

## **Procedural Decision**

### **Planning Act 2008 (as amended)**

#### **Application to make changes to the A14 Cambridge to Huntingdon Improvement Scheme**

**Ref: TR010018**

**Date: 26 September 2015**

## **1. BACKGROUND**

- 1.1 On 10 September 2015 the applicant submitted a request for a further 31 proposed changes to be made to the A14 Cambridge to Huntingdon Improvement Scheme (REP9-006).
- 1.2 In its request, the applicant states that the changes have come about for several reasons: firstly; as a result of discussions during the Compulsory Acquisition hearings held on 1-3 September 2015 and requests made by those with an interest in the land affected by the scheme, for the extent of the land proposed to be acquired to be reduced. Requests have ranged from individual submissions to generalised submissions on a scheme wide basis from representative bodies including the National Farmers Union and A14 Agents Association. Secondly; as a result of ongoing discussion with statutory bodies such as the Environment Agency and National Grid Gas; and thirdly; due to the applicants ongoing development and refinement of the scheme proposals resulting in refinement of land take and the removal of land that is not required.

## **2. THE CHANGES**

- 2.1 The details of the proposed changes are summarised in Table 2.1 of REP9-006. This indicates that 19 changes would result in a reduction in the land required for the scheme; seven changes would have no effect upon the amount of land required and six would require additional land within the Order limits. The ExA notes that one change, DR1.90 falls into two categories; reducing the overall extent of the land acquisition proposed, but requiring the acquisition of an additional plot of land in order to do so.

### **Proposed changes not requiring additional land**

- 2.2 The ExA notes the applicant's explanation of why the proposed changes not requiring additional land have come about. These reasons include:
  - As a result of representations and ongoing consultation with affected persons;
  - As a result of representations and ongoing consultation with statutory bodies;

- As a result of ongoing detailed design and ecological survey work; and
- As a result of ongoing detailed design and ecological survey work leading to a reduction in landtake.

### **Proposed changes requiring additional land**

- 2.3 The applicant states that these proposed changes have arisen as a result of representations and ongoing consultation with statutory bodies.
- 2.4 Four of the proposed changes were submitted previously to the ExA at REP7-034, but are resubmitted having been revised further by the applicant. These are DR1.20b rev A; DR1.20c rev A; DR1.20d rev A; DR1.20e rev A and relate to alteration of the route for a diversion of National Grid Gas.
- 2.5 DR1.102 the applicant states, has arisen following discussions with Anglian Water also in relation to route diversion.

### **Consultation**

- 2.6 In assessing the materiality of the changes proposed it is noted that the applicant at section 1.4 sets out its reasoning and conclusion in relation to the Wheatcroft principle.

### **Consideration of Materiality of Changes**

- 2.7 In considering this request, the ExA has read and had regard to Guidance for the Examination of applications for development consent paragraphs 109 to paragraph 115 and generally Advice Note 16 issued by the Planning Inspectorate in July 2015 relating to Requesting Changes particularly having regard to paragraph 2.1 and 2.3.

## **3. DECISION ON MATERIALITY**

### **Proposed changes not requiring additional land**

- 3.1 The ExA is satisfied that the 19 changes do not require additional land. Having regard to paragraph 2.7 above it is also satisfied that the changes that have been made are not considered to be material changes to the application and can be accepted as part of the examination.

### **Proposed changes requiring additional land**

- 3.2 The proposed changes here will require additional land which is outside the DCO limits but is contiguous with land which is already within the DCO limits. The applicant has indicated that it has engaged with those affected seeking consent to the changes.

## **Compulsory Acquisition**

3.4 Whilst it is noted that no new affected parties are involved, so far as compulsory acquisition is concerned, further information is awaited from the applicant in relation to the provisions of Regulation 4 of the Infrastructure Planning (Compulsory Acquisition) 2010 Regulations (the CA Regs) since there is now insufficient time before the close of the Examination on 13 November 2015 for the requirements of Regulations 5 to 19 of the CA Regs to be met within the timetable.

## **4. CONCLUSIONS**

4.1 The applicant's reasoning with regard to its approach to the Wheatcroft principle is accepted.

4.2 The proposed changes not requiring additional land are accepted as non-material changes and can be accepted as part of the examination

4.3 With regard to proposed changes requiring additional land we await further information from the applicant.

*Frances Fernandes*

**Frances Fernandes**  
**Lead Member of the Panel of Examining Inspectors**