

Procedural Decision

Planning Act 2008 (as amended)

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

Ref: TR010018

Date: 22 October 2015

1. BACKGROUND

1.1 On 19 August (REP7-034) and 10 September (REP9-006) the applicant submitted requests for a number of proposed changes to be made to the A14 Cambridge to Huntingdon Improvement Scheme. The ExA considered these requests and decided to accept all of the applicants proposed changes as non-material in its procedural decisions PD-013 and PD-014, in those cases which either:

- i) did not involve additional land; or
- ii) where additional land was sought, landowner consent had been obtained and evidence of that consent had been demonstrated.

1.2 Where additional land had been sought and landowner consent had not been obtained or written evidence had not been provided of that agreement to the ExA, the ExA's view as set out in PD-013 and PD-014 was that it was not in a position to consider the proposed changes or make a procedural decision.

1.3 The applicant provided on 28 September (REP10-047) a summary of the above changes and three further changes – DR1.103, DR1.104 and DR1.105.

2. THE REMAINING PROPOSED CHANGES REQUIRING ADDITIONAL LAND

2.1 At Deadline 11 (REP11-009) and Deadline 12 (REP12-005), the applicant confirmed that consent had subsequently been secured in relation to those remaining proposed changes requiring additional land, from all affected persons with interests in the proposed additional land, providing evidence of that agreement.

2.2 The changes which fell into this category as summarised in Table 2.1 of REP9-006, are:

DR1.17	DR1.20e	DR1.40a	DR.104
DR1.18	DR1.21	DR.90	DR.105

2.3 The change DR1.103 does not require compulsory acquisition, as it is for temporary possession; therefore, no additional consents are required from landowners.

- 2.4 The ExA notes the applicant's explanation of why the proposed changes have come about. These reasons included:
- as a result of representations and ongoing consultation with affected persons;
 - as a result of representations and ongoing consultation with statutory bodies (including in particular National Grid Gas); and
 - as a result of ongoing detailed design and ecological survey work.
- 2.5 In assessing the materiality of the changes proposed, the ExA notes the applicants reasoning and conclusion in relation to the Wheatcroft principle set out in (REP7-034) and (REP9-006).
- 2.6 The ExA has also read and had regard to Guidance for the Examination of Applications for development consent, paragraphs 109 to 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

- 3.1 The proposed changes 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 provided evidence that it has secured the agreement of those affected, to the proposed changes.

Compulsory Acquisition

- 3.2 So far as compulsory acquisition is concerned, we have now received further information from the applicant confirming the consent of those affected to the changes set out at paragraph 2.2 above had been obtained.

4. CONCLUSIONS

- 4.1 The applicant's reasoning with regard to the Wheatcroft principle is accepted.
- 4.2 The proposed changes are accepted as non-material changes and are accepted as part of the examination.

Frances Fernandes

Frances Fernandes
Lead Member of the Panel of Examining Inspectors