1/2).

PART 2

DRAYTON RESTRICTED BYWAY NO. 6

3. That length of Drayton Restricted Byway No. 6, from its junction with the C261 Reephams Road, extending north eastwards for a distance of 90 metres, shown by thick black diagonal hatching on the Street Plans ((Sheet 3 of 12)/Reephams Road to Bell Farm Track).

4. An alternative section of Drayton Restricted Byway No. 6, to co-exist with a private means of access to premises, from the NDR classified road Reephams Road Roundabout, extending generally north eastwards, for a distance of 70 metres, shown by stipple and given the reference letter J on the Street Plans ((Sheet 3 of 12)/Reephams Road to Bell Farm Track).

PART 3

HORSFORD RESTRICTED BYWAY NO. 5

5. The whole of Horsford Restricted Byway No. 5, from its junction with the C261 Reephams Road, generally northwards to its junction with Dog Lane (U57176), a distance of 736 metres, shown by thick diagonal hatching on the Street Plans ((Sheet 3 of 12)/Reephams Road to Bell Farm Track).

6. An alternative section of Horsford Restricted Byway No. 5, to co-exist with a private means of access to premises, from the same point at its junction with the C261 Reephams Road as its former route, extending generally northwards, deviating from its former route along its central section, to its junction with Dog Lane (U57176) at the same point as its former route, shown by stipple and given the reference letter K on the Street Plans ((Sheet 3 of 12)/Reephams Road to Bell Farm Track – Inset 3/3).

SCHEDULE 8

Article 14

TEMPORARY PROHIBITION OR RESTRICTION OF THE USE OF STREETS

In relating this Schedule to the corresponding street plans, the lengths of street to be subject to temporary prohibition or restriction of driving or use, as described in column (4) of this Schedule, are given a reference number, preceded by 'TEMP TR', commencing with 'TEMP TR 1', and that reference appears in column (4) at the end of the described length.

<i>(1)</i> <i>Street Plans Number/Title</i>	<i>(2)</i> <i>Area</i>	<i>(3)</i> <i>Temporary prohibition or restriction of use of streets</i>	<i>(4)</i> <i>Extent of temporary prohibition or restriction of use of streets</i>
Street Plans (Sheet 1 of 12)/ Fakenham Road	In the Parishes of Attlebridge, and Taverham In the District of Broadland In the County of Norfolk	A1067 Fakenham Road Prohibition or restriction of driving or use, to be directed by traffic signs or signal control	1.1 From its junction with Attlebridge Restricted Byway No. 4, south eastwards for 1,120 metres, to where it meets the north western boundary of the curtilage of the property 'Peacehaven' (marked TEMP TR 1 on the Street Plans (Sheet 1 of 12)). Access to and from frontage properties (1 and 2 Old Hall Cottages, 'Woodstock', Old Hall Farm, and Agricultural Access opposite to 'Woodstock') to be maintained at all times. Purpose of prohibition or restriction: Works are proposed to be executed on or near that length of street, which are to provide the north westerly most tie-in point of the A1067 Fakenham Road highway improvement with the NDR classified road.

<i>(1)</i> <i>Street Plans</i> <i>Number/Title</i>	<i>(2)</i> <i>Area</i>	<i>(3)</i> <i>Temporary</i> <i>prohibition or</i> <i>restriction of use of</i> <i>streets</i>	<i>(4)</i> <i>Extent of temporary</i> <i>prohibition or</i> <i>restriction of use of</i> <i>streets</i>
			Alternative route: An alternative route between the two end points marked TEMP TR 1 on the Street Plans (Sheet 1 of 12) is to be available (including, in part, an area of non-highway land on the north eastern side of the existing carriageway for temporary use for traffic management purposes), for the purpose of continuity of use by two-way directional traffic.
Street Plans (Sheet 2 of 12)/ Fir Covert Road to Breck Farm Lane and Marriott's Way	In the Parishes of Attlebridge, and Taverham In the District of Broadland In the County of Norfolk	C262 Fir Covert Road Prohibition or restriction of driving or use, to be directed by traffic signs or signal control.	2.1 From a point 18 metres south south-west of its junction with the access to the property 'Fir Covert', south south-westwards for 375 metres (marked TEMP TR 2 on the Street Plans (Sheet 2 of 12)). Purpose of prohibition or restriction: Works are proposed to be executed on or near that length of street, which are to provide its north easterly and south westerly approach tie-ins to the NDR classified road Fir Covert Road Roundabout. Alternative route: An alternative route between the two end points marked TEMP TR 2 on the Street Plans (Sheet 2 of 12)

<i>(1) Street Plans Number/Title</i>	<i>(2) Area</i>	<i>(3) Temporary prohibition or restriction of use of streets</i>	<i>(4) Extent of temporary prohibition or restriction of use of streets</i>
			are to be available, for the purpose of continuity of use by two-way directional traffic.
		<p>Marriott's Way (Recreational public amenity path)</p> <p>Prohibition or restriction of use, to be directed by traffic signs.</p>	<p>2.2 From a point 125 metres south east of where the existing Breck Farm Lane/Furze Lane (U57168) bridge crosses over the Marriott's Way, north westwards for 470 metres (marked TEMP TR 3 on the Street Plans (Sheet 2 of 12)).</p> <p>Purpose of prohibition or restriction: Works are proposed to be executed on or near that length of recreational public amenity path, to raise its level to carry it over the NDR classified road on a new overbridge.</p> <p>Alternative route:</p> <p>During times of restriction of use: an alternative route between the two end points marked TEMP TR 3 on the Street Plans (Sheet 2 of 12) is to be available, for the purpose of continuity of use by travellers proceeding north west and south east along the recreational public amenity path; and</p> <p>During (expected</p>

<i>(1)</i> <i>Street Plans</i> <i>Number/Title</i>	<i>(2)</i> <i>Area</i>	<i>(3)</i> <i>Temporary</i> <i>prohibition or</i> <i>restriction of use of</i> <i>streets</i>	<i>(4)</i> <i>Extent of temporary</i> <i>prohibition or</i> <i>restriction of use of</i> <i>streets</i>
			<p>minimal) times of prohibition of use—</p> <p>(a) the route is to remain available north west and south east of its closure points, but not as a through route; and</p> <p>(b) through route traffic is to be directed, by notices posted on the C262 Fir Covert Road, in the north west, and on Pendleshurst Road (U51205), in the south east, to the alternative route to take to rejoin Marriott’s Way at those two highways, whilst the prohibition of use is in force.</p>
<p>Street Plans (Sheet 3 of 12)/</p> <p>Reepham Road to Bell Farm Track</p>	<p>In the Parishes of Taverham, Drayton, and Horsford</p> <p>In the District of Broadland</p> <p>In the County of Norfolk</p>	<p>C261 Reepham Road</p> <p>Prohibition or restriction of driving or use, to be directed by traffic signs or signal control.</p>	<p>3.1</p> <p>From a point 200 metres north west of its junction with Drewray Drive (U51248), north westwards for 595 metres (marked TEMP TR 4 on the Street Plans (Sheet 3 of 12)).</p> <p>Purpose of prohibition or restriction: Works are proposed to be executed on or near that length of street, which are to provide its north westerly and south easterly approach realignment tie-ins with the NDR classified road Reepham Road Roundabout.</p>

<i>(1) Street Plans Number/Title</i>	<i>(2) Area</i>	<i>(3) Temporary prohibition or restriction of use of streets</i>	<i>(4) Extent of temporary prohibition or restriction of use of streets</i>
			<p>Alternative route: An alternative route between the two end points marked TEMP TR 4 on the Street Plans (Sheet 3 of 12) is to be available (including, in part, an area on non-highway land on the south western side of the existing carriageway for temporary use for traffic management purposes), for the purpose of continuity of use by two-way directional traffic.</p>
		<p>Drayton Restricted Byway No. 6/Dog Lane (U57176)/ Horsford Restricted Byway No. 4</p> <p>Prohibition or restriction of use, to be directed by traffic signs.</p>	<p>3.2</p> <p>From the junction of the diverted Drayton Restricted Byway No. 6 with the NDR classified road Reepham Road Roundabout, eastwards, then north eastwards, then generally eastwards, for a distance of 1,225 metres, to a point 30 metres east of the junction with Horsford Restricted Byway No. 5 (marked TEMP TR 5 on the Street Plans (Sheet 3 of 12)).</p> <p>Purpose of prohibition or restriction: Works are proposed to be executed on the undiverted part of that length of the restricted byways, to provide an improved highway surface.</p> <p>Alternative route:</p>

<i>(1)</i> <i>Street Plans</i> <i>Number/Title</i>	<i>(2)</i> <i>Area</i>	<i>(3)</i> <i>Temporary</i> <i>prohibition or</i> <i>restriction of use of</i> <i>streets</i>	<i>(4)</i> <i>Extent of temporary</i> <i>prohibition or</i> <i>restriction of use of</i> <i>streets</i>
			<p>C261 Reepham Road and Horsford Restricted Byway No. 5.</p> <p>Note: Prohibitions or restrictions of use of 3.2 and 3.3 are not to operate at the same time.</p>
		<p>Horsford Restricted Byway No. 5 (Bell Farm Track)</p> <p>Prohibition or restriction of use, to be directed by traffic signs.</p>	<p>3.3</p> <p>From its junction with the C261 Reepham Road, north eastwards to its junction with Dog Lane (U57176) (marked TEMP TR 6 on Street Plans (Sheet 3 of 12)).</p> <p>Private access traffic over a 150-metre length of the track from Dog Lane (U57176), and a 200-metre length of the track from the C261 Reepham Road, is to be maintained for the purposes of access to the premises of land of Bell Farm, lying to the north and to the south of the NDR classified road.</p> <p>Purpose of prohibition or restriction: Works are proposed to be executed on or near that length of street to raise its level to carry its realigned route over the NDR classified road on a new overbridge.</p> <p>Alternative route: C261 Reepham Road and Dog Lane</p>

<i>(1)</i> <i>Street Plans</i> <i>Number/Title</i>	<i>(2)</i> <i>Area</i>	<i>(3)</i> <i>Temporary</i> <i>prohibition or</i> <i>restriction of use of</i> <i>streets</i>	<i>(4)</i> <i>Extent of temporary</i> <i>prohibition or</i> <i>restriction of use of</i> <i>streets</i>
			(U57176)/Drayton Restricted Byway No. 6. Note: Prohibitions or restrictions of use of 3.2 and 3.3 are not to operate at the same time.
Street Plans (Sheet 4 of 12)/ East of Bell Farm Track to Drayton Lane Street Plans (Sheet 4 of 12)/	In the Parishes of Horsford, and Drayton In the District of Broadland In the County of Norfolk	B1149 Holt Road Prohibition or restriction of driving or use, to be directed by traffic signs or signal control.	4.1 From its northerly junction with the C253 Church Street, south eastwards for 300 metres (marked TEMP TR 7 on the Street Plans (Sheet 4 of 12)) Purpose of prohibition or restriction: Works are proposed to be executed on or near that length of street, to provide a roundabout junction upon it as a connection with the new Link Road to the NDR classified road Drayton Lane Roundabout. Alternative route: An alternative route between the two end points marked TEMP TR 7 on the Street Plans (Sheet 4 of 12) is to be available, for the purpose of continuity of use by two-way directional traffic, until such times as the two new Link Roads, connecting the B1149 Holt Road and the C261 Reephams Road with the NDR classified road

(1) <i>Street Plans Number/Title</i>	(2) <i>Area</i>	(3) <i>Temporary prohibition or restriction of use of streets</i>	(4) <i>Extent of temporary prohibition or restriction of use of streets</i>
			Drayton Lane Roundabout are completed and open to traffic.
		C282 Drayton Lane Prohibition or restriction of driving or use, to be directed by traffic signs or signal control.	4.2 From its junction with the C261 Reepham Road northwards for 898 metres (marked TEMP TR 8 on the Street Plans (Sheet 4 of 12)). Purpose of prohibition or restriction: Works are proposed to be executed on or near that length of street, which are to provide the new Link Road between the C261 Reepham Road and the NDR classified road Drayton Lane Roundabout and the new Link Road between that roundabout and the proposed roundabout on the B1149 Holt Road. Alternative route: An alternative route between the two end points marked TEMP TR 8 on the Street Plans (Sheet 4 of 12) is to be available, for the purpose of continuity of use by two-way directional traffic, until such times as the new highways N and P shown on the Street Plans (Sheet 4 of 12), and the NDR classified road Drayton Lane Roundabout, are

<i>(1) Street Plans Number/Title</i>	<i>(2) Area</i>	<i>(3) Temporary prohibition or restriction of use of streets</i>	<i>(4) Extent of temporary prohibition or restriction of use of streets</i>
			completed and open to traffic, so as to provide the permanent route between the C261 Reepham Road and the B1149 Holt Road.
		C261 Reepham Road Prohibition or restriction of driving or use, to be directed by traffic signs or signal control.	4.3 From a point 260 metres south east of its junction with the C282 Drayton Lane, north westwards for 425 metres (marked TEMP TR 9 on Street Plans (Sheet 4 of 12)). Access to and from the frontage property 'Borderlands' is to be maintained at all times. Purpose of prohibition or restriction: Works are proposed to be executed on or near that length of street, which are to provide its tie-in, and create a major/minor priority junction with, the new Link Road to be provided from the C261 Reepham Road to the NDR classified road Drayton Lane Roundabout. Alternative route: An alternative route between the two end points marked TEMP TR 9 on the Street Plans (Sheet 4 of 12) is to be available, for the purpose of continuity of use by two-way directional traffic.

<i>(1)</i> <i>Street Plans</i> <i>Number/Title</i>	<i>(2)</i> <i>Area</i>	<i>(3)</i> <i>Temporary</i> <i>prohibition or</i> <i>restriction of use of</i> <i>streets</i>	<i>(4)</i> <i>Extent of temporary</i> <i>prohibition or</i> <i>restriction of use of</i> <i>streets</i>
<p>Street Plans (Sheet 5 of 12)/</p> <p>Cromer Road Interchange to Old Norwich Road</p>	<p>In the Parishes of Horsford, and Horsham St. Faith and Newton St. Faith</p> <p>In the District of Broadland</p> <p>In the County of Norfolk</p>	<p>A140 Cromer Road/A140 Holt Road</p> <p>Prohibition or restriction of driving or use, to be directed by traffic signs or signal control.</p>	<p>5.1</p> <p>From a point 90 metres south east of its junction with the B1149 Holt Road roundabout junction, northwards for 900 metres (marked TEMP TR 10 on the Street Plans (Sheet 5 of 12)).</p> <p>Purpose of prohibition or restriction: Works are proposed to be executed on or near that length of street, to provide a new Grade Separated Interchange with the NDR classified road, including a new overbridge to carry the new alignment of the A140 Cromer Road over the NDR classified road.</p> <p>Alternative route: An alternative route between the two end points marked TEMP TR 10 on the Street Plans (Sheet 5 of 12) is to be available, for the purpose of continuity of use by two-way directional traffic, until such time as the new highway W on the Street Plans (Sheet 5 of 12) is completed and open to traffic.</p>
<p>Street Plans (Sheet 6 of 12)/</p> <p>Access to Norwich International Airport and St. Faiths Road</p>	<p>In the Parishes of Horsham St. Faith and Newton St. Faith, and Spixworth</p> <p>In the District of</p>	<p>-</p>	<p>-</p>

<i>(1)</i> <i>Street Plans</i> <i>Number/Title</i>	<i>(2)</i> <i>Area</i>	<i>(3)</i> <i>Temporary</i> <i>prohibition or</i> <i>restriction of use of</i> <i>streets</i>	<i>(4)</i> <i>Extent of temporary</i> <i>prohibition or</i> <i>restriction of use of</i> <i>streets</i>
	Broadland and in the City of Norwich In the County of Norfolk		
Street Plans (Sheet 7 of 12)/ Buxton Road	In the Parish of Spixworth In the District of Broadland In the County of Norfolk	Quaker Lane (U57188) Prohibition or restriction of driving or use, to be directed by traffic signs or signal control.	7.1 From its junction with the C246 Buxton Road, westwards for 80 metres (marked TEMP TR 11 on the Street Plans (Sheet 7 of 12)). Purpose of prohibition or restriction: Works are proposed to be executed on or near that length of street, which are to provide its new easterly approach link with the realigned C246 Buxton Road. Alternative route: An alternative route between the two end points marked TEMP TR 11 on the Street Plans (Sheet 7 of 12) is to be available, for the purpose of continuity of use by two-way directional traffic, until such times as the new highway marked CC on the Street Plans (Sheet 7 of 12) is completed and open to traffic.
		C246 Buxton Road Prohibition or restriction of driving or use, to be directed by traffic signs or signal control	7.2 From its junction with Beeston Lane (U57187), northwards for 750 metres (marked TEMP TR 12 on the Street Plans

<i>(1)</i> <i>Street Plans</i> <i>Number/Title</i>	<i>(2)</i> <i>Area</i>	<i>(3)</i> <i>Temporary</i> <i>prohibition or</i> <i>restriction of use of</i> <i>streets</i>	<i>(4)</i> <i>Extent of temporary</i> <i>prohibition or</i> <i>restriction of use of</i> <i>streets</i>
			<p>(Sheet 7 of 12))</p> <p>Access to and from Beeston Lane (U57187), and Quaker Lane (U57188) is to be maintained at all times.</p> <p>Purpose of prohibition or restriction: Works are proposed to be executed on or near that length of street, which are to provide a new easterly aligned route for the C246 Buxton Road, and the raising of its level to carry it over the NDR classified road on a new overbridge.</p> <p>Alternative route: An alternative route between the two end points marked TEMP TR 12 on the Street Plans (Sheet 7 of 12) is to be available, for the purpose of continuity of use by two-way directional traffic, until such time as the new highway DD on the Street Plans (Sheet 7 of 12) is completed and open to traffic.</p>
<p>Street Plans (Sheet 8 of 12)/</p> <p>North Walsham Road to Beeston Lane and</p> <p>North Walsham Road/Rackheath Lane/Crostwick Lane Junction Improvement</p>	<p>In the Parishes of Beeston St. Andrew, and Crostwick</p> <p>In the District of Broadland</p> <p>In the County of Norfolk</p>	<p>B1150 North Walsham Road</p> <p>Prohibition or restriction of driving or use, to be directed by traffic signs or signal control.</p>	<p>8.1</p> <p>From a point 20 metres north of its junction with the access to the HFG Farm Shop and Garden Centre, northwards for 395 metres (marked TEMP TR 13 on the Street Plans (Sheet 8</p>

<i>(1)</i> <i>Street Plans</i> <i>Number/Title</i>	<i>(2)</i> <i>Area</i>	<i>(3)</i> <i>Temporary</i> <i>prohibition or</i> <i>restriction of use of</i> <i>streets</i>	<i>(4)</i> <i>Extent of temporary</i> <i>prohibition or</i> <i>restriction of use of</i> <i>streets</i>
			<p>of 12).</p> <p>Purpose of prohibition or restriction: Works are proposed to be executed on or near that length of street, which are to provide its southerly and northerly approach tie-ins to the NDR classified road North Walsham Road Roundabout.</p> <p>Alternative route: An alternative route (including, in part, an area of non-highway land on the eastern side of the existing carriageway, beside the Tithe Plantation, for temporary use for traffic management purposes) between the two end points marked TEMP TR 13 on the Street Plans (Sheet 8 of 12) is to be available, for the purpose of use by two-way directional traffic.</p>
		<p>B1150 North Walsham Road</p> <p>Prohibition or restriction of driving or use, to be directed by traffic signs or signal control.</p>	<p>8.2</p> <p>From a point 60 metres south south-west of its junction with the C249 Crostwick Lane, north north-eastwards for 165 metres (marked TEMP TR 14 on the Street Plans (Sheet 8 of 12)).</p> <p>Access to and from the C249 Crostwick Lane is to be maintained at all times</p>

<i>(1) Street Plans Number/Title</i>	<i>(2) Area</i>	<i>(3) Temporary prohibition or restriction of use of streets</i>	<i>(4) Extent of temporary prohibition or restriction of use of streets</i>
			<p>Purpose of prohibition or restriction: Works are proposed to be executed on or near that length of street, which are to provide an increased northerly splay connection with it from the C249 Crostwick Lane; verge works across its existing junction with the C249 Rackheath Lane which is to be closed; and associated road markings and other works, to identify its new junction layout as that of a, improved, T-Junction from the C249 Crostwick Lane.</p> <p>Alternative route: An alternative route between the two end points marked TEMP TR 14 on the Street Plans (Sheet 8 of 12) is to be available, for the purpose of continuity of use by two-way directional traffic.</p>
		<p>C249 Crostwick Lane</p> <p>Prohibition or restriction of driving or use, to be directed by traffic signs or signal control.</p>	<p>8.3</p> <p>From its junction with the B1150 North Walsham Road, westwards for 35 metres (marked TEMP 14A on the Street Plans (Sheet 8 of 12)).</p> <p>Access to and from the B1150 North Walsham Road is to be maintained at all times</p>

<i>(1)</i> <i>Street Plans</i> <i>Number/Title</i>	<i>(2)</i> <i>Area</i>	<i>(3)</i> <i>Temporary</i> <i>prohibition or</i> <i>restriction of use of</i> <i>streets</i>	<i>(4)</i> <i>Extent of temporary</i> <i>prohibition or</i> <i>restriction of use of</i> <i>streets</i>
			<p>Purpose of Prohibition/ Restriction: Works are proposed to be executed on or near that length of street, which will provide it with an increased northerly splay connection with the B1150 North Walsham Road; verge works across the existing opposite junction of the B1150 North Walsham Road with the C249 Rackheath Lane which is to be closed; and associated road markings and other works, to identify the new junction layout of the C249 Crostwick Lane as that of a, improved, T-Junction with the B1150 North Walsham Road.</p> <p>Alternative route: An alternative route between the two end points marked TEMP TR 14A on the Street Plans (Sheet 8 of 12) is to be available, for the purpose of continuity of use by two-way directional traffic.</p>
<p>Street Plans (Sheet 9 of 12)/</p> <p>Wroxham Road and Wroxham Road/Green Lane West Junction Improvement</p>	<p>In the Parishes of Beeston St. Andrew, Rackheath, and Sprowston</p> <p>In the District of Broadland</p> <p>In the County of Norfolk</p>	<p>A1151 Wroxham Road</p> <p>Prohibition or restriction of driving or use, to be directed by traffic signs or signal control.</p>	<p>9.1</p> <p>From a point 50 metres north east of its junction with the C258 Green Lane West, south westwards for 315 metres (marked TEMP TR 15 on the</p>

<i>(1) Street Plans Number/Title</i>	<i>(2) Area</i>	<i>(3) Temporary prohibition or restriction of use of streets</i>	<i>(4) Extent of temporary prohibition or restriction of use of streets</i>
			<p>Street Plans (Sheet 9 of 12)).</p> <p>Purpose of prohibition or restriction: Works are proposed to be executed on or near that length of street, which are to provide it with a new Link Road connection, moved westwards from its existing location, from the C258 Green Lane West; verge works across its existing junction with the C258 Green Lane West which is to be closed; and associated road markings and other works, to identify the new Link Road connection from the C258 Green Lane West.</p> <p>Alternative route: An alternative route between the two end points marked TEMP TR 15 on the Street Plans (Sheet 8 of 12) is to be available, for the purpose of continuity of use by two-way directional traffic.</p>
		<p>C258 Green Lane West</p> <p>Prohibition or restriction of driving or use, to be directed by traffic signs or signal control.</p>	<p>9.2</p> <p>From its junction with the A1151 Wroxham Road, south eastwards for 200 metres (marked TEMP TR 16 on the Street Plans (Sheet 9 of 12)).</p> <p>Access to and from residential properties along this length of</p>

<i>(1)</i> <i>Street Plans</i> <i>Number/Title</i>	<i>(2)</i> <i>Area</i>	<i>(3)</i> <i>Temporary</i> <i>prohibition or</i> <i>restriction of use of</i> <i>streets</i>	<i>(4)</i> <i>Extent of temporary</i> <i>prohibition or</i> <i>restriction of use of</i> <i>streets</i>
			<p>C258 Green Lane West will be maintained at all times.</p> <p>Purpose of prohibition or restriction: Works are proposed to be executed on or near that length of street, which are to remove its existing junction with the A1151 Wroxham Road, including verge works across that existing junction and the provision of a residential cul-de-sac turning head at that position; tie-in works with the new Link Road to be provided, westwards of its existing location, between the C258 Green Lane West and the A1151 Wroxham Road; and associated road markings and other works, to identify the new Link Road connection from the C258 Green Lane West.</p> <p>Alternative route: An alternative route between the two end points marked TEMP TR 16 on the Street Plans (Sheet 8 of 12) is to be available, for the purpose of continuity of use by two-way directional traffic, until such times as the new highway GG on the Street Plans (Sheet 9 of 12) is completed and open to traffic and</p>

<i>(1)</i> <i>Street Plans</i> <i>Number/Title</i>	<i>(2)</i> <i>Area</i>	<i>(3)</i> <i>Temporary</i> <i>prohibition or</i> <i>restriction of use of</i> <i>streets</i>	<i>(4)</i> <i>Extent of temporary</i> <i>prohibition or</i> <i>restriction of use of</i> <i>streets</i>
			the existing length of the C258 Green Lane West becomes a residential two-way cul-de-sac.
		<p>A1151 Wroxham Road</p> <p>Prohibition or restriction of driving or use, to be directed by traffic signs or signal control.</p>	<p>9.3</p> <p>From a point 80 metres north east of Sloe Lane (U57095), south westwards for 380 metres (marked TEMP TR 17 on the Street Plans (Sheet 9 of 12)).</p> <p>Access to and from Sloe Lane (U57095) is to be maintained at most times.</p> <p>Purpose of prohibition or restriction: Works are proposed to be executed on or near that length of street, which are to provide its south westerly and north easterly approach tie-ins to the NDR classified road Wroxham Road Roundabout.</p> <p>Alternative route: An alternative route between the two end points marked TEMP TR 17 on the Street Plans (Sheet 9 of 12) is to be available, for the purpose of continuity of use by two-way directional traffic.</p> <p>When access to and from Sloe Lane (U57095) is to be prohibited—</p>

<i>(1)</i> <i>Street Plans</i> <i>Number/Title</i>	<i>(2)</i> <i>Area</i>	<i>(3)</i> <i>Temporary</i> <i>prohibition or</i> <i>restriction of use of</i> <i>streets</i>	<i>(4)</i> <i>Extent of temporary</i> <i>prohibition or</i> <i>restriction of use of</i> <i>streets</i>
			<p>(a) traffic requiring agricultural access off Sloe Lane (U57095) is to be directed to use Swash Lane (U57147), to join Sloe Lane (U57095) from the north; and</p> <p>(b) other traffic is to be directed to use Swash Lane (U57147) or the C249 Dobb's Lane, both lying to the north, to leave or join the A1151 Wroxham Road, to continue their journey from there.</p>
<p>Street Plans (Sheet 10 of 12)/</p> <p>Newman Road, Salhouse Road and Railway Crossing</p>	<p>In the Parishes of Rackheath, and Great and Little Plumstead</p> <p>In the District of Broadland</p> <p>In the County of Norfolk</p>	<p>C283 Salhouse Road</p> <p>Prohibition or restriction of driving or use, to be directed by traffic signs or signal control.</p>	<p>10.1</p> <p>From a point 20 metres south of its junction with the carriageway of the C258 Green Lane West/Green Lane East, southwards for 515 metres (marked TEMP TR 18 on the Street Plans (Sheet 10 of 12)).</p> <p>Purpose of prohibition or restriction: Works are proposed to be executed on or near that length of street, which is to provide its south easterly and north westerly approach tie-ins to the NDR classified road Salhouse Road Roundabout.</p> <p>Alternative route: An alternative route between the two end points marked TEMP TR 18 on the Street</p>

<i>(1)</i> <i>Street Plans</i> <i>Number/Title</i>	<i>(2)</i> <i>Area</i>	<i>(3)</i> <i>Temporary</i> <i>prohibition or</i> <i>restriction of use of</i> <i>streets</i>	<i>(4)</i> <i>Extent of temporary</i> <i>prohibition or</i> <i>restriction of use of</i> <i>streets</i>
			Plans (Sheet 10 of 12) is to be available, for the purpose of continuity of use by two-way directional traffic.
		<p>C874 Plumstead Road</p> <p>Prohibition or restriction of driving or use, to be directed by traffic signs or signal control.</p>	<p>10.2</p> <p>From a point 10 metres north east of its junction with the C258 Broad Lane, south westwards for 700 metres, including passing under a new bridge which is to carry the NDR classified road over the C874 Plumstead Road (marked TEMP TR 19 on the Street Plans (Sheet 10 of 12)).</p> <p>Purpose of prohibition or restriction: Works are proposed to be executed on or near that length of street, to provide a realigned section of Plumstead Road, including a new roundabout upon it, which is to connect to a new Link Road to and from the NDR classified road.</p> <p>Alternative route: An alternative route between the two end points marked TEMP TR 19 on the Street Plans (Sheet 10 of 12) is to be available, for the purpose of continuity of use by two-way directional traffic.</p>
Street Plans (Sheet 11)	In the Parish of Great	C442 Middle Road	11.1

<i>(1)</i> <i>Street Plans</i> <i>Number/Title</i>	<i>(2)</i> <i>Area</i>	<i>(3)</i> <i>Temporary</i> <i>prohibition or</i> <i>restriction of use of</i> <i>streets</i>	<i>(4)</i> <i>Extent of temporary</i> <i>prohibition or</i> <i>restriction of use of</i> <i>streets</i>
<p>of 12)/</p> <p>Plumstead Road, Middle Road and Low Road and Thorpe End Highway Improvement Measures</p>	<p>and Little Plumstead</p> <p>In the District of Broadland</p> <p>In the County of Norfolk</p>	<p>Prohibition or restriction of driving or use, to be directed by traffic signs or signal control</p>	<p>From a point 25 metres east of its junction with Toad Lane (U59284), westwards for some 625 metres (marked TEMP TR 20 on the Street Plans (Sheet 11 of 12)).</p> <p>Purpose of prohibition or restriction: Works are proposed to be executed on or near that length of street, to provide it on a realigned and raised route, including the construction of a new overbridge, to carry it over the NDR classified road.</p> <p>Alternative route:</p> <p>For agricultural access, C442 Middle Road is to remain open from its western point of closure, westwards to its junction with Green Lane (U59278), and access to agricultural fields adjoining that length is to continue to be available.</p> <p>For through traffic, the alternative route is to be - Green Lane (U59278); Low Road (U59392), or Smee Lane (U59400); and the un-prohibited and unrestricted length of C442 Middle Road from the east and its junction with Smee Lane (U59400).</p>

<i>(1)</i> <i>Street Plans</i> <i>Number/Title</i>	<i>(2)</i> <i>Area</i>	<i>(3)</i> <i>Temporary</i> <i>prohibition or</i> <i>restriction of use of</i> <i>streets</i>	<i>(4)</i> <i>Extent of temporary</i> <i>prohibition or</i> <i>restriction of use of</i> <i>streets</i>
			<p>Note: Low Road (U59392) and Smee Lane (U59400) are not both to be permanently closed, until such time as the above-mentioned works on the C442 Middle Road are completed and open to traffic.</p>
		<p>C874 Plumstead Road</p> <p>Prohibition or restriction of driving or use, to be directed by traffic signs or signal control.</p>	<p>11.2</p> <p>From a point 230 metres north east of its junction with Broadland Drive (U51073), south westwards for 750 metres (marked TEMP TR 21 on the Street Plans (Sheet 11 of 12)).</p> <p>Purpose of prohibition or restriction: Highway improvement works are proposed to be executed on or near that length of street, to provide a new mini-roundabout at its junction with Broadland Drive (U51073); and the provision of a new northern footway, to replace the existing highway verge, along the frontage between St David's Drive (U51312) and Percy Howe's Close, and along the frontages of Nos. 49 to 63 (odds) Plumstead Road.</p> <p>Alternative route: An alternative route</p>

<i>(1)</i> <i>Street Plans</i> <i>Number/Title</i>	<i>(2)</i> <i>Area</i>	<i>(3)</i> <i>Temporary</i> <i>prohibition or</i> <i>restriction of use of</i> <i>streets</i>	<i>(4)</i> <i>Extent of temporary</i> <i>prohibition or</i> <i>restriction of use of</i> <i>streets</i>
			between the two end points marked TEMP TR 21 on the Street Plans (Sheet 11 of 12) is to be available, for the purpose of continuity of use by two-way directional traffic.
Street Plans (Sheet 12 of 12)/ Smee Lane and Postwick Interchange	In the Parishes of Great and Little Plumstead, and Postwick with Witton In the District of Broadland and in the administrative area of the Broads Authority In the County of Norfolk	A47 Trunk Road, including— (a) Eastbound Diverge Slip Road; and (b) Eastbound Merge Slip Road Prohibition or restriction of driving or use, to be directed by traffic signs or signal control.	12.1 That length, from the western side of its bridge crossing of the A47 Trunk Road over the Norwich to Yarmouth and Lowestoft railway line, eastwards for 1160 metres; The existing Eastbound Diverge Slip Road, from the eastbound carriageway of the A47 Trunk Road to the Postwick North West Roundabout; and The existing Eastbound Merge Slip Road, from the Postwick North West Roundabout to the eastbound carriageway of the A47 Trunk Road. (marked TEMP TR 22 on the Street Plans (Sheet 12 of 12)). 12.2 Purpose of prohibition or restriction: to allow— (a) a new Diverge Slip Road to be

<i>(1) Street Plans Number/Title</i>	<i>(2) Area</i>	<i>(3) Temporary prohibition or restriction of use of streets</i>	<i>(4) Extent of temporary prohibition or restriction of use of streets</i>
		<p>Prohibition or restriction of driving or use, to be directed by traffic signs or signal control.</p> <p>(Cont'd)</p>	<p>constructed, between the A47 Trunk Road eastbound carriageway and the NDR classified road Postwick North East Roundabout;</p> <p>(b) a new Merge Slip Road to be constructed, between the NDR classified road Postwick North East Roundabout and the eastbound carriageway of the A47 Trunk Road; and</p> <p>(c) a new bridge to be constructed to carry the NDR classified road over the A47 Trunk Road, from the Postwick North East Roundabout, to the A1042 Yarmouth Road, in the vicinity of the Park and Ride site.</p> <p>Alternative route:</p> <p>A47 Trunk Road eastbound and westbound through traffic flow is to be maintained along a route between the two end points marked TEMP TR 22 on the Street Plans (Sheet 12 of 12), whether by use of its carriageways, or of its existing and proposed eastbound Diverge and Merge Slip Roads.</p> <p>A47 Trunk Road eastbound Diverge Slip Road traffic and</p>

<i>(1)</i> <i>Street Plans</i> <i>Number/Title</i>	<i>(2)</i> <i>Area</i>	<i>(3)</i> <i>Temporary</i> <i>prohibition or</i> <i>restriction of use of</i> <i>streets</i>	<i>(4)</i> <i>Extent of temporary</i> <i>prohibition or</i> <i>restriction of use of</i> <i>streets</i>
			A47 Trunk Road eastbound Merge Slip Road traffic, is to have a route maintained from and to their same diverge or merge points, via the existing or new Slip Roads, or a combination of the two, until the works at the A47 Trunk Road junction are completed, providing the new permanent eastbound Slip Road routes.
		A1042 Yarmouth Road Prohibition or restriction of driving or use, to be directed by traffic signs or signal control.	12.3 From a point on the Postwick Bridge, 80 metres south east of its junction with Postwick North West Roundabout, south eastwards, then eastwards, to a point 20 metres east of its junction with the C440 Church Road (marked TEMP TR 23 on the Street Plans (Sheet 12 of 12)). Purpose of prohibition or restriction: To install the works for the signalised junction to replace the existing roundabout on the A1042 Yarmouth Road, at the south westerly termination point of the NDR classified road in the vicinity of the Park and Ride site at Postwick, together with realignment works and the

<i>(1)</i> <i>Street Plans</i> <i>Number/Title</i>	<i>(2)</i> <i>Area</i>	<i>(3)</i> <i>Temporary</i> <i>prohibition or</i> <i>restriction of use of</i> <i>streets</i>	<i>(4)</i> <i>Extent of temporary</i> <i>prohibition or</i> <i>restriction of use of</i> <i>streets</i>
			<p>provision of a northern footway and cycle track, on its eastern approach to the new signalised junction.</p> <p>Alternative route: A route between the two end points marked TEMP TR 23 on the Street Plans (Sheet 12 of 12) is to be maintained for through route and joining traffic to the length of street concerned, by traffic management and temporary traffic signal control, until the permanent signalised junction proposals are completed and operational.</p>

SCHEDULE 9

Article 15

CONSTRUCTION ACCESS TO AND FROM WORKS

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Description of access</i>
<p>In the District of Broadland</p> <p>In the County of Norfolk</p>	<p>Access from the A1067 Fakenham Road (from the location of the proposed Fakenham Road Roundabout) to travel east along the line of the NDR classified road.</p>
	<p>Access from the southern length, leading off the A1067 Fakenham Road, of the C262 Fir Covert Road (from the location of the proposed Fir Covert Road Roundabout), to travel east and west along the line of the NDR classified road.</p>
	<p>Access along Furze Lane (U57168) to the Marriott's Way bridge compound.</p>
	<p>Access along Breck Farm Lane (U57168) in order to construct the turning head on that lane at Breck Farm.</p>
	<p>Access from the south side of the C261 Reepham Road (from the location of the proposed Reepham Road Roundabout) to travel east and west along the line of the NDR classified road.</p>
	<p>Access along Bell Farm Track (private means of access/Horsford Restricted Byway No. 5) from the C261 Reepham Road to the compound on the south west side of the proposed bridge crossing of the access and restricted byway over the NDR classified road.</p>
	<p>Access along the C282 Drayton Lane from the C261 Reepham Road to travel (from the location of the proposed Drayton Lane Roundabout) east and west along the line of the NDR classified road and to access the compound situated north west of the aforementioned roundabout.</p>
	<p>Access along the B1149 Holt Road from its junction with A140 Cromer Road in order to construct the new junction with the new Drayton Lane Link Road and the turning head on the B1149 Holt Road at what is to become its south east termination point on the north side of the NDR classified road.</p>
	<p>Access from the A140 Cromer Road along the route of the private means of access (from Cromer Road Roundabout North) to the compound situated on Norwich International Airport land.</p>
	<p>Access along the A140 Cromer Road and the B1149 Holt Road (from the location of the</p>

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Description of access</i>
	proposed NDR Cromer Road grade separated junction) to access west along the line of the NDR classified road and east to the new Cromer Road overbridge.
	Access along Holly Lane (U57142) to construct the turning head on that lane at Manor Farm.
	Access along the C251 Bullock Hill to construct the turning head on that street at what is to become its south east termination point on the north side of the NDR classified road.
	Access along Quaker Lane (U57188) to construct the turning head on that street at what is to become its westerly termination point on the north side of the NDR classified road.
	Access along the C251 St Faiths Road to construct the turning head on that street at what is to become its northerly termination point on the south side of the NDR classified road.
	Access along the C246 Buxton Road from the south to travel (from the location of the Buxton Road overbridge crossing) east and west along the line of the NDR classified road.
	Access from the southern length of the C246 Buxton Road to the bridge compound and batching plant.
	Access along the B1150 North Walsham Road from the south to travel (from the location of the proposed North Walsham Road Roundabout) east and west along the line of the NDR classified road.
	Access along the A1151 Wroxham Road from the south to travel (from the location of the proposed Wroxham Road Roundabout) north west and south south-east along the line of the NDR classified road.
	Access from the C258 Green Lane West and Newman Road (U57852) to Gazebo Farm office and the bridge compound.
	Access along the C283 Salhouse Road from the C258 Green Lane West/Green Lane East to travel (from the location of the proposed Salhouse Road Roundabout) north west and south south-east along the line of the NDR classified road.
	Access along the C874 Plumstead Road from the C258 Broad Lane to the temporary compounds, east and west of the NDR classified road, and (from the location of the proposed Plumstead Road Roundabout North) to provide access south towards the proposed Plumstead Road Roundabout South.
Access along the C442 Middle Road to the bridge compound on the south side of the lane	

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Description of access</i>
	and on the east side of the NDR classified road and to the new Middle Road overbridge.
	Access along Low Road (U59392) to construct the turning heads on that street on each side of the NDR classified road.
	Access along Smea Lane (U59400) in order to construct the turning heads on that street on each side of the NDR classified road.
	Access from the C830 Broadland Way at the C829/C830 Broadland Way/C831 Peachman Way roundabout east towards the Broadland Gate Roundabout.
	Access from the C830 Broadland Way at the Postwick North West Roundabout to the new A47(T) eastbound diverge slip road
	A47(T) Eastbound Diverge Slip Road - access from the slip road along the route of the new slip road.
	A47(T) Eastbound Diverge Slip Road - access from the slip road to construct the north pier of the new A47(T) overbridge.
	Access along Oaks Lane (U59329) to the site compound on the proposed park and ride site.
	Access along the A1042 Yarmouth Road to construct the south pier and abutment of the new A47(T) overbridge and the new signalised controlled junction with the park and ride site and to the existing Postwick Bridge.

SCHEDULE 10

Article 23

LAND IN WHICH ONLY NEW RIGHTS ETC. MAY BE ACQUIRED

<i>(1)</i> <i>Land Plans Number/Title</i>	<i>(2)</i> <i>Number of land shown on Land Plan</i>	<i>(3)</i> <i>Purpose for which rights over the land may be acquired</i>
Land Plans (Sheet 2 of 12)/ Fir Covert Road to Breck Farm Lane and Marriott's Way	Plots 2/3a, 2/4a and 2/6a	The right to lay, construct, inspect and maintain, replace, protect, remove, alter or render unusable, and all related rights for support, working spaces, storage of materials and equipment and access to and from, a new or diverted buried high pressure gas main and associated apparatus and for use for the transmission of gas. The right to impose restrictive covenants for the protection of and access to and from the new or diverted high pressure gas main and associated apparatus and the right to remove and keep clear of trees, bushes and other vegetation.
	Plots 2/5a and 2/11	The right to plant, maintain and replace landscaping.
	Plots 2/26 and 2/28	The right to regrade and elevate land of the Marriott's Way recreational public amenity path, so as to raise its levels to meet with its new bridge crossing of the NDR classified road.
	Plot 2/29	The right to construct and retain a length of private access track across the Marriott's Way recreational public amenity path.

Land Plans (Sheet 8 of 12)/ North Walsham Road to Beeston Lane and North Walsham Road / Rackheath Lane / Crostwick Lane Junction Improvement	Plot 8/10a	The right to construct, maintain and use a length of private access track for the purpose of inspecting and maintaining drainage lagoons No. 16 and No. 17 and bat gantries No. 4 and No. 5.
	Plot 8/11a	The right to construct, inspect, and maintain a drainage ditch.
Land Plans (Sheet 9 of 12)/ Wroxham Road and Wroxham Road/Green Lane West Junction Improvement	Plot 9/5	The right to construct, inspect, and maintain a drainage ditch.
Land Plans (Sheet 10 of 12)/ Newman Road, Salhouse Road and Railway Crossing	Plot 10/40	The right to construct, inspect, and maintain a bridge to carry the NDR classified road over the Norwich to Cromer and Sheringham railway line.
Land Plans (Sheet 12 of 12)/ Smee Lane and Postwick Interchange	Plot 12/41	The right to undertake, inspect, and maintain street alterations (improvements) on the existing A1042 Yarmouth Road overbridge structure of the A47(T) Norwich Southern Bypass.
	Plot 12/42	The right to construct, inspect, and maintain a bridge, to carry the NDR classified road over the A47(T) Norwich Southern Bypass.

MODIFICATION OF COMPENSATION AND COMPULSORY PURCHASE ENACTMENTS FOR CREATION OF NEW RIGHTS

Compensation enactments

1. The enactments for the time being in force with respect to compensation for the compulsory purchase of land apply, with the necessary modifications as respects compensation, in the case of a compulsory acquisition under this Order of a right by the creation of a new right or imposition of a restrictive covenant as they apply as respects compensation on the compulsory purchase of land and interests in land.

2.—(1) Without limitation on the scope of paragraph 1, the Land Compensation Act 1973(a) has effect subject to the modifications set out in sub-paragraph (2) and (3).

(2) In section 44(1) (compensation for injurious affection), as it applies to compensation for injurious affection under section 7 of the 1965 Act as substituted by paragraph 4—

- (a) for the words “land is acquired or taken from” substitute “a right or restrictive covenant over land is purchased from or imposed on”; and
- (b) for the words “acquired or taken from him” substitute “over which the right is exercisable or the restrictive covenant enforceable”.

(3) In section 58(1)(b) (determination of material detriment where part of house etc. proposed for compulsory acquisition), as it applies to determinations under section 8 of the 1965 Act as substituted by paragraph 5, substitute—

“(1) In determining under section 8(1) or 34(2) of the Compulsory Purchase Act 1965, or section 166(2) of the Town and Country Planning Act 1990 whether—

- (a) a right over or restrictive covenant affecting land consisting of a house, building or manufactory can be taken or imposed without material detriment or damage to the house, building or manufactory; or
- (b) a right over or restrictive covenant affecting land consisting of a park or garden belonging to a house can be taken or imposed without seriously affecting the amenity or convenience of the house,

the Upper Tribunal must take into account not only the effect of the acquisition of the right or the imposition of the restrictive covenant but also the use to be made of the right or restrictive covenant proposed to be acquired or imposed, and, in a case where the right or restrictive covenant is proposed to be acquired or imposed for works or other purposes extending to other land, the effect of the whole of the works and the use to be made of the other land.”.

Application of the 1965 Act

3.—(1) The 1965 Act has effect with the modifications necessary to make it apply to the compulsory acquisition under this Order of a right by the creation of a new right, or to the imposition under this Order of a restrictive covenant, as it applies to the compulsory acquisition under this Order of land, so that, in appropriate contexts, references in that Act to land are read (according to the requirements of the particular context) as referring to, or as including references to—

- (a) the right acquired or to be acquired or the restrictive covenant imposed or to be imposed;
- or

(a) 1973 c. 26.

(b) Section 58(1) was amended by section 16(3) of, and Schedule 5 to, the Compulsory Purchase (Vesting Declarations) Act 1981 (c. 66), section 4 of, and paragraph 29(1) of Schedule 2 to, the Planning (Consequential Provisions) Act 1990(c. 11) and S.I. 2009/1307.

- (b) the land over which the right is or is to be exercisable or the restrictive covenant is or is to be enforceable.

(2) Without limitation to the scope of sub-paragraph (1), Part 1 of the 1965 Act applies in relation to the compulsory acquisition under this Order of a right by the creation of a new right, or in relation to the imposition of a restrictive covenant, with the modifications specified in the following provisions of this Schedule.

4. For section 7 of the 1965 Act (measure of compensation) substitute—

“7. In assessing the compensation to be paid by the acquiring authority under this Act, regard must be had not only to the extent (if any) to which the value of the land over which the right is to be acquired or the restrictive covenant is to be imposed is depreciated by the acquisition of the right or the imposition of the covenant but also to the damage (if any) to be sustained by the owner of the land by reason of its severance from other land of the owner, or injuriously affecting that other land by the exercise of the powers conferred by this or the special Act.”

5. For section 8 of the 1965 Act (provisions as to divided land) substitute—

“**8.**—(1) Where in consequence of the service on a person under section 5 of this Act of a notice to treat in respect of a right over land consisting of a house, building or manufactory or of a park or garden belonging to a house (“the relevant land”)—

- (a) a question of disputed compensation in respect of the purchase of the right or the imposition of the restrictive covenant would apart from this section fall to be determined by the Upper Tribunal (“the tribunal”); and
- (b) before the tribunal has determined that question the tribunal is satisfied that the person has an interest in the whole of the relevant land and is able and willing to sell that land and—
 - (i) where that land consists of a house, building or manufactory, that the right cannot be purchased or the restrictive covenant imposed without material detriment to that land; or
 - (ii) where the land consists of such a park or garden, that the right cannot be purchased or the restrictive covenant imposed without seriously affecting the amenity or convenience of the house to which that land belongs,

The Norfolk County Council (Norwich Northern Distributor Road (A1067 to A47(T))) Order 2015(a) (“the Order”), in relation to that person, ceases to authorise the purchase of the right and is deemed to authorise the purchase of that person’s interest in the whole of the relevant land including, where the land consists of such a park or garden, the house to which it belongs, and the notice is to be deemed to have been served in respect of that interest on such date as the tribunal directs.

(2) Any question as to the extent of the land in which the Order is deemed to authorise the purchase of an interest by virtue of subsection (1) of this section is to be determined by the tribunal.

(3) Where in consequence of a determination of the tribunal that it is satisfied as mentioned in subsection (1) of this section the Order is deemed by virtue of that subsection to authorise the purchase of an interest in land, the acquiring authority may, at any time within the period of 6 weeks beginning with the date of the determination, withdraw the notice to treat in consequence of which the determination was made; but nothing in this subsection prejudices any other power of the authority to withdraw the notice.”

6. The following provisions of the 1965 Act (which state the effect of a deed poll executed in various circumstances where there is no conveyance by persons with interests in the land), that is to say—

- (a) section 9(4) (failure by owners to convey);

(a) S.I. 2015/1347.

- (b) paragraph 10(3) of Schedule 1 (owners under incapacity);
- (c) paragraph 2(3) of Schedule 2 (absent and untraced owners); and
- (d) paragraphs 2(3) and 7(2) of Schedule 4 (common land),

are modified so as to secure that, as against persons with interests in the land which are expressed to be overridden by the deed, the right which is to be compulsorily acquired or the restrictive covenant which is to be imposed is vested absolutely in the acquiring authority.

7. Section 11 (powers of entry) of the 1965 Act(**a**) is modified so as to secure that, as from the date on which the acquiring authority has served notice to treat in respect of any right it has power, exercisable in equivalent circumstances and subject to equivalent conditions, to enter for the purpose of exercising that right or enforcing that restrictive covenant (which is deemed for this purpose to have been created on that date of service of the notice); and sections 12(**b**) (penalty for unauthorised entry) and 13(**c**) (entry on warrant in the event of obstruction) of the 1965 Act are modified correspondingly.

8. Section 20 of the 1965 Act(**d**) (protection for interests of tenants at will, etc.) applies with the modifications necessary to secure that persons with such interests in land as are mentioned in that section are compensated in a manner corresponding to that in which they would be compensated on a compulsory acquisition under this Order of that land, but taking into account only the extent (if any) of such interference with such an interest as is actually caused, or likely to be caused, by the exercise of the right or the enforcement of the restrictive covenant in question.

9. Section 22 of the 1965 Act (interests omitted from purchase) is modified so as to enable the acquiring authority, in circumstances corresponding to those referred to in that section, to continue to be entitled to exercise the right acquired, subject to compliance with that section as respects compensation.

(a) Section 11 was amended by section 34(1) of, and Schedule 4 to, the Acquisition of Land Act 1981 (c. 67), section 3 of, and part 1 of Schedule 1 to, the Housing (Consequential Provisions) Act 1985 (c. 71), section 14 of, and paragraph 12(1) of Schedule 5 to, the Church of England (Miscellaneous Provisions) Measure 2006 (No. 1) and S.I. 2009/1307.

(b) Section 12 was amended by section 56(2) of, and part 1 of Schedule 9 to, the Courts Act 1971 (c. 23).

(c) Section 13 was amended by sections 62(3), 139(4) to (9) and 146 of, and paragraphs 27 and 28 of Schedule 13 and part 3 of Schedule 23 to, the Tribunals, Courts and Enforcement Act 2007 (c. 15).

(d) Section 20 was amended by paragraph 4 of Schedule 15 to the Planning and Compensation Act 1991 (c. 34) and S.I. 2009/1307.

SCHEDULE 12

Article 29

LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

<i>(1)</i> <i>Land Plans</i> <i>Number/Title</i>	<i>(2)</i> <i>Location</i>	<i>(3)</i> <i>Number of land</i> <i>shown on Land</i> <i>Plan</i>	<i>(4)</i> <i>Purpose for which</i> <i>temporary</i> <i>possession may be</i> <i>taken</i>	<i>(5)</i> <i>Relevant part</i> <i>of the</i> <i>authorised</i> <i>development</i>
Land Plans (Sheet 1 of 12)/ Fakenham Road	North of the A1067 Fakenham Road and west of the curtilage of the property 'Peacehaven'.	Plots 1/11, 1/15 and 1/19	Temporary traffic management and diversion area.	Part of Work No. 1
Land Plans (Sheet 2 of 12)/ Fir Covert Road to Breck Farm Lane and Marriott's Way	North of the NDR classified road and east of the A1067 Fakenham Road Roundabout.	Plots 2/3, 2/3a, 2/5a, 2/6 and 2/6a	The diversion of a high pressure gas main, together with operational working space associated with those works and the use of the diverted high pressure gas main for the transmission of gas.	Part of Work No. 2
	South of the NDR classified road and east of the A1067 Fakenham Road Roundabout.	Plots 2/4 and 2/4a	The diversion of a high pressure gas main, together with operational working space associated with those works and the use of the diverted high pressure gas main for the transmission of gas.	Part of Work No. 2
	North of the NDR classified road and west of the NDR classified road Fir Covert Road Roundabout.	Plot 2/12	Temporary topsoil storage area.	Part of Work No. 2

(1) <i>Land Plans Number/Title</i>	(2) <i>Location</i>	(3) <i>Number of land shown on Land Plan</i>	(4) <i>Purpose for which temporary possession may be taken</i>	(5) <i>Relevant part of the authorised development</i>
	South of the NDR classified road and west of Furze Lane (U57168).	Plots 2/30, 2/41a and 2/42	Construction of private means of access.	Part of Work No. 4
	North of the NDR classified road and immediately west of Furze Lane (U57168).	Plot 2/35	Bridge compound (for the construction of the Marriott's Way recreational public amenity path overbridge of the NDR classified road).	Part of Work No. 4
Land Plans (Sheet 3 of 12)/ Reepham Road to Bell Farm Track	South east of the NDR classified road and south west of the C261 Reepham Road.	Plots 3/1a and 3/2	Construction of private means of access.	Part of Work Nos. 4 and 5
	South west of the C261 Reepham Road and 200 metres north west of Drewray Drive (U51248).	Plot 3/4	Temporary topsoil storage area.	Part of Work No. 4
	South west of the C261 Reepham Road and 200 metres north west of Drewray Drive (U51248).	Plot 3/4	Temporary traffic management and diversion area.	Part of Work No. 5
	South of the NDR classified road and east of Horsford Restricted Byway No.5/Bell Farm Private Access Track midway along their length.	Plot 3/33	Site compound.	Part of Work No. 6
Land Plans (Sheet 4 of 12)/ East of Bell Farm Track to Drayton Lane	North of the NDR classified road Drayton Lane Roundabout and west of the C282 Drayton Lane.	Plot 4/9	Site compound with temporary mitigation measures and temporary topsoil storage area.	Part of Work No. 6
	North of the NDR classified road Drayton Lane Roundabout and west of the C282 Drayton Lane.	Plot 4/11	Site compound with temporary mitigation measures.	Part of Work No. 6

<i>(1) Land Plans Number/Title</i>	<i>(2) Location</i>	<i>(3) Number of land shown on Land Plan</i>	<i>(4) Purpose for which temporary possession may be taken</i>	<i>(5) Relevant part of the authorised development</i>
	South of the NDR classified road Drayton Lane Roundabout and east of the C282 Drayton Lane.	Plot 4/24	Temporary traffic management and diversion area.	Part of Work No. 7
	South of the NDR classified road and north of Holly Lane (U57142).	Plot 4/39	Temporary topsoil storage area.	Part of Work No. 9
Land Plans (Sheet 5 of 12)/ Cromer Road Interchange to Old Norwich Road	South of the NDR classified road and north of Holly Lane (U57142).	Plot 5/2	Temporary topsoil storage area.	Part of Work No. 9
	East of the A140 Cromer Road and 310 metres north of the Unnamed Highway (Cromer Road to West Lane (U57647)).	Plot 5/33	Temporary traffic management and diversion area.	Part of Work No. 9
	Eastern part of the A140 Cromer Road and 310 metres north of the Unnamed Highway (Cromer Road to West Lane (U57647)).	Plot 5/34	Temporary traffic management and diversion area.	Part of Work No. 9
	North of the NDR classified road and west of West Farm and the City of Norwich Aviation Museum.	Plot 5/43	Site compound, plant yard, crushing plant, recycling plant, temporary mitigation measures, and temporary topsoil storage area.	Part of Work No. 10
	North of the NDR classified road and west of West Farm.	Plot 5/50	Construction of earth bund and planting of landscaping.	Part of Work No. 10

(1) <i>Land Plans Number/Title</i>	(2) <i>Location</i>	(3) <i>Number of land shown on Land Plan</i>	(4) <i>Purpose for which temporary possession may be taken</i>	(5) <i>Relevant part of the authorised development</i>
Land Plans (Sheet 6 of 12)/ Access to Norwich International Airport and St. Faiths Road	East of the NDR classified road Airport Roundabout.	Plot 6/14	Temporary topsoil storage area.	Part of Work Nos. 11 and 12
	East of the NDR classified road and south of the NDR classified road Airport Roundabout.	Plot 6/16	Removal of existing hedgerow and airport fencing and planting of new hedgerow.	Part of Work No. 12
Land Plans (Sheet 7 of 12)/ Buxton Road	North of the NDR classified road and west of the C246 Buxton Road overbridge crossing of the NDR classified road.	Plot 7/17	Temporary topsoil storage area.	Part of Work No. 12
	South of the NDR classified road and east of the C246 Buxton Road overbridge crossing of the NDR classified road.	Plot 7/33	Bridge compound and temporary topsoil storage area.	Part of Work No. 12
Land Plans (Sheet 8 of 12)/ North Walsham Road to Beeston Lane and North Walsham Road/Rackheath Lane/Crostwick Lane Junction Improvement	North of the NDR classified road North Walsham Road Roundabout and east of the B1150 North Walsham Road.	Plot 8/7	Temporary traffic management and diversion area.	Part of Work No. 13
	South of the NDR classified road and east of the B1150 North Walsham Road.	Plot 8/10b	Construction of earth bund and planting of landscaping.	Part of Work No. 14
	East of the B1150 North Walsham Road and north of the C249 Rackheath Lane.	Plot 8/16	Construction of private means of access.	Part of Work No. 24
Land Plans (Sheet 9 of 12)/ Wroxham Road	South west of the NDR classified road Wroxham Road Roundabout and	Plot 9/25a	Construction of private means of access.	Part of Work No. 15

<i>(1) Land Plans Number/Title</i>	<i>(2) Location</i>	<i>(3) Number of land shown on Land Plan</i>	<i>(4) Purpose for which temporary possession may be taken</i>	<i>(5) Relevant part of the authorised development</i>
and Wroxham Road/Green Lane West Junction Improvement	east of the A1151 Wroxham Road.			
	East of the NDR classified road and west of Sir Edmund Stracey Road (U57538).	Plot 9/34	Temporary topsoil storage area.	Part of Work No. 16
	West of the NDR classified road and north of Gazebo Farm.	Plot 9/38	Temporary ecological mitigation measures.	Part of Work No. 16
Land Plans (Sheet 10 of 12)/ Newman Road, Salhouse Road and Railway Crossing	Gazebo Farm to the west of the NDR classified road.	Plot 10/7	Site compound with temporary mitigation measures.	Part of Work No. 16
	To the south west of the NDR classified road and to the north west of the C282 Salhouse Road.	Plot 10/25	Temporary topsoil storage area.	Part of Work No. 16
	To the south west of the NDR classified road and to the north west of the C282 Salhouse Road.	Plot 10/26	Temporary topsoil storage area.	Part of Work Nos. 16 and 17
	To the south west of the NDR classified road and to the north west of the C282 Salhouse Road.	Plot 10/28	Temporary topsoil storage area.	Part of Work Nos. 16 and 17
	To the south west of the NDR classified road and to the north west of the C874 Plumstead Road.	Plot 10/38	Site compound with batching plant, bridge access and access to bridge northern abutment (of NDR classified road bridge crossing of the Norwich to Cromer and Sheringham railway line), with temporary mitigation measures.	Part of Work No. 18
	To the south west of the NDR classified road and to the north	Plot 10/39	Site compound with batching plant, bridge access and access to bridge	Part of Work No. 18

<i>(1) Land Plans Number/Title</i>	<i>(2) Location</i>	<i>(3) Number of land shown on Land Plan</i>	<i>(4) Purpose for which temporary possession may be taken</i>	<i>(5) Relevant part of the authorised development</i>
	west of the C874 Plumstead Road.		northern abutment (of NDR classified road bridge crossing of the Norwich to Cromer and Sheringham railway line), with temporary mitigation measures, and temporary topsoil storage area.	
	To the north west of the C874 Plumstead Road and to the south east of the Norwich to Cromer and Sheringham railway line.	Plot 10/41	Bridge compound.	Part of Work No. 18
	To the north west of the C874 Plumstead Road and to the south east of the Norwich to Cromer and Sheringham railway line.	Plot 10/42	Bridge compound.	Part of Work No. 18
	To the south of the C874 Plumstead Road and to the east of the Norwich to Cromer and Sheringham railway line.	Plot 10/52	Temporary topsoil storage area.	Part of Work No. 18
Land Plans (Sheet 11 of 12)/ Plumstead Road, Middle Road and Low Road and	To the west of the NDR classified road and to the east of the Norwich to Cromer and Sheringham railway line.	Plot 11/7	Temporary topsoil storage area.	Part of Work No. 18

<i>(1) Land Plans Number/Title</i>	<i>(2) Location</i>	<i>(3) Number of land shown on Land Plan</i>	<i>(4) Purpose for which temporary possession may be taken</i>	<i>(5) Relevant part of the authorised development</i>
Thorpe End Highway Improvement Measures	To the east of the NDR classified road and to the north of Low Road (U59392).	Plot 11/13	Bridge compound and temporary topsoil storage area.	Part of Work No. 18
Land Plans (Sheet 12 of 12)/ Smee Lane and Postwick Interchange	To the east of the NDR classified road and to the south of Smee Lane (U59400).	Plot 12/9	Temporary topsoil storage area.	Part of Work Nos. 20 and 21
	To the north of the A47(T) Norwich Southern Bypass and to the east of the C829 Broadland Way.	Plot 12/30	Construction of Private Means of Access.	Part of Work No. 21
	To the south of the A1042 Yarmouth Road, to the east of the Postwick Park and Ride site, and to the west of Oak's Lane (U59329).	Plot 12/61	Site compound with temporary mitigation measures and access road to it.	Part of Work No. 21

PROTECTIVE PROVISIONS

PART 1

FOR THE PROTECTION OF RAILWAY INTERESTS

1. The following provisions of this Part of this Schedule have effect, unless otherwise agreed in writing between the undertaker and Network Rail and, in the case of paragraph 15, any other person on whom rights or obligations are conferred by that paragraph.

2. In this Part of this Schedule—

“construction” includes execution, placing, alteration and reconstruction and “construct” and “constructed” are to be construed accordingly;

“the engineer” means an engineer appointed by Network Rail for the purposes of this Order;

“network licence” means the network licence, as the same is amended from time to time, granted to Network Rail Infrastructure Limited by the Secretary of State in exercise of powers under section 8 of the Railways Act 1993(a);

“Network Rail” means Network Rail Infrastructure Limited (company number 02904587, whose registered office is at 1 Eversholt Street, London, NW1 2DN) and any associated company of Network Rail Infrastructure Limited which holds property for railway purposes, and for the purpose of this definition “associated company” means any company which is (within the meaning of section 1159 of the Companies Act 2006(b)) the holding company of Network Rail Infrastructure Limited, a subsidiary of Network Rail Infrastructure Limited or another subsidiary of the holding company of Network Rail Infrastructure Limited;

“plans” includes sections, designs, design data, software, drawings, specifications, soil reports, calculations, descriptions (including descriptions of methods of construction), staging proposals, programmes and details of the extent, timing and duration of any proposed occupation of railway property;

“railway operational procedures” means procedures specified under any access agreement (as defined in the Railways Act 1993) or station lease;

“railway property” means any railway belonging to Network Rail and—

- (a) any station, land, works, apparatus and equipment belonging to Network Rail or connected with any such railway; and
- (b) any easement or other property interest held or used by Network Rail for the purposes of such railway or works, apparatus or equipment; and

“specified work” means so much of any of the authorised development as is situated upon, across, under, over or within 15 metres of, or may in any way adversely affect, railway property.

3.—(1) Where under this Part of this Schedule Network Rail is required to give its consent, agreement or approval in respect of any matter, that consent, agreement or approval is subject to the condition that Network Rail complies with any relevant railway operational procedures and any obligations under its network licence or under statute.

(a) 1993 c. 43. Section 8 was amended by paragraph 3 of Schedule 20 to the Railways and Transport Safety Act 2003 (c. 20), paragraph 1 of Schedule 13(1) to the Railways Act 2005 (c. 14) and paragraph 4 of Schedule 17 to the Transport Act 2000 (c. 38). There are other amendments not relevant to this Order.

(b) 2006 c.46.

(2) In so far as any specified work or the acquisition or use of railway property is or may be subject to railway operational procedures, Network Rail must—

- (a) co-operate with the undertaker with a view to avoiding undue delay and securing conformity as between any plans approved by the engineer and requirements emanating from those procedures; and
- (b) use their reasonable endeavours to avoid any conflict arising between the application of those procedures and the proper implementation of the authorised development under this Order.

4.—(1) The undertaker must not exercise the powers conferred by article 18 (protective work to buildings), 19 (authority to survey and investigate the land), 20 (compulsory acquisition of land), 23 (compulsory acquisition of rights), 24 (private rights), 29 (temporary use of land for carrying out the authorised development) or 30 (temporary use of land for maintaining authorised development) or the powers conferred by section 11(3) (powers of entry) of the 1965 Act in respect of any railway property unless the exercise of such powers is with the consent of Network Rail.

(2) The undertaker must not in the exercise of the powers conferred by this Order prevent pedestrian or vehicular access to any railway property, unless preventing such access is with the consent of Network Rail.

(3) The undertaker must not exercise the powers conferred by sections 271 (extinguishment of rights of statutory undertakers: preliminary notices) or 272 (extinguishment of rights of telecommunications code system operators: preliminary notices) of the 1990 Act in relation to any right of access of Network Rail to railway property, but such right of access may be diverted with the consent of Network Rail.

(4) The undertaker must not under the powers conferred by this Order acquire or use, or acquire new rights over, any railway property except with the consent of Network Rail.

(5) Prior to commencement of construction of the authorised development the undertaker must have obtained the approval of Network Rail to the design, specification, programme of works and method statement for the implementation of any works in respect of the railway crossing of the Norwich to Cromer and Sheringham railway line at Rackheath, Norwich, approximately 110 metres (measured along the railway line) north of the level crossing on the C874 Plumstead Road and the undertaker must then comply with the provisions of the approved design, specification, programme of works and method statement.

(6) Prior to commencement of construction of the authorised development the undertaker must have obtained the approval of Network Rail to the design, specification, programme of works and method statement for the implementation of any works in respect of the bridge crossing the C874 Plumstead Road, Norwich (approximately 80 metres east of the railway crossing referred to in sub-paragraph (5)) provided that Network Rail may only approve those aspects of the design and specification that could affect the free, uninterrupted and safe use of any railway of Network Rail or the traffic on it and the use by passengers of railway property and the undertaker must then comply with the provisions of the approved design, specification, programme of works and method statement.

(7) Where Network Rail is asked to give its consent or agreement under this paragraph, such consent or agreement must not be unreasonably withheld but may be given subject to reasonable conditions.

5.—(1) The undertaker must before commencing construction of any specified work supply to Network Rail proper and sufficient plans of that work for the reasonable approval of the engineer and the specified work must not be commenced except in accordance with such plans as have been approved in writing by the engineer or settled by arbitration.

(2) The approval of the engineer under sub-paragraph (1) must not be unreasonably withheld, and if by the end of the period of 28 days beginning with the date on which such plans have been supplied to Network Rail the engineer has not intimated disapproval of those plans and the grounds of disapproval the undertaker may serve upon the engineer written notice requiring the engineer to intimate approval or disapproval within a further period of 28 days beginning with the

date upon which the engineer receives written notice from the undertaker. If by the expiry of the further 28 days the engineer has not intimated approval or disapproval, the engineer is to be deemed to have approved the plans as submitted.

(3) If by the end of the period of 28 days beginning with the date on which written notice was served upon the engineer under sub-paragraph (2), Network Rail gives notice to the undertaker that Network Rail desires itself to construct any part of a specified work which in the opinion of the engineer will or may affect the stability of railway property or the safe operation of traffic on the railways of Network Rail then, if the undertaker desires such part of the specified work to be constructed, Network Rail must construct it without unnecessary delay on behalf of and to the reasonable satisfaction of the undertaker in accordance with the plans approved or deemed to be approved or settled under this paragraph, and under the supervision (where appropriate and if given) of the undertaker.

(4) When signifying approval of the plans the engineer may specify any protective works (whether temporary or permanent) which in the engineer's opinion should be carried out before the commencement of the construction of a specified work to ensure the safety or stability of railway property or the continuation of safe and efficient operation of the railways of Network Rail or the services of operators using those railways (including any relocation de-commissioning and removal of works, apparatus and equipment necessitated by a specified work and the comfort and safety of passengers who may be affected by the specified works), and such protective works as may be reasonably necessary for those purposes must be constructed by Network Rail or by the undertaker, if Network Rail so desires, and such protective works are to be carried out at the expense of the undertaker in either case without unnecessary delay and the undertaker must not commence the construction of the specified works until the engineer has notified the undertaker that the protective works have been completed to his reasonable satisfaction.

6.—(1) Any specified work and any protective works to be constructed under paragraph 5(4) must, when commenced, be constructed—

- (a) without unnecessary delay in accordance with the plans approved or deemed to have been approved or settled under paragraph 5;
- (b) under the supervision (where appropriate and if given) and to the reasonable satisfaction of the engineer;
- (c) in such manner as to cause as little damage as is possible to railway property; and
- (d) so far as is reasonably practicable, so as not to interfere with or obstruct the free, uninterrupted and safe use of any railway of Network Rail or the traffic on it and the use by passengers of railway property.

(2) If any damage to railway property or any such interference or obstruction is caused by the carrying out of, or in consequence of the construction of a specified work, the undertaker must, regardless of any such approval, make good such damage and must pay to Network Rail all reasonable expenses to which Network Rail may be put and compensation for any loss which it may sustain by reason of any such damage, interference or obstruction.

(3) Nothing in this Part of this Schedule imposes any liability on the undertaker with respect to any damage, costs, expenses or loss attributable to the negligence of Network Rail or its servants, contractors or agents or any liability on Network Rail with respect of any damage, costs, expenses or loss attributable to the negligence of the undertaker or its servants, contractors or agents.

7. The undertaker must—

- (a) at all times afford reasonable facilities to the engineer for access to a specified work during its construction; and
- (b) supply the engineer with all such information as the engineer may reasonably require with regard to a specified work or the method of constructing it.

8. Network Rail must at all times afford reasonable facilities to the undertaker and its agents for access to any works carried out by Network Rail under this Schedule during their construction and must supply the undertaker with such information as it may reasonably require with regard to such works or the method of constructing them.

9.—(1) If any permanent or temporary alterations or additions to railway property, are reasonably necessary in consequence of the construction of a specified work, or during a period of 24 months after the completion of that work in order to ensure the safety of railway property or the continued safe operation of the railways of Network Rail, such alterations and additions may be carried out by Network Rail and if Network Rail gives to the undertaker reasonable notice of its intention to carry out such alterations or additions (which must be specified in the notice), the undertaker must pay to Network Rail the reasonable cost of those alterations or additions including, in respect of any such alterations and additions as are to be permanent, a capitalised sum representing the increase of the costs which may be expected to be reasonably incurred by Network Rail in maintaining, working and, when necessary, renewing any such alterations or additions.

(2) If during the construction of a specified work by the undertaker, Network Rail gives notice to the undertaker that Network Rail desires itself to construct that part of the specified work which in the opinion of the engineer is endangering the stability of railway property or the safe operation of traffic on the railways of Network Rail then, if the undertaker decides that part of the specified work is to be constructed, Network Rail must assume construction of that part of the specified work and the undertaker must, regardless of any such approval of a specified work under paragraph 5(1), pay to Network Rail all reasonable expenses to which Network Rail may be put and compensation for any loss which it may suffer by reason of the execution by Network Rail of that specified work.

(3) The engineer must, in respect of the capitalised sums referred to in this paragraph and paragraph 10(a) provide such details of the formula by which those sums have been calculated as the undertaker may reasonably require.

(4) If the cost of maintaining, working or renewing railway property is reduced in consequence of any such alterations or additions a capitalised sum representing such saving is to be set off against any sum payable by the undertaker to Network Rail under this paragraph.

10. The undertaker must repay to Network Rail all reasonable fees, costs, charges and expenses reasonably incurred by Network Rail—

- (a) in constructing any part of a specified work on behalf of the undertaker as provided by paragraph 5(3) or in constructing any protective works under the provisions of paragraph 5(4) including, in respect of any permanent protective works, a capitalised sum representing the cost of maintaining and renewing those works;
- (b) in respect of the approval by the engineer of plans submitted by the undertaker and the supervision by the engineer of the construction of a specified work;
- (c) in respect of the employment or procurement of the services of any inspectors, signallers, watchkeepers and other persons whom it is reasonably necessary to appoint for inspecting, signalling, watching and lighting railway property and for preventing, so far as may be reasonably practicable, interference, obstruction, danger or accident arising from the construction or failure of a specified work;
- (d) in respect of any special traffic working resulting from any speed restrictions which may in the opinion of the engineer, require to be imposed by reason or in consequence of the construction or failure of a specified work or from the substitution or diversion of services which may be reasonably necessary for the same reason; and
- (e) in respect of any additional temporary lighting of railway property in the vicinity of the specified works, being lighting made reasonably necessary by reason or in consequence of the construction or failure of a specified work.

11.—(1) In this paragraph—

“EMI” means, subject to sub-paragraph (2), electromagnetic interference with Network Rail apparatus generated by the construction and operation of the authorised development where such interference is of a level which adversely affects the safe operation of Network Rail’s apparatus; and

“Network Rail’s apparatus” means any lines, circuits, wires, apparatus or equipment (whether or not modified or installed as part of the authorised development) which are owned or used

by Network Rail for the purpose of transmitting or receiving electrical energy or of radio, telegraphic, telephonic, electric, electronic or other like means of signalling or other communications.

(2) This paragraph applies to EMI only to the extent that such EMI is not attributable to any change to Network Rail's apparatus carried out after approval of plans under paragraph 5(1) for the relevant part of the authorised development giving rise to EMI (unless the undertaker has been given notice in writing before the approval of those plans of the intention to make such change).

(3) Subject to sub-paragraph (5), the undertaker must in the design and construction of the authorised development take all measures necessary to prevent EMI and must establish with Network Rail (both parties acting reasonably) appropriate arrangements to verify their effectiveness.

(4) In order to facilitate the undertaker's compliance with sub-paragraph (3)—

- (a) the undertaker must consult with Network Rail as early as reasonably practicable to identify all Network Rail's apparatus which may be at risk of EMI, and must continue to consult with Network Rail (both before and after formal submission of plans under paragraph 5(1)) in order to identify all potential causes of EMI and the measures required to eliminate them;
- (b) Network Rail must make available to the undertaker all information in the possession of Network Rail reasonably requested by the undertaker in respect of Network Rail's apparatus identified under paragraph (a); and
- (c) Network Rail must allow the undertaker reasonable facilities for the inspection of Network Rail's apparatus identified under paragraph (a).

(5) In any case where it is established that EMI can only reasonably be prevented by modifications to Network Rail's apparatus, Network Rail must not withhold its consent unreasonably to modifications of Network Rail's apparatus, but the means of prevention and the method of their execution is to be selected in the reasonable discretion of Network Rail, and in relation to such modifications paragraph 5(1) is to have effect subject to this sub-paragraph.

(6) If at any time prior to the opening for traffic of the authorised development and regardless of any measures adopted under sub-paragraph (3), the testing or commissioning of the authorised development causes EMI then the undertaker must immediately upon receipt of notification by Network Rail of such EMI either in writing or communicated orally (such oral communication to be confirmed in writing as soon as reasonably practicable after it has been issued) cease to use (or procure the cessation of use of) the undertaker's apparatus causing such EMI until all measures necessary have been taken to remedy such EMI by way of modification to the source of such EMI or (in the circumstances, and subject to the consent, specified in sub-paragraph (5)) to Network Rail's apparatus.

(7) In the event of EMI having occurred—

- (a) the undertaker must afford reasonable facilities to Network Rail for access to the undertaker's apparatus in the investigation of such EMI;
- (b) Network Rail must afford reasonable facilities to the undertaker for access to Network Rail's apparatus in the investigation of such EMI; and
- (c) Network Rail must make available to the undertaker any additional material information in its possession reasonably requested by the undertaker in respect of Network Rail's apparatus or such EMI.

(8) Where Network Rail approves modifications to Network Rail's apparatus under sub-paragraph (5) or (6)—

- (a) Network Rail must allow the undertaker reasonable facilities for the inspection of the relevant part of Network Rail's apparatus;
- (b) any modifications to Network Rail's apparatus approved under those sub-paragraphs must be carried out and completed by the undertaker in accordance with paragraph 6.

(9) To the extent that it would not otherwise do so, the indemnity in paragraph 15(1) is to apply to the costs and expenses reasonably incurred or losses suffered by Network Rail through the

implementation of the provisions of this paragraph (including costs incurred in connection with the consideration of proposals, approval of plans, supervision and inspection of works and facilitating access to Network Rail's apparatus) or in consequence of any EMI to which sub-paragraph (6) applies.

(10) For the purpose of paragraph 10(a) any modifications to Network Rail's apparatus under this paragraph are to be deemed to be protective works referred to in that paragraph.

12. If at any time after the completion of a specified work, not being a work vested in Network Rail, Network Rail gives notice to the undertaker informing it that the state of maintenance of any part of the specified work appears to be such as adversely affects the operation of railway property, the undertaker must, on receipt of such notice, take such steps as may be reasonably necessary to put that specified work in such state of maintenance as not adversely to affect railway property.

13. The undertaker must not provide any illumination or illuminated sign or signal on or in connection with a specified work in the vicinity of any railway belonging to Network Rail unless it has first consulted Network Rail and it must comply with Network Rail's reasonable requirements for preventing confusion between such illumination or illuminated sign or signal and any railway signal or other light used for controlling, directing or securing the safety of traffic on the railway.

14. Any additional expenses which Network Rail may reasonably incur in altering, reconstructing or maintaining railway property under any powers existing at the making of this Order by reason of the existence of a specified work must, provided that 56 days' previous notice of the commencement of such alteration, reconstruction or maintenance has been given to the undertaker, be repaid by the undertaker to Network Rail.

15.—(1) The undertaker must pay to Network Rail all reasonable costs, charges, damages and expenses not otherwise provided for in this Part of this Schedule which may be occasioned to or reasonably incurred by Network Rail—

- (a) by reason of the construction or maintenance of a specified work or the failure of such a work; or
- (b) by reason of any act or omission of the undertaker or of any person in its employ or of its contractors or others whilst engaged upon a specified work,

and the undertaker must indemnify and keep indemnified Network Rail from and against all claims and demands arising out of or in connection with a specified work or any such failure, act or omission: and the fact that any act or thing may have been done by Network Rail on behalf of the undertaker or in accordance with plans approved by the engineer or in accordance with any requirement of the engineer or under the engineer's supervision does not (if it was done without negligence on the part of Network Rail or of any person in its employ or of its contractors or agents) excuse the undertaker from any liability under the provisions of this sub-paragraph.

(2) Network Rail must give the undertaker reasonable notice of any such claim or demand and no settlement or compromise of such a claim or demand is to be made without the prior consent of the undertaker.

(3) The sums payable by the undertaker under sub-paragraph (1) include a sum equivalent to the relevant costs.

(4) Subject to the terms of any agreement between Network Rail and a train operator regarding the timing or method of payment of the relevant costs in respect of that train operator, Network Rail must promptly pay to each train operator the amount of any sums which Network Rail receives under sub-paragraph (3) which relates to the relevant costs of that train operator.

(5) The obligation under sub-paragraph (3) to pay Network Rail the relevant costs is, in the event of default, enforceable directly by any train operator concerned to the extent that such sums would be payable to that operator under sub-paragraph (4).

(6) In this paragraph—

“the relevant costs” means the costs, direct losses and expenses (including loss of revenue) reasonably incurred by each train operator as a consequence of any restriction of the use of Network Rail’s railway network as a result of the construction, maintenance or failure of a specified work or any such act or omission as mentioned in subparagraph (1); and

“train operator” means any person who is authorised to act as the operator of a train by a licence under section 8 of the Railways Act 1993.

16. Network Rail must, on receipt of a request from the undertaker, from time to time provide the undertaker free of charge with written estimates of the costs, charges, expenses and other liabilities for which the undertaker is or will become liable under this Part of this Schedule (including the amount of the relevant costs mentioned in paragraph 15) and with such information as may reasonably enable the undertaker to assess the reasonableness of any such estimate or claim made or to be made under this Part of this Schedule (including any claim relating to those relevant costs).

17. In the assessment of any sums payable to Network Rail under this Part of this Schedule no account is to be taken of any increase in the sums claimed that is attributable to any action taken by or any agreement entered into by Network Rail if that action or agreement was not reasonably necessary and was taken or entered into with a view to obtaining the payment of those sums by the undertaker under this Part of this Schedule or increasing the sums so payable.

18. The undertaker and Network Rail may, subject in the case of Network Rail to compliance with the terms of its network licence, enter into, and carry into effect, agreements for the transfer to the undertaker of—

- (a) any railway property shown on the works plans and the land plans and described in the book of reference;
- (b) any lands, works or other property held in connection with any such railway property; and
- (c) any rights and obligations (whether or not statutory) of Network Rail relating to any railway property or any lands, works or other property referred to in this paragraph.

19. Nothing in this Order, or in any enactment incorporated with or applied by this Order, prejudices or affects the operation of Part 1 of the Railways Act 1993.

20. The undertaker must give written notice to Network Rail when any application is proposed to be made by the undertaker for the Secretary of State’s certification, under article 41 (certification of plans etc.) and any such notice must be given no later than 28 days before any such application is made and must describe or give (as appropriate)—

- (a) the nature of the application to be made;
- (b) the extent of the geographical area to which the application relates; and
- (c) the name and address of the person acting for the Secretary of State to whom the application is to be made.

21. The undertaker must, no later than 28 days from the date that the plans submitted to the Secretary of State in accordance with article 41 (certification of plans etc.) are certified, provide a set of those plans to Network Rail in the form of a computer disc with read only memory.

PART 2

FOR THE PROTECTION OF NATIONAL GRID

Application

22. The following provisions of this Part of this Schedule have effect, unless otherwise agreed in writing between the undertaker and the statutory undertaker.

Interpretation

23.—(1) In this part of this Schedule—

“alternative apparatus” means appropriate alternative apparatus to the reasonable satisfaction of the statutory undertaker to enable the statutory undertaker to fulfil its statutory functions in a manner no less efficient than previously;

“apparatus” means any mains, pipes or other apparatus belonging to or maintained by the statutory undertaker, any replacement apparatus and such other apparatus constructed under the powers conferred by this Order that becomes operational apparatus of the statutory undertaker for the purposes of gas transmission, distribution or supply and includes any structure in which apparatus is or is to be lodged or which gives or is to give access to apparatus;

“authorised works” has the same meaning as “authorised development” in article 2 (interpretation), and for the purposes of this Part of this Schedule includes the use and maintenance of the authorised works;

“functions” includes powers and duties;

“in”, in a context referring to apparatus or alternative apparatus in land, includes a reference to apparatus or alternative apparatus under, over, across, along or upon such land;

“plans” include all designs, drawings, specifications, method statements, soil reports, programmes, calculations, risk assessments and other documents that are reasonably necessary properly and sufficiently to describe and assess the works to be executed;

“the statutory undertaker” means National Grid or any of its entities including National Grid Gas plc as gas transporter within the meaning of Part 1 of the Gas Act 1986^(a) with an interest in the Order land or in apparatus in the Order land.

(2) Nothing in this Part of this Schedule prevents the carrying out of environmental (including archaeological) investigations or site or soil surveys immediately upon this Order coming into force.

24. Except for paragraphs 25 (apparatus in stopped up streets), 30 (retained apparatus), 31 (expenses) and 32 (indemnity) which apply in respect of the exercise of any power under this Order, this Part of this Schedule does not apply to apparatus in respect of which the relations between the undertaker and the statutory undertaker are regulated by the provisions of Part 3 of the 1991 Act.

Apparatus of statutory undertaker in stopped up streets

25.—(1) Without limitation on the scope of any other protection afforded to the statutory undertaker elsewhere in this Order, where any street is stopped up under the powers conferred by this Order, if the statutory undertaker has apparatus in the street or accessed via that street the statutory undertaker is entitled to the same rights in respect of such apparatus as it enjoyed immediately before the stopping up and the undertaker must grant to the statutory undertaker, or procure the granting to the statutory undertaker of, legal easements reasonably satisfactory to the statutory undertaker in respect of such apparatus and access to it prior to the stopping up of any such street.

(2) Regardless of the temporary stopping up or diversion of any highway under the powers conferred by this Order, the statutory undertaker is at liberty at all times to take all necessary access across any such stopped up highway and to execute and do all such works and things in, upon or under any such highway as may be reasonably necessary or desirable to enable it to maintain any apparatus which at the time of the stopping up or diversion was in that highway.

Protective works to buildings

26.—(1) The undertaker, in the case of the powers conferred by article 18 (protective work to buildings), must exercise those powers so as not to obstruct or render less convenient the access to any apparatus without the written consent of the statutory undertaker and, if by reason of the exercise of those powers any damage to any apparatus (other than apparatus the repair of which is not reasonably necessary in view of its intended removal or abandonment) or property of the

(a) 1986 c. 44.

statutory undertaker or any interruption in the supply of gas by the undertaker is caused, the undertaker must bear and pay on demand the cost reasonably incurred by the statutory undertaker in making good such damage or restoring the supply; and, subject to sub-paragraph (2), must—

- (a) pay compensation to the statutory undertaker for any loss sustained by it; and
- (b) indemnify the statutory undertaker against all claims, demands, proceedings, costs, damages and expenses which may be made or taken against or recovered from or incurred by the statutory undertaker, by reason of any such damage or interruption.

(2) Nothing in this paragraph imposes any liability on the undertaker with respect to any damage or interruption to the extent that such damage or interruption is attributable to the act, neglect or default of the statutory undertaker or its contractors or workforce; and the statutory undertaker must give to the undertaker reasonable notice of any such claim or demand and no settlement or compromise of it is to be made, except in respect of any payment required under a statutory compensation scheme, without first consulting the undertaker and giving it an opportunity to make representations as to the claim or demand.

Acquisition of land

27.—(1) Regardless of any provision in this Order or anything shown on the land plans or contained in the book of reference, the undertaker may not acquire any land interest or apparatus or override any easement or other interest of the statutory undertaker otherwise than by agreement, such agreement not to be unreasonably withheld or delayed.

(2) As a condition of agreement under sub-paragraph (1), prior to the carrying out of any part of the authorised works (or in such other timeframe as may be agreed between the statutory undertaker and the undertaker) that are subject to the requirements of this Part of this Schedule that will cause any conflict with or breach the terms of any easement or other interest of the statutory undertaker, or affects the provisions of any enactment or agreement regulating the relations between the undertaker and the statutory undertaker in respect of any apparatus laid or erected in land belonging to or secured by the undertaker, the undertaker must as the statutory undertaker reasonably requires enter into such deeds of consent, crossing agreements, variations to existing deeds of easements, agreements or such other legal interests in favour of the statutory undertaker or grant such new deeds of grant (upon such terms and conditions as may be agreed between the statutory undertaker and the undertaker acting reasonably and which must be no less favourable on the whole to the statutory undertaker unless otherwise agreed by the statutory undertaker acting reasonably) in order to vary, amend or replace the existing easements, agreements, enactments and other such interests so as to secure land rights and interests as are necessary to carry out, maintain, operate and use the apparatus in a manner consistent with the other terms of this Part of this Schedule; and it is the responsibility of the undertaker to procure or secure the consent and entering into of such deeds and variations by all other third parties with an interest in the land at that time who are affected by such authorised works.

(3) Where there is any inconsistency or duplication between the provisions set out in this Part of this Schedule relating to the relocation or removal of apparatus (including but not limited to the payment of costs and expenses relating to such relocation or removal of apparatus) and the provisions of any existing easement, rights, agreements and licences granted, used, enjoyed or exercised by the statutory undertaker or other enactments relied upon by the statutory undertaker as of right or other use in relation to the apparatus then the provisions in this Part of this Schedule prevail.

Removal of apparatus

28.—(1) If, in the exercise of the agreement reached in accordance with paragraph 27, or in any other authorised manner, the undertaker acquires any interest in any land in which any apparatus is placed, that apparatus must not be removed under this Part of this Schedule and any right of the statutory undertaker to maintain that apparatus in that land must not be extinguished until alternative apparatus has been constructed, and is in operation to the reasonable satisfaction of the statutory undertaker in accordance with sub-paragraphs (2) to (5).

(2) If, for the purpose of executing any works in, on, under or over any land purchased, held, appropriated or used under this Order, the undertaker requires the removal of any apparatus placed

in that land, it must give to the statutory undertaker 56 days' advance written notice of that requirement, together with a plan of the work proposed, and of the proposed position of the alternative apparatus to be provided or constructed and in that case (or if in consequence of the exercise of any of the powers conferred by this Order the statutory undertaker reasonably needs to remove any of its apparatus) the undertaker must, subject to sub-paragraph (3), afford to the statutory undertaker to its reasonable satisfaction (taking into account paragraph 29(1)) the necessary facilities and rights—

- (a) for the construction of alternative apparatus in other land of or secured by the undertaker; and
- (b) subsequently for the maintenance of that apparatus.

(3) If alternative apparatus or any part of such apparatus is to be constructed elsewhere than in other land of or secured by the undertaker, or the undertaker is unable to afford such facilities and rights as are mentioned in sub-paragraph (2), in the land in which the alternative apparatus or part of such apparatus is to be constructed, the statutory undertaker must, on receipt of a written notice to that effect from the undertaker, take such steps as are reasonable in the circumstances in an endeavour to obtain the necessary facilities and rights in the land in which the alternative apparatus is to be constructed.

(4) Any alternative apparatus to be constructed in land of or secured by the undertaker under this Part of this Schedule must be constructed in such manner and in such line or situation as may be agreed between the statutory undertaker and the undertaker (both acting reasonably).

(5) The statutory undertaker must, after the alternative apparatus to be provided or constructed has been agreed, and subject to the grant to the statutory undertaker of any such facilities and rights as are referred to in sub-paragraph (2) or (3), proceed without unnecessary delay to construct and bring into operation the alternative apparatus and subsequently to remove any apparatus required by the undertaker to be removed under the provisions of this Part of this Schedule.

Facilities and rights for alternative apparatus

29.—(1) Where, in accordance with the provisions of this Part of this Schedule, the undertaker affords to or secures for the statutory undertaker facilities and rights in land for the construction, use, maintenance and protection of alternative apparatus in substitution for apparatus to be removed, those facilities and rights must be granted upon such terms and conditions as may be agreed between the undertaker and the statutory undertaker (both acting reasonably) and must be no less favourable on the whole to the statutory undertaker than the facilities and rights enjoyed by it in respect of the apparatus to be removed unless otherwise agreed by the statutory undertaker.

(2) If the facilities and rights to be afforded by the undertaker and agreed with the statutory undertaker under sub-paragraph (1) in respect of any alternative apparatus, and the terms and conditions subject to which those facilities and rights are to be granted, are less favourable on the whole to the statutory undertaker than the facilities and rights enjoyed by it in respect of the apparatus to be removed and the terms and conditions to which those facilities and rights are subject, the matter must be referred to arbitration in accordance with paragraph 36, and the arbitrator must make such provision for the payment of compensation by the undertaker to the statutory undertaker as appears to the arbitrator to be reasonable having regard to all the circumstances of the particular case.

Retained apparatus

30.—(1) Not less than 56 days before the commencement of any authorised works that are near to, or will or may affect, any apparatus the removal of which has not been required by the undertaker under paragraph 28(2) or otherwise, the undertaker must submit to the statutory undertaker a plan of the works to be executed.

(2) In relation to works which will or may be situated on, over, under or within 15 metres measured in any direction of any apparatus, or (wherever situated) impose any load directly upon any apparatus or involve embankment works within 15 metres of any apparatus or in the case of demolition works, any demolition works within 150 metres of any apparatus, the removal of which has not been required by the undertaker under paragraph 28(2) or otherwise, the undertaker

must submit to the statutory undertaker the plan to be submitted to the undertaker under sub-paragraph (1) which must include a method statement describing—

- (a) the exact position of the works;
- (b) the level at which these are proposed to be constructed or renewed;
- (c) the manner of their construction or renewal including details of excavation, positioning of plant;
- (d) the position of all apparatus;
- (e) by way of detailed drawings, every alteration proposed to be made to or close to any such apparatus; and
- (f) any intended maintenance regimes.

(3) The undertaker must not commence any works to which sub-paragraphs (1) and (2) apply until the statutory undertaker has given written approval of the plan so submitted.

(4) Any approval of the statutory undertaker required under sub-paragraph (3)—

- (a) may be given subject to reasonable conditions for any purpose mentioned in sub-paragraph (5) or (7);
- (b) must not be unreasonably withheld; and
- (c) is subject to the approval process contained in paragraph 37.

(5) In relation to any work to which sub-paragraphs (1) and (2) apply, the statutory undertaker may require such modifications to be made to the plans as may be reasonably necessary for the purpose of securing its apparatus against risk of damage or for the purpose of providing or securing proper and convenient means of access to any apparatus.

(6) Works to which this paragraph applies must be executed only in accordance with the plan approved under this paragraph, as amended from time to time by agreement between the undertaker and the statutory undertaker and in accordance with such reasonable requirements as may be made in accordance with sub-paragraph (5) or (7) by the statutory undertaker for the alteration or otherwise for the protection of the apparatus, or for securing access to it, and the statutory undertaker is entitled to watch and inspect the execution of those works.

(7) Where the statutory undertaker requires any protective works to be carried out by itself or by the undertaker (whether of a temporary or permanent nature) such protective works, including any measures or schemes required and approved as part of the plan approved under this paragraph, must be carried out to the statutory undertaker's reasonable satisfaction prior to the carrying out of any authorised works (or any relevant part of them) for which protective works are required and the statutory undertaker must give 56 days' notice of such works from the date of submission of a plan under this paragraph (except in an emergency).

(8) If the statutory undertaker in accordance with sub-paragraph (5) or (7) and in consequence of the works proposed by the undertaker, reasonably requires the removal of any apparatus and gives written notice to the undertaker of that requirement, paragraphs 22 to 24 and 27 to 29 apply as if the removal of the apparatus had been required by the undertaker under paragraph 28(2).

(9) Nothing in this paragraph precludes the undertaker from submitting at any time or from time to time, but in no case less than 56 days before commencing the execution of the works, a new plan, instead of the plan previously submitted, and having done so the provisions of this paragraph apply to and in respect of the new plan.

(10) The undertaker is not required to comply with sub-paragraph (1) where it needs to carry out emergency works as defined in the 1991 Act but in that case it must give to the statutory undertaker notice as soon as is reasonably practicable and a plan of those works and must—

- (a) comply with sub-paragraphs (5), (6) and (7) in so far as is reasonably practicable in the circumstances; and
- (b) comply with sub-paragraph (11) at all times.

(11) At all times when carrying out any works authorised under the Order the undertaker must comply with the statutory undertaker's policies for safe working in proximity to gas apparatus "Specification for safe working in the vicinity of National Grid, High pressure Gas pipelines and

associated installation requirements for third parties T/SP/SSW22” and HSE’s “HS(-G)47 Avoiding Danger from underground services”.

Expenses

31.—(1) Subject to the following provisions, the undertaker must pay to the statutory undertaker on demand all charges, costs and expenses reasonably anticipated or incurred by the statutory undertaker in, or in connection with, the inspection, removal, relaying or replacing, alteration or protection of any apparatus or the construction of any new or alternative apparatus which may be required in consequence of the execution of any works as are referred to in this Part of this Schedule including without limitation—

- (a) any costs reasonably incurred or compensation properly paid in connection with the acquisition of rights or the exercise of statutory powers for such apparatus including without limitation in the event that the statutory undertaker uses compulsory purchase powers to acquire any necessary rights under paragraph 28(3) all costs incurred as a result of such action;
- (b) in connection with the cost of the carrying out of any diversion work or the provision of any alternative apparatus;
- (c) the cutting off of any apparatus from any other apparatus or the making safe of redundant apparatus;
- (d) the approval of plans;
- (e) the carrying out of protective works, plus a capitalised sum to cover the cost of maintaining and renewing permanent protective works; and
- (f) the survey of any land, apparatus or works, the inspection and monitoring of works or the installation or removal of any temporary works reasonably necessary in consequence of the execution of any such works referred to in this part of this Schedule.

(2) The value of any apparatus removed under the provisions of this Part of this Schedule and which is not re-used as part of the alternative apparatus is to be deducted from any sum payable under sub-paragraph (1), that value being calculated after removal.

(3) If in accordance with the provisions of this Part of this Schedule—

- (a) apparatus of better type, of greater capacity or of greater dimensions is placed in substitution for existing apparatus of worse type, of smaller capacity or of smaller dimensions; or
- (b) apparatus (whether existing apparatus or apparatus substituted for existing apparatus) is placed at a depth greater than the depth at which the existing apparatus was situated,

and the placing of apparatus of that type or capacity or of those dimensions or the placing of apparatus at that depth, as the case may be, is not agreed by the undertaker or, in default of agreement, is not determined by arbitration in accordance with article 46 (arbitration) to be necessary, then, if such placing involves cost in the construction of works under this Part of this Schedule exceeding that which would have been involved if the apparatus placed had been of the existing type, capacity or dimensions, or at the existing depth, as the case may be, the amount which apart from this sub-paragraph would be payable to the statutory undertaker by virtue of sub-paragraph (1) is to be reduced by the amount of that excess except where it is not possible in the circumstances to obtain the existing type of apparatus at the same capacity and dimensions or place at the existing depth in which case full costs must be borne by the undertaker.

(4) For the purposes of sub-paragraph (3)—

- (a) an extension of apparatus to a length greater than the length of existing apparatus is not to be treated as a placing of apparatus of greater dimensions than those of the existing apparatus; and
- (b) where the provision of a joint in a pipe or cable is agreed, or is determined to be necessary, the consequential provision of a jointing chamber or of a manhole is to be treated as if it also had been agreed or had been so determined.

(5) An amount which apart from this sub-paragraph would be payable to the statutory undertaker in respect of works by virtue of sub-paragraph (1), if the works include the placing of apparatus provided in substitution for apparatus placed more than 7 years and 6 months earlier so as to confer on the statutory undertaker any financial benefit by deferment of the time for renewal of the apparatus in the ordinary course, is to be reduced by the amount which represents that benefit.

Indemnity

32.—(1) Subject to sub-paragraphs (2) and (3), if by reason or in consequence of the construction of any works authorised by this Part of this Schedule or in consequence of the construction, use, maintenance or failure of any of the authorised development by or on behalf of the undertaker or in consequence of any act or default of the undertaker (or any person employed or authorised by the undertaker) in the course of carrying out such works, including without limitation works carried out by the undertaker under this Part of this Schedule or any subsidence resulting from any of those works, any damage is caused to any apparatus or alternative apparatus (other than apparatus the repair of which is not reasonably necessary in view of its intended removal for the purposes of those works) or property of the statutory undertaker, or there is any interruption in any service provided, or in the supply of any gas, by the statutory undertaker, or the statutory undertaker becomes liable to pay any amount to any third party, the undertaker must—

- (a) bear and pay on demand the cost reasonably incurred by the statutory undertaker in making good such damage or restoring the supply; and
- (b) indemnify the statutory undertaker for any other expenses, loss, demands, proceedings, damages, claims, penalty or costs incurred by or recovered from the statutory undertaker, by reason or in consequence of any such damage or interruption or the statutory undertaker becoming liable to any third party other than arising from any default of the statutory undertaker.

(2) The fact that any act or thing may have been done by the statutory undertaker on behalf of the undertaker or in accordance with a plan approved by the statutory undertaker or in accordance with any requirement of the statutory undertaker or under its supervision does not (unless sub-paragraph (3) applies) excuse the undertaker from liability under the provisions of sub-paragraph (1) where the undertaker fails to carry out and execute the works properly with due care and attention and in a skilful and professional manner or in a manner that does not accord with the approved plan.

(3) Nothing in sub-paragraph (1) imposes any liability on the undertaker in respect of—

- (a) any damage or interruption to the extent that it is attributable to the neglect or default of the statutory undertaker, its officers, servants, contractors or agents; and
- (b) any authorised works or any other works authorised by this Part of this Schedule carried out by the statutory undertaker as an assignee, transferee or lessee of the undertaker with the benefit of the Order under section 156 of the 2008 Act or article 7 (consent to transfer benefit of order) subject to the condition that once such works become apparatus, any authorised works yet to be executed and not falling within this sub-paragraph are to be subject to the full terms of this Part of this Schedule.

(4) The statutory undertaker must give the undertaker reasonable notice of any third party claim or demand and no settlement or compromise must be made, unless payment is required in connection with a statutory compensation scheme, without first consulting the undertaker and considering its representations.

Ground subsidence monitoring scheme in respect of Undertaker's apparatus

33.—(1) No works within the distances set out in the statutory undertaker's specification for "Safe Working in the Vicinity of National Grid High Pressure Gas Pipelines and Associated Installations – Requirements for Third Parties" (SSW22) which are capable of interfering with or risking damage to the statutory undertaker's apparatus or alternative apparatus are to commence until a scheme for monitoring ground subsidence (referred to in this paragraph as "the monitoring scheme") has been submitted to and approved by the statutory undertaker, such approval not to be unreasonably withheld or delayed.

- (2) The monitoring scheme must set out—
- (a) the apparatus which is to be subject to such monitoring;
 - (b) the extent of land to be monitored;
 - (c) the manner in which ground levels are to be monitored;
 - (d) the timescales of any monitoring activities; and
 - (e) the extent of ground subsidence which, if exceeded, requires the undertaker to submit for the statutory undertaker's approval a ground subsidence mitigation scheme in respect of such subsidence in accordance with sub-paragraph (3).

(3) The monitoring scheme required by sub-paragraphs (1) and (2) must be submitted not less than 56 days before the commencement of any authorised works which sub-paragraph (1) applies. Any requirements of the statutory undertaker must be notified within 28 days of receipt of the monitoring scheme. The monitoring scheme must be implemented as approved, unless otherwise agreed in writing with the statutory undertaker.

(4) As soon as reasonably practicable after any ground subsidence identified by the monitoring activities set out in the monitoring scheme has exceeded the level described in sub-paragraph (2)(e), a scheme setting out necessary mitigation measures (if any) for such ground subsidence (referred to in this paragraph as a "mitigation scheme") must be submitted to the statutory undertaker for approval, such approval not to be unreasonably withheld or delayed; and any mitigation scheme must be implemented as approved, unless otherwise agreed in writing with the statutory undertaker except that the statutory undertaker retains the right to carry out any further necessary protective works for the safeguarding of its apparatus and may recover any such costs in accordance with paragraph 31.

Co-operation

34.—(1) Where in consequence of the proposed construction of any of the authorised development, the undertaker or the statutory undertaker requires the removal of apparatus under paragraph 28(2) or the statutory undertaker makes requirements for the protection or alteration of apparatus under paragraph 29, the undertaker must use its reasonable endeavours to co-ordinate the execution of the works in the interests of safety and the efficient and economic execution of the authorised development and taking into account the need to ensure the safe and efficient operation of the statutory undertaker's undertaking and the statutory undertaker must use its reasonable endeavours to co-operate with the undertaker for that purpose.

(2) Whenever the statutory undertaker's consent, agreement or approval is required in relation to plans, documents or other information submitted by the undertaker or the taking of action by the undertaker, it must not be unreasonably withheld or delayed.

Access

35. If in consequence of any agreement reached in accordance with paragraph 27(1) or the powers granted under this Order the access to any apparatus is materially obstructed, the undertaker must provide such alternative means of access to such apparatus as will enable the statutory undertaker to maintain or use the apparatus no less effectively than was possible before such obstruction.

Arbitration

36. Except for differences or disputes arising under paragraph 28(2), 28(4), 29(1) and 30 any difference or dispute arising between the undertaker and the statutory undertaker under this Part of this Schedule must, unless otherwise agreed in writing between the undertaker and the statutory undertaker, be determined by arbitration in accordance with article 46 (arbitration).

Approval process

37.—(1) Within 42 days (or such longer period as the parties may agree) following receipt of any plans submitted to the statutory undertaker under paragraphs 28 or 30 the statutory undertaker must respond to the undertaker either—

- (a) confirming that it has no objection to the plans; or

- (b) specifying its objections to the plans and (at the statutory undertaker's discretion) suggesting any changes which in its opinion are needed in order to remove the objections or specifying further information which it requires in order to assess the plans.

(2) If the statutory undertaker fails to respond to the undertaker within 42 days (or such longer period as the parties may have agreed or agree) and provided that there has been compliance with sub-paragraph (4) the statutory undertaker is deemed to have confirmed that it has no objection to the said plans.

(3) When submitting the plans to the statutory undertaker for the purposes of paragraph 28 or 30 the undertaker must send the plans to the statutory undertaker (in hard copy only) by recorded post to National Grid Plant Protection, Brick Kiln Street, Hinckley, Leicestershire, LE10 0NA and the registered office of the statutory undertaker (or such other address as the statutory undertaker may notify the undertaker in writing from time to time) and clearly bearing the name of the project, contact details for responses and citing the relevant periods for response specified in this Part of this Schedule. In the event that the undertaker has not received a response from the statutory undertaker in accordance with the requirements of this Part of this Schedule within 21 days of submission of the plans, the undertaker must issue a written reminder to the statutory undertaker by recorded post to the addresses specified above and must otherwise use reasonable endeavours to make contact with the statutory undertaker to solicit a response to the draft plans.

Approval of requirements

38.—(1) The undertaker must—

- (a) not without the prior approval of the statutory undertaker (such approval not to be unreasonably withheld or delayed) submit or permit the submission of any plans, details, schemes, reports, arrangements, measures or programmes to the relevant planning authority under any requirement in Schedule 2 (requirements) that relate in whole or in part to any matter that affects or may affect the statutory undertaker's apparatus including any alternative apparatus or in respect of any protective works required in connection with the statutory undertaker's apparatus under this Part of this Schedule;
- (b) provide the statutory undertaker with copies of such plans, details, schemes, reports, arrangements, measures or programmes prior to submission to the relevant planning authority and take into account and incorporate any reasonable comments of the statutory undertaker; and
- (c) keep the statutory undertaker informed of the details of all material discussions and negotiations with the relevant planning authority relating to such plans, details, schemes, reports, arrangements, measures or programmes and give the statutory undertaker reasonable prior written notice of any meetings with the relevant planning authority relating to such matters and not object to the statutory undertaker and its consultants attending those meetings.

PART 3

FOR THE PROTECTION OF ANGLIAN WATER

39. The following provisions of this Part of this Schedule have effect, unless otherwise agreed in writing between the undertaker and Anglian Water.

40. In this Part of this Schedule –

“alternative apparatus” means alternative apparatus adequate to enable Anglian Water to fulfil its statutory functions in a manner no less efficient than previously;

“apparatus” means any works, mains, pipes or other apparatus belonging to or maintained by Anglian Water for the purposes of water supply and sewerage and—

- (a) any drain or works vested in Anglian Water under the Water Industry Act 1991(a); and
- (b) any sewer which is so vested or is the subject of a notice of intention to adopt given under section 102(4) of that Act or an agreement to adopt made under section 104 of that Act(b),

and includes a sludge main, disposal main or sewer outfall and any manholes, ventilating shafts, pumps or other accessories forming part of any sewer, drain or works (within the meaning of section 219 of that Act) and any structure in which apparatus is or is to be lodged or which gives or will give access to apparatus;

“functions” includes powers and duties;

“in”, in a context referring to apparatus or alternative apparatus in land, includes a reference to apparatus or alternative apparatus under, over or upon land; and

“plan” includes sections, drawings, specifications and method statements.

41. The undertaker must not interfere with, build over or near to any apparatus within the Order land or execute the placing, installation, bedding, packing, removal, connection or disconnection of any apparatus, or execute any filling around the apparatus (where the apparatus is laid in a trench) within the standard protection strips, which are the strips of land falling the following distances to either side of the medial line of any relevant pipe or apparatus: 2.25 metres where the diameter of the pipe is less than 150 millimetres; 3 metres where the diameter of the pipe is between 150 and 450 millimetres; 4.5 metres where the diameter of the pipe is between 450 and 750 millimetres; and 6 metres where the diameter of the pipe exceeds 750 millimetres, unless otherwise agreed in writing with Anglian Water, such agreement not to be unreasonably withheld or delayed, and such provision being brought to the attention of any agent or contractor responsible for carrying out the authorised development on behalf of the undertaker.

42. The alteration, extension, removal or re-location of any apparatus must not be implemented until—

- (a) any requirement for any permits under the Environmental Permitting Regulations 2010(c) or other legislation and any other associated consents are obtained, and any approval or agreement required from Anglian Water on alternative outfall locations as a result of such re-location are approved, such approval or agreement from Anglian Water not to be unreasonably withheld or delayed; and
- (b) the undertaker has made the appropriate application required under the Water Industry Act 1991 together with a plan and section of the works proposed and Anglian Water has agreed all of the contractual documentation required under that Act, such agreement not to be unreasonably withheld or delayed; and such works to be executed only in accordance with the plan, section and description submitted and in accordance with such reasonable requirements as may be made by Anglian Water for the alteration or otherwise for the protection of the apparatus, or for securing access to it.

43. In the situation where, in exercise of the powers conferred by this Order, the undertaker acquires any interest in any land in which apparatus is placed and such apparatus is to be relocated, extended, removed or altered in any way, no alteration or extension may take place until Anglian Water has established to its reasonable satisfaction in a timely manner, contingency arrangements in order to conduct its functions for the duration of the works to relocate, extend, remove or alter the apparatus or provide alternative apparatus.

44. Regardless of any provision in this Order or anything shown on any plan, the undertaker must not acquire any apparatus otherwise than by agreement, and before extinguishing any existing rights for Anglian Water to use, keep, inspect, renew and maintain its apparatus in the

(a) 1991 c. 56.

(b) Section 102(4) was amended by section 96(1)(c) of the Water Act 2003. Section 104 was amended by sections 96(4) and 101(2) of, and part 3 of Schedule 9 to, the Water Act 2003 and section 42(3) of the Flood and Water Management Act 2010 (c. 29).

(c) S.I. 2010/675.

Order land, the undertaker must, with the agreement of Anglian Water, create a new right to use, keep, inspect, renew and maintain the alternative apparatus that is reasonably convenient for Anglian Water such agreement not to be unreasonably withheld or delayed, and to be subject to arbitration under article 46 (arbitration).

45. If the undertaker is unable to create the new rights referred to in paragraph 44, Anglian Water must, on receipt of a written notice to that effect from the undertaker, as soon as reasonably possible, use its best endeavours to obtain the necessary rights.

46. If in consequence of the exercise of the powers conferred by this Order the access to any apparatus is materially obstructed the undertaker must provide such alternative means of access to such apparatus as will enable Anglian Water to maintain or use the apparatus no less effectively than was possible before such obstruction.

47. If in consequence of the exercise of the powers conferred by this Order, previously unmapped sewers, lateral drains or other apparatus are identified by the undertaker, notification of the location of such assets must immediately be given to Anglian Water and afforded the same protection as other Anglian Water assets.

48. If for any reason or in consequence of the construction of any of the works referred to in paragraphs 41, 42 and 43 any damage is caused to any apparatus (other than apparatus the repair of which is not reasonably necessary in view of its intended removal for the purposes of those works) or property of Anglian Water, or there is any interruption in any service provided, or in the supply of any goods, by Anglian Water, the undertaker must—

- (a) bear and pay the cost reasonably incurred by Anglian Water in making good any damage or restoring the supply; and
- (b) make reasonable compensation to Anglian Water for any other expenses, loss, damages, penalty or costs incurred by Anglian Water,

by reason or in consequence of any such damage or interruption.

49.—(1) Nothing in paragraph 48 imposes any liability on the undertaker in respect of any damage or interruption to the extent that it is attributable to the neglect or default of Anglian Water, its officers, servants, contractors or agents.

(2) Anglian Water must give the undertaker reasonable notice of any claim or demand under paragraph 48 and must consider its representations before proceeding further in respect of the claim or demand.

50. This Part of this Schedule does not apply to apparatus in respect of which the relations between the undertaker and Anglian Water are regulated by the provisions of Part 3 of the 1991 Act.

PART 4

FOR THE PROTECTION OF ELECTRICITY SUPPLIERS

51. The following provisions of this Part of this Schedule have effect unless otherwise agreed in writing between the undertaker and the electricity supplier.

52. In this Part of this Schedule—

“alternative apparatus” means alternative apparatus adequate to enable the electricity supplier to fulfil its statutory functions in a manner no less efficient than previously;

“apparatus” means electric lines or electrical plant (as defined in the Electricity Act 1989(a)), belonging to or maintained by the electricity supplier;

(a) 1989 c. 29. The definition of “electrical plant” (in section 64) was amended by paragraphs 24 and 38(1) and (3) of Schedule 6 to the Utilities Act 2000 (c. 27).

“electricity supplier” means any licence holder within the meaning of Part 1 of the Electricity Act 1989 for the area of the authorised development;

“functions” includes powers and duties;

“in”, in a context referring to apparatus or alternative apparatus in land, includes a reference to apparatus or alternative apparatus under, over or upon land; and

“plans” include all designs, drawings, specifications, method statements, soil reports, programmes, calculations, risk assessments and other documents that are reasonably necessary properly and sufficiently to describe the works to be executed.

On street apparatus

53. This Part of this Schedule does not apply to apparatus in respect of which the relations between the undertaker and the electricity supplier are regulated by the provisions of Part 3 of the 1991 Act.

Apparatus in temporarily stopped up streets

54. Regardless of the temporary stopping up or diversion of any highway under the powers conferred by article 14 (temporary prohibition or restriction of use of streets), an electricity supplier is to be at liberty at all times to take all necessary access across any such stopped up highway and to execute and do all such works and things in, upon or under any such highway as may be reasonably necessary or desirable to enable it to maintain any apparatus which at the time of the stopping up or diversion was in that highway.

Protective works to buildings

55. The undertaker, in the case of the powers conferred by article 18 (protective work to buildings), must exercise those powers so as not to obstruct or render less convenient the access to any apparatus.

Acquisition of land

56. Regardless of any provision in this Order or anything shown on the land plans, the undertaker must not acquire any apparatus otherwise than by agreement, such agreement not to be unreasonably withheld or delayed.

Removal of apparatus

57.—(1) If, in the exercise of the powers conferred by this Order, the undertaker acquires any interest in any land in which any apparatus is placed or requires that the electricity supplier’s apparatus is relocated or diverted, that apparatus must not be removed under this Part of this Schedule and any right of the electricity supplier to maintain that apparatus in that land is not extinguished until alternative apparatus has been constructed and is in operation to the reasonable satisfaction of the electricity supplier in accordance with sub-paragraphs (2) to (7).

(2) If, for the purpose of executing any works in, on or under any land purchased, held, appropriated or used under this Order, the undertaker requires the removal of any apparatus placed in that land, it must give to the electricity supplier 28 days’ written notice of that requirement, together with a plan of the work proposed, and of the proposed position of the alternative apparatus to be provided or constructed and in that case (or if in consequence of the exercise of any of the powers conferred by this Order the electricity supplier reasonably needs to remove any of its apparatus) the undertaker must, subject to sub-paragraph (3), afford to the electricity supplier the necessary facilities and rights for the construction of alternative apparatus in other land of the undertaker and subsequently for the maintenance of that apparatus.

(3) If alternative apparatus or any part of such apparatus is to be constructed elsewhere than in other land of the undertaker, or the undertaker is unable to afford such facilities and rights as are mentioned in sub-paragraph (2) in the land in which the alternative apparatus or part of such apparatus is to be constructed, the electricity supplier must, on receipt of a written notice to that effect from the undertaker, as soon as reasonably possible use its best endeavours to obtain the necessary facilities and rights in the land in which the alternative apparatus is to be constructed.

(4) Any alternative apparatus to be constructed in land of the undertaker under this Part of this Schedule must be constructed in such manner and in such line or situation as may be agreed between the electricity supplier and the undertaker or in default of agreement settled by arbitration in accordance with article 46 (arbitration).

(5) The electricity supplier must, after the alternative apparatus to be provided or constructed has been agreed or settled by arbitration in accordance with article 46, and after the grant to the electricity supplier of any such facilities and rights as are referred to in sub-paragraph (2) or (3), proceed without unnecessary delay to construct and bring into operation the alternative apparatus and subsequently to remove any apparatus required by the undertaker to be removed under the provisions of this Part of this Schedule.

(6) Regardless of anything in sub-paragraph (5), if the undertaker gives notice in writing to the electricity supplier that it desires itself to execute any work, or part of any work in connection with the construction or removal of apparatus in any land of the undertaker, that work, instead of being executed by the electricity supplier, must be executed by the undertaker without unnecessary delay under the superintendence, if given, and to the reasonable satisfaction of the electricity supplier.

(7) Nothing in sub-paragraph (6) authorises the undertaker to execute the placing, installation, bedding, packing, removal, connection or disconnection of any apparatus, or execute any filling around the apparatus (where the apparatus is laid in a trench) within 300 millimetres of the apparatus.

Facilities and rights for alternative apparatus

58.—(1) Where, in accordance with the provisions of this Part of this Schedule, the undertaker affords to the electricity supplier facilities and rights for the construction and maintenance in land of the undertaker of alternative apparatus in substitution for apparatus to be removed, those facilities and rights are to be granted upon such terms and conditions as may be agreed between the undertaker and the electricity supplier or in default of agreement settled by arbitration in accordance with article 46 (arbitration).

(2) If the facilities and rights to be afforded by the undertaker in respect of any alternative apparatus, and the terms and conditions subject to which those facilities and rights are to be granted, are in the opinion of the arbitrator less favourable on the whole to the electricity supplier than the facilities and rights enjoyed by it in respect of the apparatus to be removed and the terms and conditions to which those facilities and rights are subject, the arbitrator must make such provision for the payment of compensation by the undertaker to the electricity supplier as appears to the arbitrator to be reasonable having regard to all the circumstances of the particular case.

Retained apparatus

59.—(1) Not less than 28 days before starting the execution of any works in, on or under any land purchased, held, appropriated or used under this Order that are near to, or will or may affect, any apparatus the removal of which has not been required by the undertaker under paragraph 57(2), the undertaker must submit to the electricity supplier a plan of the works to be executed.

(2) Those works must be executed only in accordance with the plan submitted under sub-paragraph (1) and in accordance with such reasonable requirements as may be made in accordance with sub-paragraph (3) by the electricity supplier for the alteration or otherwise for the protection of the apparatus, or for securing access to it, and the electricity supplier is entitled to watch and inspect the execution of those works.

(3) Any requirements made by the electricity supplier under sub-paragraph (2) must be made within a period of 21 days beginning with the date on which a plan under sub-paragraph (1) was submitted to it.

(4) If the electricity supplier in accordance with sub-paragraph (3) and in consequence of the works proposed by the undertaker, reasonably requires the removal of any apparatus and gives written notice to the undertaker of that requirement, paragraphs 51 to 53 and 56 to 58 apply as if the removal of the apparatus had been required by the undertaker under paragraph 57(2).

(5) Nothing in this paragraph precludes the undertaker from submitting at any time or from time to time, but in no case less than 28 days before commencing the execution of any works, a new

plan instead of the plan previously submitted, and having done so the provisions of this paragraph apply to and in respect of the new plan.

(6) The undertaker is not to be required to comply with sub-paragraph (1) in a case of emergency but in that case it must give to the electricity supplier notice as soon as is reasonably practicable and a plan of those works as soon as reasonably practicable subsequently and must comply with sub-paragraph (2) in so far as is reasonably practicable in the circumstances.

(7) In relation to works which will or may be situated on, over, under or within 10 metres measured in any direction of any apparatus, or involve embankment works within 10 metres of any apparatus, the plan to be submitted to the electricity supplier under sub-paragraph (1) must be detailed including a method statement and describing—

- (a) the exact position of the works;
- (b) the level at which these are proposed to be constructed or renewed;
- (c) the manner of their construction or renewal;
- (d) the position of all electricity apparatus; and
- (e) by way of detailed drawings, every alteration proposed to be made to such apparatus.

Expenses and costs

60.—(1) Subject to the following provisions of this paragraph, the undertaker must repay to the electricity supplier all expenses reasonably incurred by the electricity supplier in, or in connection with, the inspection, removal, alteration or protection of any apparatus or the construction of any new apparatus which may be required in consequence of the execution of any such works as are referred to in paragraph 57(2).

(2) The value of any apparatus removed under the provisions of this Schedule is to be deducted from any sum payable under sub-paragraph (1), that value being calculated after removal.

(3) If in accordance with the provisions of this Part of this Schedule—

- (a) apparatus of better type, of greater capacity or of greater dimensions is placed in substitution for existing apparatus of worse type, of smaller capacity or of smaller dimensions; or
- (b) apparatus (whether existing apparatus or apparatus substituted for existing apparatus) is placed at a depth greater than the depth at which the existing apparatus was situated,

and the placing of apparatus of that type or capacity or of those dimensions or the placing of apparatus at that depth, as the case may be, is not agreed by the undertaker or, in default of agreement, is not determined by arbitration in accordance with article 46 (arbitration) to be necessary, then, if such placing involves cost in the construction of works under this Part of this Schedule exceeding that which would have been involved if the apparatus placed had been of the existing type, capacity or dimensions, or at the existing depth, as the case may be, the amount which apart from this sub-paragraph would be payable to the electricity supplier by virtue of sub-paragraph (1) is to be reduced by the amount of that excess.

(4) For the purposes of sub-paragraph (3)—

- (a) an extension of apparatus to a length greater than the length of existing apparatus is not to be treated as a placing of apparatus of greater dimensions than those of the existing apparatus; and
- (b) where the provision of a joint in a pipe or cable is agreed, or is determined to be necessary, the consequential provision of a jointing chamber or of a manhole is to be treated as if it also had been agreed or had been so determined.

(5) An amount which apart from this sub-paragraph would be payable to an electricity supplier in respect of works by virtue of sub-paragraph (1) must, if the works include the placing of apparatus provided in substitution for apparatus placed more than 7 years and 6 months earlier so as to confer on the electricity supplier any financial benefit by deferment of the time for renewal of the apparatus in the ordinary course, be reduced by the amount which represents that benefit.

61.—(1) Subject to sub-paragraphs (2) and (3), if by reason or in consequence of the construction of the authorised development, any damage is caused to any apparatus or alternative apparatus (other than apparatus the repair of which is not reasonably necessary in view of its intended removal for the purposes of those works) or property of the electricity supplier, or there is any interruption in any service provided, or in the supply of any goods, by the electricity supplier, the undertaker is to—

- (a) bear and pay the cost reasonably incurred by the electricity supplier in making good such damage or restoring the supply; and
- (b) make reasonable compensation to the electricity supplier for any other expenses, loss, damages, penalty or costs incurred by the electricity supplier,

by reason or in consequence of any such damage or interruption.

(2) The fact that any act or thing may have been done by an electricity supplier on behalf of the undertaker or in accordance with a plan approved by an undertaker or in accordance with any requirement of an undertaker or under its supervision does not, subject to sub-paragraph (3), excuse the undertaker from liability under the provisions of sub-paragraph (1).

(3) Nothing in sub-paragraph (1) imposes any liability on the undertaker with respect to any damage or interruption to the extent that it is attributable to the act, neglect or default of the electricity supplier, its officers, servants, contractors or agents.

(4) An electricity supplier must give the undertaker reasonable notice of any such claim or demand and no settlement or compromise is to be made without the consent of the undertaker and, if it withholds such consent, it is to have the sole conduct of any settlement or compromise or of any proceedings necessary to resist the claim or demand.

Cooperation

62. Where in consequence of the proposed construction of any of the authorised development, the undertaker or the electricity supplier requires the removal of apparatus under paragraph 57(2) or the electricity supplier makes requirements for the protection or alteration of apparatus under paragraph 59, the undertaker must use its best endeavours to co-ordinate the execution of the works in the interests of safety and the efficient and economic execution of the authorised development and taking into account the need to ensure the safe and efficient operation of the electricity supplier's undertaking and the electricity supplier must use its best endeavours to co-operate with the undertaker for that purpose.

PART 5

FOR THE PROTECTION OF OPERATORS OF ELECTRONIC COMMUNICATIONS CODE NETWORKS

63. The following provisions have effect for the protection of any operator, unless otherwise agreed in writing between the undertaker and the operator.

64. In this Part of this Schedule—

“the 2003 Act” means the Communications Act 2003(a);

“conduit system” has the same meaning as in the electronic communications code and references to providing a conduit system is to be construed in accordance with paragraph 1(3A)(b) of that code;

“electronic communications apparatus” has the same meaning as in the electronic communications code;

(a) 2003 c. 21.

(b) Paragraph 1(3A) was inserted by section 106(2) of, and paragraphs 1 and 4 of Schedule 3 to, the Communications Act 2003.

“the electronic communications code” has the same meaning as in Chapter 1 of Part 2 of the 2003 Act^(a);

“electronic communications code network” means—

- (a) so much of an electronic communications network or conduit system provided by an electronic communications code operator as is not excluded from the application of the electronic communications code by a direction under section 106 of the 2003 Act; and
- (b) an electronic communications network which the Secretary of State is providing or proposing to provide;

“electronic communications code operator” means a person in whose case the electronic communications code is applied by a direction under section 106 of the 2003 Act; and

“operator” means the operator of an electronic communications code network.

65. The exercise of the powers conferred by article 32 (statutory undertakers) is subject to paragraph 23 of Schedule 2 to the Telecommunication Act 1984^(b) (undertaker’s works).

66.—(1) Subject to sub-paragraphs (2) to (4), if as the result of the authorised development or its construction, or of any subsidence resulting from any part of the authorised development—

- (a) any damage is caused to any electronic communications apparatus belonging to an operator (other than apparatus the repair of which is not reasonably necessary in view of its intended removal for the purposes of the authorised development, or other property of an operator); or
- (b) there is any interruption in the supply of the service provided by an operator,

the undertaker must bear and pay the cost reasonably incurred by the operator in making good such damage or restoring the supply and make reasonable compensation to that operator for any other expenses, loss, damages, penalty or costs incurred by it, by reason, or in consequence of, any such damage or interruption.

(2) Nothing in sub-paragraph (1) imposes any liability on the undertaker with respect to any damage or interruption to the extent that it is attributable to the act, neglect or default of an operator, its officers, servants, contractors or agents.

(3) The operator must give the undertaker reasonable notice of any such claim or demand and no settlement or compromise of the claim or demand may be made without the consent of the undertaker which, if it withholds such consent, is to have the sole conduct of any settlement or compromise or of any proceedings necessary to resist the claim or demand.

(4) Any difference arising between the undertaker and the operator under this Part of this Schedule is to be referred to and settled by arbitration under article 46 (arbitration).

67. This Part of this Schedule does not apply to—

- (a) any apparatus in respect of which the relations between the undertaker and an operator are regulated by the provisions of Part 3 of the 1991 Act; or
- (b) any damages, or any interruptions, caused by electro-magnetic interference arising from the construction or use of the authorised development.

(a) See section 106.

(b) 1984 c. 12. Paragraph 23 was amended by section 190 of, and paragraph 68 of Schedule 25 and part 1 of Schedule 27 to, the Water Act 1989 (c. 15), section 112(4) of, and Schedule 18 to, the Electricity Act 1989 (c. 29) and section 106(2) of, and paragraphs 1, 5(d) and 8 of Schedule 3 to, the Communications Act 2003.

SCHEDULE 14

Article 44

SPEED LIMITS AND TRAFFIC REGULATION MEASURES

PART 1

SPEED LIMITS

<i>(1)</i> <i>Parish</i>	<i>(2)</i> <i>Road name, number and length</i>	<i>(3)</i> <i>Speed Limit</i>
Taverham	C262 Fir Covert Road From its junction with the A1067 Fakenham Road northwards to a point 45 metres south of its junction with the NDR classified road.	40 miles per hour
	From its junction with the C261 Reepham Road southwards to a point 45 metres north of its junction with the NDR classified road.	40 miles per hour
Horsford and Drayton	C261 Reepham Road From a point 75 metres northwest of the centreline of its junction with the U57388 Drayton Wood Road north-westwards to a point 168 metres north-west of the centreline of its junction with the U51248 Drewray Drive.	50 miles per hour
Horsford	B1149 Holt Road From a point 50 metres southeast of the centreline of its junction with the new Drayton Lane Link Road north-westwards to a point 25 metres north-west of the centreline of its junction with the U57634 Olive Crescent (including the entire area of the roundabout).	30 miles per hour (partly lit)
	C282 Drayton Lane From its junction with the B1149 Holt Road westwards and southwards for a distance of 224 metres.	30 miles per hour (unlit)

<i>(1)</i> <i>Parish</i>	<i>(2)</i> <i>Road name, number and length</i>	<i>(3)</i> <i>Speed Limit</i>
	Drayton Lane Link Road (northern leg) From its junction with the B1149 Holt Road south-westwards for a distance of 30 metres.	30 miles per hour (unlit)
	From a point 30 metres south-west of its junction with the B1149 Holt Road south-westwards for a distance of 460 metres.	40 miles per hour
	Drayton Lane Link Road (southern leg) From the centreline of its junction with the C261 Reepham Road northwards for a distance of 330 metres.	50 miles per hour
Spixworth	C246 Buxton Road From a point 103 metres south of the centreline of its junction with the U57187 Beeston Road northwards to a point 325 metres north of the centreline of its junction with the C250 Church Lane.	30 miles per hour (partly lit)
	U57187 Beeston Lane From its junction with the C246 Buxton Road eastwards for a distance of 13 metres.	30 miles per hour (unlit)
Spixworth and Old Catton	C246 Buxton Road/Spixworth Road From a point 103 metres south of the centreline of its junction with the U57187 Beeston Road southwards to a point 91 metres north of the centreline of its junction with the U51004 The Paddocks.	40 miles per hour
Rackheath and Sprowston	A1151 Wroxham Road From a point 400 metres northeast of the centreline of its junction with the U57617 Chenery Drive north-eastwards to a point 40 metres south-west of its junction with the NDR classified road.	50 miles per hour

<i>(1)</i> <i>Parish</i>	<i>(2)</i> <i>Road name, number and length</i>	<i>(3)</i> <i>Speed Limit</i>
Rackheath	A1151 Wroxham Road From a point 47 metres north-east of its junction with the NDR classified road to a point 265 metres north-east of the centreline of its junction with the U57143 Stonehouse Road.	50 miles per hour
Rackheath and Great and Little Plumstead	C874 Norwich Road/ Plumstead Road From a point 198 metres north-east of the centreline of its junction with the C258 Broad Lane south-westward to a point 62 metres south-west of the centreline of its junction with the new Plumstead Road Link Road (including the entire area of the roundabout).	40 miles per hour
	Plumstead Road Link Road From its junction with the NDR classified road northwards to its junction with the C874 Plumstead Road.	40 miles per hour
Great and Little Plumstead	C442 Middle Road From a point 200 metres east of its junction with the U59278 Green Lane North eastwards to its junction with the C258 Church Road/U59392 Low Road.	30 miles per hour (unlit)
	U59392 Low Road From a point 140 metres west of its junction with the C258 Church Road westwards to its western most end on the east side of the NDR classified road.	40 miles per hour
	U59400 Smee Lane From its junction with the C258 Church Lane westwards to its western most end on the east side of the NDR classified road.	40 miles per hour
	U59400 Smee Lane	40 miles per hour

<i>(1)</i> <i>Parish</i>	<i>(2)</i> <i>Road name, number and length</i>	<i>(3)</i> <i>Speed Limit</i>
	From its junction with the C380 Broadland Way eastwards for a distance of 190 metres.	
	U59284 Toad Lane From its junction with the C442 Middle Road northwards for a distance of 245 metres.	30 miles per hour
Rackheath and Salhouse	C283 Salhouse Road From a point 40 metres northeast of its junction with the NDR classified road north-eastwards to a point 470 metres north-east of the centreline of its junction with the U51493 Eva Road.	30 miles per hour (partly lit)
Postwick with Witton	A1194 Broadland Gate Link From its junction with the C829 Broadland Way eastwards for its entire length (including the entire area of the Broadland Gate and Business Park Roundabouts).	40 miles per hour
	A1270 Business Park Link From its junction with the A1194 Broadland Gate Link southwards for its entire length (including the Postwick North East Roundabout).	40 miles per hour
	A1270 Business Park Link (segregated left turn lane) From its junction with the A1270 Business Park Link main carriageway south-westwards for a distance of 112 metres (to the boundary with the Trunk Road).	40 miles per hour
	New Postwick Bridge From its junction with the A1042 Yarmouth Road north-eastwards for its entire length (including the entire area of the Postwick Park and Ride signalised junction).	40 miles per hour

<i>(1)</i> <i>Parish</i>	<i>(2)</i> <i>Road name, number and length</i>	<i>(3)</i> <i>Speed Limit</i>
	<p>A1042 Yarmouth Road</p> <p>From a point 95 metres east of the centreline of its junction with the U59329 Oaks Lane westwards and north-westwards to its junction with the A1042 Postwick North West roundabout (including the Postwick North West roundabout).</p>	40 miles per hour
	<p>A1042 Yarmouth Road</p> <p>From its junction with the Postwick North West roundabout westwards to a point 7 metres west of the centreline of its junction with the UP93 Griffin Lane</p>	40 miles per hour
	<p>U59329 Oaks Lane</p> <p>From its junction with the A1042 Yarmouth Road southwards for a distance of 30 metres.</p>	40 miles per hour
	<p>Stub Arm off Broadland Gate Roundabout</p> <p>From its junction with the A1194 Broadland Gate Link southwards for its entire length.</p>	40 miles per hour
	<p>A1270 Norwich Northern Distributor Road</p> <p>From its junction with the A1194 Broadland Gate Link north-westwards for a distance of 175 metres.</p>	40 miles per hour
	<p>A47 Southern Bypass Trunk Road Postwick Eastbound Diverge Slip Road</p> <p>From its junction with the proposed Postwick North East Roundabout westwards for a distance of 96 metres.</p>	40 miles per hour
	<p>A47 Southern Bypass Trunk Road Postwick Eastbound Diverge Slip Road (segregated</p>	40 miles per hour

<i>(1)</i> <i>Parish</i>	<i>(2)</i> <i>Road name, number and length</i>	<i>(3)</i> <i>Speed Limit</i>
	left turn lane) From a point 96 metres west of its junction with the Postwick North East Roundabout north-eastwards for a distance of 191 metres.	
	A47 Southern Bypass Trunk Road (Postwick westbound merge slip road) From its junction with the A1042 Yarmouth Road westwards for a distance of 80 metres.	40 miles per hour

PART 2

TRAFFIC REGULATION MEASURES

<i>(1)</i> <i>Parish</i>	<i>(2)</i> <i>Road name, number and length</i>	<i>(3)</i> <i>Measure</i>
Attlebridge, Taverham, Drayton, Horsford, Horsham St Faith and Newton St Faith, Spixworth, Beeston St Andrew, Sprowston, Rackheath, Great and Little Plumstead and Postwick with Witton	NDR classified road From its junction with the A1067 Fakenham Road eastwards and southwards to its junction with the A1194 Broadland Gate Link/Business Park Link (for its entire length including the entire area of roundabout junctions and slip roads), excluding the western side of the northbound lay-by from a point 232 metres north of the U59400 Smee Lane (in the Parish of Great and Little Plumstead) northwards for a distance of 120 metres and the eastern side of the southbound lay-by from a point 248 metres north of its junction with the U59400 Smee Lane northwards for a distance of 107 metres.	Carriageway and verge clearway
Horsford, Horsham St Faith and Newton St Faith	A140 Holt Road/Cromer Road From a point 68 metres south-	Carriageway and verge clearway

<i>(1)</i> <i>Parish</i>	<i>(2)</i> <i>Road name, number and length</i>	<i>(3)</i> <i>Measure</i>
	east of its junction with the NDR classified road merge slip road northwards for a distance of 440 metres (including all areas of roundabout junctions).	
Horsford	Drayton Lane Link Road (southern leg) From its junction with the NDR classified road southwards for a distance of 44 metres.	Carriageway and verge clearway
	Drayton Lane Link Road (northern leg) From its junction with the NDR classified road northwards for a distance of 41 metres.	Carriageway and verge clearway
Postwick with Witton	A1042 Yarmouth Road From its junction with the A47 Southern Bypass westwards and north-westwards to its junction with the A1042 Postwick North West Roundabout (including the entire area of the Oaks Lane Roundabout and the Park and Ride Signalised Junction).	Carriageway and verge clearway
	U59329 Oaks Lane From its junction with the A1042 Yarmouth Road southwards for a distance of 30 metres.	Carriageway and verge clearway
	A1194 Broadland Gate Link From its junction with the C829 Broadland Way eastwards for its entire length (including the entire area of the Business Park Roundabout).	Carriageway and verge clearway
	A1270 Business Park Link From its junction with the A1194 Broadland Gate Link southwards for its entire length (including the entire area of the Postwick North East Roundabout and the	Carriageway and verge clearway

<i>(1)</i> <i>Parish</i>	<i>(2)</i> <i>Road name, number and length</i>	<i>(3)</i> <i>Measure</i>
	segregated left turn lane).	
	A1270 New Postwick Bridge From its junction with the A1042 Yarmouth Road north-eastwards for its entire length (including the entire area of the Park and Ride signalised junction).	Carriageway and verge clearway
	Stub Arm off Broadland Gate Roundabout From its junction with the A1194 Broadland Gate Link southwards for its entire length.	Carriageway and verge clearway
	A47 Southern Bypass Trunk Road (Postwick eastbound diverge slip road) From its junction with the A47 southern bypass north-eastwards for its entire length (including the entire area of the Trunk Road segregated left turn lane).	Carriageway and verge clearway
	A47 Southern Bypass Trunk Road (Postwick westbound merge slip road) From its junction with the A1042 Yarmouth Road westwards for its entire length.	Carriageway and verge clearway
	A47 Southern Bypass Trunk Road (eastbound merge slip road) From its junction with the A1270 Business Park Link south-eastwards for its entire length.	Carriageway and verge clearway
Horsford	A140 Cromer Road / NDR classified road At a point where the NDR classified road westbound diverge slip road meets the A140 Cromer Road southern roundabout.	Prohibition of entry

<i>(1)</i> <i>Parish</i>	<i>(2)</i> <i>Road name, number and length</i>	<i>(3)</i> <i>Measure</i>
	<p>A140 Cromer Road / NDR classified road</p> <p>At a point where the NDR classified road eastbound diverge slip road meets the A140 Cromer Road northern roundabout.</p>	Prohibition of entry
Postwick with Witton	<p>A1270 Business Park Link/ A47 Southern Bypass</p> <p>At a point where the A47 Southern Bypass eastbound diverge slip road meets the A1270 Postwick North East roundabout.</p>	Prohibition of entry
Crostwick	<p>C249 Rackheath Lane</p> <p>From its junction with the B1150 North Walsham Road eastwards for a distance of 12 metres.</p>	Prohibition of motor vehicles
Rackheath	<p>C258 Green Lane West</p> <p>From its junction with the A1151 south-eastwards for a distance of 12 metres.</p>	Prohibition of motor vehicles
Great and Little Plumstead	<p>C258 Broad Lane</p> <p>From its junction with the C874 Norwich Road north-westwards for a distance of 4 metres.</p>	Prohibition of motor vehicles
Postwick with Witton	<p>U99800 Postwick Park and Ride western entry</p> <p>From its junction with the A1042 Yarmouth Road southwards for a distance of 5 metres.</p>	Prohibition of motor vehicles (except buses)

PART 3
SPEED LIMIT REVOCATIONS AND VARIATIONS

<i>(1)</i> <i>Parish</i>	<i>(2)</i> <i>Road name, number and length</i>	<i>(3)</i> <i>Title of Order</i>
Taverham	C262 Fir Covert Road From its junction with the A1067 Fakenham Road to its junction with the C261 Reepham Road.	The Norfolk County Council (Taverham, C262 Fir Covert Road) (40 mph Speed Limit) Order 2002. (3081)
Horsford and Drayton	C261 Reepham Road From a point 75 metres north-west of the centreline of its junction with the U57388 Drayton Wood Road north-westwards to a point 168 metres north-west of the centreline of its junction with the U51248 Drewray Drive a distance of 3953 metres.	The Norfolk County Council (Horsford and Drayton, Reepham Road) (50 mph Speed Limit) Order 2003. (3368)
Horsford	B1149 Holt Road From a point 63 metres south-east of the centreline of its junction with Drayton Lane north-westwards to a point 25 metres north-west of the centreline of its junction with the U57634 Olive Crescent.	The Norfolk County Council (Horsford, Holt Road, Drayton Lane and Church Street) (30 mph Speed Limit) Order 2011. (4664)
	C282 Drayton Lane From its junction with the B1149 Holt Road westwards for a distance of 144 metres.	The Norfolk County Council (Horsford, Holt Road, Drayton Lane and Church Street) (30 mph Speed Limit) Order 2011. (4664)
Spixworth	C246 Buxton Road From a point 30 metres south of the centreline of its junction with the U51200 Arthurton Road northwards to a point 325 metres north of the centreline of its junction with the C250 Church Lane.	The Norfolk County Council (Spixworth, Buxton Road and Church Lane) (30 mph Speed Limit) Order 2007. (4105)
Spixworth and Old Catton	C246 Buxton Road/Spixworth Road From a point 30 metres south	The Norfolk County (Spixworth, Old Catton and Sprowston) (30 mph and 40 mph Speed Limits) Order

<i>(1)</i> <i>Parish</i>	<i>(2)</i> <i>Road name, number and length</i>	<i>(3)</i> <i>Title of Order</i>
	of its junction with the U51200 Arthurton Road to a point 91 metres north of its junction with The Paddocks.	1999. (2641)
Rackheath	A1151 Wroxham Road From a point 400 metres northeast of the centreline of its junction with the U57617 Chenery Drive north-eastwards to a point 265 metres north-east of the centreline of its junction with the U57143 Stonehouse Road.	The Norfolk County (Sprowston and Rackheath, A1151 Wroxham Road) (30 mph and 50 mph Speed Limits) Order 2003. (3277)
Rackheath and Great and Little Plumstead	C874 Norwich Road/ Plumstead Road From a point 100 metres south-west of the centreline of its junction with the C258 Broad Lane north-eastwards for a distance of 300 metres.	The Norfolk County (Rackheath and Great and Little Plumstead) (40 mph Speed Limit) Order 2011. (4663)
Great and Little Plumstead	C442 Middle Road From a point 128 metres west of the centre of its junction with the C258 Church Road for a distance of 175 metres in a westerly direction.	The Norfolk County (Great and Little Plumstead) (30 mph Speed Limit) Order 1996. (2067)
	U59392 Low Road From a point 138 metres west of its junction with the Church Road (C258) for its entire length.	The Norfolk County (Great and Little Plumstead) (40 mph Speed Limit) Order 2007. (4236)
	U59400 Smee Lane For its entire length	The Norfolk County (Great and Little Plumstead) (40 mph Speed Limit) Order 2007. (4236)
Rackheath and Salhouse	C283 Salhouse Road From a point 100 metres south-west of its junction with the C258 Green Lane East north-eastwards to a point 470 metres northeast of its junction with the U51493 Eva Road.	The Norfolk County Council (Rackheath, Salhouse Road (No. 2)) (30 mph Speed Limit) Order 2005 (3848)
Postwick with Witton and Thorpe St. Andrew	A47 (eastbound slip road leaving the A47)	The Norfolk County (Postwick and Thorpe St. Andrew, A1042 Yarmouth Road) (40

<i>(1)</i> <i>Parish</i>	<i>(2)</i> <i>Road name, number and length</i>	<i>(3)</i> <i>Title of Order</i>
	From its junction with the A1042 flyover northern roundabout for a distance of 60 metres in a southerly direction.	mph Speed Limit) Order 1999. (2589)
	A1042 Yarmouth Road From a point 87 metres east of its junction with the A1042 flyover southern roundabout to a point 7 metres west of the centreline of Griffin Lane.	The Norfolk County (Postwick and Thorpe St. Andrew, A1042 Yarmouth Road) (40 mph Speed Limit) Order 1999. (2589)
	The carriageway forming the northern arm of the A1042 flyover northern roundabout From its junction with the A1042 flyover northern roundabout to the roundabout junction located approximately 360 metres to the north The roundabout junction located approximately 360 metres north of the A1042 flyover northern roundabout.	The Norfolk County (Postwick and Thorpe St. Andrew, A1042 Yarmouth Road) (40 mph Speed Limit) Order 1999. (2589)
	A1042 Yarmouth Road – north east side From a point 18 metres south-east of the A1042 northern flyover roundabout in a south easterly direction for 160 metres.	The Norfolk County (Postwick and Thorpe St. Andrew, A1042) (Cycle Lane) Order 1999. (2552)
	A1042 Yarmouth Road – north east side From a point 13 metres south-east of the A1042 northern flyover roundabout in a south easterly direction for 165 metres.	The Norfolk County (Postwick and Thorpe St. Andrew, A1042) (Cycle Lane) Order 1999. (2552)

PART 4
WEIGHT LIMIT VARIATIONS

<i>(1)</i> <i>Parish</i>	<i>(2)</i> <i>Road name, number and length</i>	<i>(3)</i> <i>Title of Order</i>	<i>(4)</i> <i>Variation</i>
Spixworth and Crosthewick	U57188 Quaker Lane For its entire length	The Norfolk County Council (Horsham St Faiths and Newton St Faiths, Hainford, Frettenham, Spixworth, Old Catton and Horstead with Stanninghall) (7.5T Weight Restriction) Order 2006. (4042)	U57188 Quaker Lane From its junction with the C246 Buxton Road westwards to its western end where it meets the northern side of the NDR classified road.
Spixworth and Crosthewick and Old Catton	C251 St Faiths Road From its junction with the U57188 Quaker Lane to its junction with the U57057 Lodge Lane	The Norfolk County Council (Horsham St Faiths and Newton St Faiths, Hainford, Frettenham, Spixworth, Old Catton and Horstead with Stanninghall) (7.5T Weight Restriction) Order 2006. (4042)	C251 St Faiths Road From its junction with the U57057 Lodge Lane northwards to its northern most end where it meets the southern side of the NDR classified road.
Great and Little Plumstead	U59392 Low Road For its entire length	The Norfolk County Council (Thorpe St Andrew, Great and Little Plumstead, Postwick with Witton, Blofield, Hemblington, Woodbastwick, Lingwood and Burlingham and South Walsham) (7.5T Weight Restriction) Order 2007 (4208)	U59392 Low Road From its junction with the C258 Church Road westwards to its western most end where it meets the eastern side of the NDR classified road. U59392 Low Road From its junction with the U59278 Green Lane North eastwards to its eastern most end, where it meets the western side of the NDR classified road.
	U59400 Smea Lane For its entire length	The Norfolk County Council (Thorpe St Andrew, Great and Little Plumstead, Postwick with Witton, Blofield, Hemblington,	U59400 Smea Lane From its junction with the C258 Church Road westwards to its western most end where it meets the

<i>(1)</i> <i>Parish</i>	<i>(2)</i> <i>Road name, number and length</i>	<i>(3)</i> <i>Title of Order</i>	<i>(4)</i> <i>Variation</i>
		Woodbastwick, Lingwood and Burlingham and South Walsham) (7.5T Weight Restriction) Order 2007 (4208)	eastern side of the NDR classified road. U59400 Smea Lane From its junction with the C830 Broadland Way eastwards to its eastern most end, where it meets the western side of the NDR classified road.

SCHEDULE 15

Article 36

TREES SUBJECT TO TREE PRESERVATION ORDERS

<i>(1)Type of tree</i>	<i>(2)Work number in which trees are situated</i>
Trees within the area marked "W1" in the Broadland District Tree Preservation Order 1991 No. 10	Work No. 15

EXPLANATORY NOTE

(This note is not part of the Order)

This Order authorises Norfolk County Council (referred to in this Order as the undertaker) to construct and operate a new, predominantly dual carriageway road starting at Fakenham Road (A1067) and ending at the A47 Trunk Road and to carry out associated works. The Order would permit the undertaker to acquire, compulsorily or by agreement, land and rights in land and to use land for this purpose. The Order also makes provision in connection with the maintenance of the authorised development.

A copy of the Order plans and the book of reference mentioned in this Order and certified in accordance with article 41 (certification of plans etc.) may be inspected free of charge during working hours at County Hall, Martineau Lane, Norwich, Norfolk, NR1 2DH.

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