

**A19 / A184 Testo's Junction Improvement
TR010020
3.6 Document explaining changes made to
the Draft Development Consent Order
submitted at Deadline 5**

Planning Act 2008



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**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 5**

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A19 TESTO'S JUNCTION IMPROVEMENT SCHEME

EXPLANATION OF CHANGES MADE TO DRAFT DEVELOPMENT CONSENT ORDER (dDCO) AT DEADLINE 5

Relevant change to dDCO at Deadline 5	Rationale
<p>Article 6 "...except that these maximum limits of vertical deviation do not apply where it is demonstrated by the undertaker to the Secretary of State's satisfaction and the Secretary of State, following consultation with the relevant planning authority, certifies accordingly that a deviation in excess of these limits would not give rise to any materially new or materially worse adverse environmental effects from <u>in comparison with</u> those reported in the environmental statement."</p>	<p>Drafting amended to be consistent with equivalent drafting in requirements 3 and 8.</p>
<p>Article 7 (2) Paragraph (1) does not apply to the works for which the consent is granted by this Order for the express benefit of owners and occupiers of land, statutory undertakers and other persons affected by the authorised development.</p>	<p>Wording deleted for clarity as it is considered that the deleted word is unnecessary.</p>
<p>Schedule 1 Work No.30 — The construction of a drainage attenuation pond adjacent to the northbound on-slip (Work No.28) <u>discharging into the existing highway drainage network,</u> and a new private means of access, as shown between points 2/27 on Sheet 2 and 3/1 on Sheet 3 of the Streets, Rights of Way and Access Plans including excavations, embankments, cuttings and fencing.</p>	<p>Wording included to make it clear where Attenuation Pond 2 (Work No.30) will discharge.</p>
<p>Schedule 1 Work No.31 – <u>The main site compound to include, but not limited to, site offices, welfare facilities, parking provisions, storage of plant and materials, and the treatment of site generated waste.</u></p>	<p>Work added to include the main site compound as a numbered work. This has been included as a numbered work in light of its proposed shared use with the construction of the proposed Downhill Lane Junction scheme. The inclusion of the main site as a numbered work is a departure from Highways England DCO precedent but is considered appropriate in this instance.</p>

<p>Requirement 1</p> <p>“HEMP” means the handover environmental management plan;</p>	<p>Operative provisions in relation to the HEMP now set out in requirement 4. Requirement 1 now simply defines “HEMP”.</p>
<p>Requirement 1</p> <p>“the Manual of Contract Documents for Highway Works” means the document of that name published electronically by <u>or on behalf of</u> the strategic highway authority ies for England, Scotland, Wales and Northern Ireland or any equivalent replacement published for that document;</p>	<p>Wording deleted to cover the scenario whereby the strategic highway authority for countries other than England might cease to agree or publish the manual.</p>
<p>Requirement 4(2)(c)</p> <p><u>(vi) cases of emergency;</u></p>	<p>Whilst the Applicant considers it already has statutory powers to undertake routine highway network operation and maintenance activities, which would potentially include addressing cases of emergency (e.g. the need to control a pollution source), the wording has been added to make the categories set out in Requirement 4(2)(c) sufficiently clear to those referring to Schedule 2 to determine where there may be an exception to standard working hours.</p>
<p>Requirement 4(4)-(5)</p> <p>(4) A HEMP must to be developed and completed by the end of the construction, commissioning and handover stage of the authorised development, <u>in accordance with the process set out in the approved CEMP.</u></p> <p>(5) <u>The HEMP must address the matters set out in the approved CEMP that are relevant to the operation and maintenance of the authorised development, and must contain—</u></p> <p>(a) the environmental information needed for the future maintenance and operation of the authorised development;</p> <p>(b) the long-term commitments to aftercare, monitoring and maintenance activities relating to the environmental features and mitigation measures that will be required to ensure the continued long-term effectiveness of the environmental mitigation measures and the prevention of unexpected</p>	<p>Operative elements concerning the preparation of the HEMP are now included in requirement 4, with an appropriate amendment to the heading of the requirement also made.</p> <p>In addition to replicating the text removed from requirement 1, requirement 4(4)-(5) now also:</p> <ul style="list-style-type: none"> • provides that the HEMP must be prepared in accordance with the process set out in the approved CEMP; and • provides that the HEMP must address the matters set out in the approved CEMP that are relevant to the operation and maintenance of the authorised development.

<p>environmental impacts during the operation of the authorised development; and</p> <p>(c) a record of the consents, commitments and permissions resulting from liaison with statutory bodies.</p>	
<p>Requirement 12</p> <p>The following wording has been added:</p> <p>“...in accordance with <u>Volume 1, Series 0300 of the Manual of Contract Documents for Highways Works...</u>”</p>	<p>This wording has been added to provide a more precise citation to the particular part(s) of the manual that are intended to be referred to.</p>
<p>Requirement 13(2)(c)</p> <p>“ the application is accompanied by a report <u>from a body required to be consulted by the undertaker under the requirement</u> that considers it likely that the subject matter of the application would give rise to any materially new or materially worse environmental effects <u>in comparison</u> with those reported in the environmental statement”</p>	<p>Wording has been added to make it clear that the report referred to is one that will have been prepared by a third party rather than the applicant – i.e. the relevant planning authority or other consultee prescribed under the requirement in question, following any consultation required under that requirement.</p> <p>The final change is to ensure consistency of wording with requirements 3 and 8.</p>