

**A19 / A184 Testo's Junction Improvement
TR010020
3.5 Document explaining changes made to
the Draft Development Consent Order
submitted at Deadline 3**

Planning Act 2008



Volume 3
January 2018

Infrastructure Planning

Planning Act 2008

**A19 / A184 TESTO'S JUNCTION
IMPROVEMENT**

**The A19 / A184 (Testo's Junction Improvement)
Development Consent Order 201[]**

**DOCUMENT EXPLAINING THE CHANGES MADE TO THE DRAFT
DEVELOPMENT CONSENT ORDER SUBMITTED FOR DEADLINE 3**

Regulation Number:	N/A
Planning Inspectorate Scheme Reference	TR010020
Application Document Reference	TR010020/APP/3.5
Author:	A19 Project Team, Highways England & Jacobs

Version	Date	Status of Version
Rev 0	January 2018	Submitted for Examination Deadline 3

Page Left Intentionally Blank

A19 TESTO'S JUNCTION IMPROVEMENT SCHEME

EXPLANATION OF CHANGES MADE TO DRAFT DEVELOPMENT CONSENT ORDER (dDCO) AT DEADLINE 3

Relevant change to dDCO at Deadline 3	Rationale
<p>Article 2(7) – insertion of the following provision:</p> <p><i>“The provisions of the Neighbourhood Planning Act 2017, insofar as they relate to temporary possession of land under articles 29 and 30 of this Order, do not apply in relation to the construction of any work or the carrying out of any operation required for the purpose of, or in connection with, the construction of the authorised development and, within the maintenance period defined in article 30(11), any maintenance of any part of the authorised development.”</i></p>	<p>The provisions of the Neighbourhood Planning Act 2017 (the 2017 Act) have not yet commenced and the regulations required to be made under them in respect of temporary possession have not been made, with no known date for implementation. The Applicant considers it appropriate to apply the existing temporary possession regime which has been included in numerous DCOs including most recently the M20 Junction 10A Order 2017 which was made following the passing of the 2017 Act. These provisions have been the basis of the consultation with landowners and statutory undertakers. Accordingly, this provision makes clear that the 2017 Act does not apply, and avoids any uncertainty concerning the future coming-in-force of the 2017 Act. It is noted that a provision equivalent to this has been included in the draft Silvertown Tunnel development consent order.</p>
<p>Requirement 1, Schedule 2 – this requirement now defines Manual of Contract Documents for Highway Works as <i>“the document of that name published electronically by the strategic highway authorities for England, Scotland, Wales and Northern Ireland, or any equivalent replacement published for that document.”</i></p>	<p>The Manual of Contract Documents for Highway Works is a live document and the definition ensures that the most recent version or a replacement document is the relevant document for the purposes of Requirement 12.</p>
<p>Requirement 4, Schedule 2 – insertion of overnight traffic management measures as an exception to Requirement 4(2)(c).</p>	<p>This ensures that overnight traffic management measures, a typical aspect of highway construction works and essential in reducing the impact on the strategic road network, are exempted from the usual working hour restrictions in Requirement 4(2)(c).</p>

<p>Schedule 7 – further details are now provided in respect of purposes for which temporary possession is to be taken.</p>	<p>As discussed at the Compulsory Acquisition Hearing, Article 29 of the dDCO, inter alia, allows “blue land” as shown on the Land Plans (document reference TR010020/APP/2.3) to be used for temporary construction purposes when carrying out the authorised development (i.e., it is also “green land” for the purposes of the Land Plans if a “blue land” layer was to be “peeled away”). Schedule 7 has been amended to assist the lay reader in better understanding how and where this operates by providing further details in respect of these activities.</p>
--	--