8.78 Addendum to the Proposed Non-Material Changes to the Application

TR010021

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## Addendum to the Proposed Non-Material Changes to the Application

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<table>
<thead>
<tr>
<th>Rev.</th>
<th>Date</th>
<th>Approved By</th>
<th>Signature</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>03/02/2017</td>
<td>David Rowe (TfL Lead Sponsor)</td>
<td></td>
<td>For submission to examination</td>
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</table>
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1. INTRODUCTION TO THIS ADDENDUM

1.1 Purpose of this Addendum

1.1.1 This Addendum relates to a report submitted by Transport for London (‘the Applicant’) to the Secretary of State for Communities and Local Government, via the Planning Inspectorate, on 12 January 2017, entitled ‘Proposed Non-Material Changes to the Application’ (‘the NMC Application’) [AS-046].

1.1.2 The NMC Application, together with a related covering letter from the Applicant, [AS-045] is a request to the Examining Authority (appointed by the Planning Inspectorate) to consider and accept a number of non-material changes (‘NMCs’) proposed to be made to the Applicant’s application for development consent (‘the Application’) for the Silvertown Tunnel scheme (‘the Scheme’).

1.1.3 The NMC Application sets out four proposed changes to the Scheme (namely NMC1: Brenntag Accommodation Works; NMC2: Removal of Head Houses; NMC3: Alternative Edmund Halley Way Diversion; and NMC5: Decked Car Park) and includes a chapter dedicated to each NMC. This Addendum to the NMC Application sets out one further proposed non-material change to the Scheme – NMC6: Birch Sites Access.

1.2 Scope of this Addendum

1.2.1 This Addendum to the NMC Application presents NMC6: Birch Sites Access. The format of the Addendum follows the same format adopted in each chapter of the NMC Application.

1.2.2 Accordingly, this Addendum explains the nature of NMC6 and the reason why it is proposed, and includes extracts from ‘before’ and ‘after’ sketches based on supporting plans and drawings (full versions of which are included in the appendix to this Addendum), to show how the Scheme would differ as a result of the change proposed in NMC6. Full size sketches and drawings, from which the ‘before’ and ‘after’ extracts are taken, form part of this Addendum and can be found in the Appendices to it.

1.2.3 The Addendum also includes a summary of the findings of the environmental appraisal carried out in respect of NMC6.

1.2.4 In addition, the Addendum contains a ‘schedule of engagement’, identifying the persons with an interest in the land that would be affected by NMC6, and the persons with whom the Applicant has engaged in respect of NMC6.
1.2.5 The Addendum also includes a ‘schedule of consequential amendments’, listing the original Application documents (or parts thereof) which would need to be amended by the Applicant should the Examining Authority accept NMC6 as part of the Application and therefore for inclusion in the examination of the Application.

1.2.6 The Applicant’s objective in compiling this Addendum has been twofold:

- to increase public awareness of NMC6 (alongside the other four NMCs set out in the NMC Application), providing any Affected Persons or Interested Parties with sufficient information to enable them to comment and make representations on NMC6, should they wish to do so; and

- to provide the Examining Authority with sufficient information to enable it to make a decision on whether or not NMC6 may be accepted as a non-material change and therefore accepted for inclusion in the examination of the Application.

1.3 Non-materiality of NMC6

1.3.1 Following careful consideration, the Applicant has concluded that NMC6 is not material in nature – whether considered separately, or cumulatively with proposed NMCs 1, 2, 3 and 5 – NMC6 would not result in a change to the underlying Scheme to which the Application relates. NMC6 is localised in its effect and does not change either the substance of the Scheme for which development consent is sought, or the effect of the Scheme on the local community.

1.3.2 For the reasons set out in this Addendum, NMC6 does not make a material difference to the original access arrangements for land adjoining Millennium Way, which were originally proposed and consulted on prior to the submission of the Application to the Secretary of State for Communities and Local Government, via the Planning Inspectorate.

1.3.3 In environmental terms, NMC6 has been reviewed and tested and has not been found to present any new or materially worse likely significant environmental effects beyond those assessed and reported on in the Environmental Statement [APP-031].

1.4 Engagement and consultation on NMC6

1.4.1 The need for NMC6 has arisen out of the Applicant’s ongoing engagement with Birch Sites Limited and Southern Gas Networks and is proposed in order to satisfy these parties’ stated needs.
1.4.2 The Applicant is including NMC6 in the publicity arrangements requested by the Examinining Authority, as set out in its letter to the Applicant dated 1 February 2017 and published on 2 February 2017 on the Planning Inspectorate's website [PINS reference not yet allocated].

1.4.3 The purpose of this publicity is to ensure that the local populace and those with an interest in surrounding land and property will have an opportunity to consider NMC6 both separately and in the wider context of all the proposed NMCs, and to consider the cumulative consequences of all the proposed NMCs taken together. The Applicant appreciates that the need for such publicity arises from the application of the Wheatcroft principle\(^1\), and that its purpose is to ensure that no person who should have been consulted on the changed development is deprived of an opportunity to be so consulted.

1.4.4 The Addendum includes a ‘schedule of engagement’ (at Table 2 below), identifying how the Applicant has engaged with parties that hold an interest in the plots affected by NMC6, or in plots in the vicinity of the plots affected by NMC6. However, the wider publicity being carried out in response to the Examinining Authority’s above-mentioned request will provide an opportunity for persons in addition to and beyond those identified in the schedule of engagement to consider NMC6 (and the other proposed non-material changes) and to submit representations, should they wish to.

1.4.5 NMC6 would be contained entirely within the Order limits of the Development Consent Order (‘DCO’) and would not require any additional land, either in terms of land beyond the Order limits or in terms of the definition of ‘additional land’ in Regulations 2 and 4 of the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 (‘the CA Regulations’). Accordingly, the Applicant does not consider that NMC6 would cause the CA Regulations to be engaged.

1.5 **Appendices**

1.5.1 The Appendices to this Addendum contain the full A3 versions of the sketches and Application plans/drawings from which the ‘before’ and ‘after’ extracts are taken. These comprise:

- Appendix NMC6 – Birch Sites Access

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2. NON-MATERIAL CHANGE 6 (NMC6) – “BIRCH SITES ACCESS”

2.1 Background to the Change

2.1.1 The Applicant is proposing the construction of a direct vehicular access from Millennium Way onto land owned by Birch Sites Limited (‘Birch Sites’), for the benefit of Birch Sites.

2.1.2 This proposed change comes as a result of continued engagement, following the DCO application, with Southern Gas Networks (‘SGN’) and Birch Sites. Currently, these parties share an access route from Millennium Way into their adjoining sites which both lie to the south-west of Millennium Way. The existing shared private means of access (‘PMA’) is shown as PMA Ref ‘a’ on Sheet 1 of the Rights of Way and Access Plans [APP-009] and is identified in Part 3 of Schedule 3 to the draft DCO (‘dDCO’) [REP3-003].

2.1.3 The Applicant proposed to stop up and relocate this shared access (PMA Ref ‘a’) as part of the DCO application (with the replacement access shown as PMA Ref ‘2’ on Sheet 1 of the Rights of Way and Access Plans and also identified in Part 3 of Schedule 3 to the dDCO).

2.1.4 However, during the Applicant’s on-going diligent engagement with Birch Sites and SGN, it has become apparent that these two parties want separate accesses to their respective sites rather than to share proposed PMA Ref 2 in the future. Accordingly, through NMC6, the Applicant is proposing to include in the DCO application provision to enable it to construct, by way of accommodation works, a new PMA off Millennium Way onto Birch Sites’ land, for the exclusive use of Birch Sites (plot nos. 01-076, 01-077, 01-092, 02-010, 02-011, 02-015, 02-017, 02-017a, 02-023, 02-025, 02-088, 02-089 on Land Plans Sheets 1 and 2 of 7). Access to SGN’s adjoining site would continue to be provided via new PMA Ref. 2, as previously proposed in the Application, the only difference being that this would not be a shared access as originally envisaged, but rather a PMA for the exclusive use of SGN.

2.2 Description of the Change

2.2.1 The location of the proposed new PMA is shown on the sketch included in Appendix NMC6.1, an extract of which is shown below at Figure 1. It is proposed that the new PMA would consist of a kerbed bell mouth with bituminous surfacing, suitable for use by motorised vehicles.
2.2.2 The proposed access would operate as a left-in/left-out arrangement, as it connects directly to the northbound carriageway of the Millennium Way dual carriageway.

2.2.3 The proposed accommodation works required to construct this new access would involve site clearance, pavement construction, surfacing and fencing, to be undertaken on plots [02-015, 02-017, 02-018, 02-018a, 02-023 and 02-089]. It is proposed that, should NMC6 be accepted, reference to these accommodation works would be added to the reasons why these plots are required to be subject to powers of temporary possession, as set out in Schedule 7 to the dDCO.

2.2.4 As described above, this change has arisen as a consequence of extensive engagement with SGN and Birch Sites. The Schedule of Engagement below explains how the Applicant has engaged with the other parties that hold an interest in the affected plots.

2.2.5 As described above, NMC6 would require minor changes to Sheet 1 of the Rights of Way and Access Plans (i.e. the addition of a new PMA). It would also require minor changes to Schedule 7 to the dDCO [REP3-003] and Appendix A to the Statement of Reasons [REP1-099], in terms of explaining the purposes for which the relevant land is required (i.e. for the construction of a new PMA for Birch Sites’ land). These amendments to the Application documentation are summarised in the schedule of consequential amendments set out in Table 3 below.

2.3 Summary of Environmental Appraisal

2.3.1 The proposed change, NMC6, has been reviewed and tested, as summarised in Table 1 below, in order to identify any potential likely significant effects that would be new or materially worse than those assessed in the Silvertown Tunnel Environmental Statement [PINS document reference APP-031].
Table 1 Likely Environmental Effects of NMC6

<table>
<thead>
<tr>
<th>ES Chapter Number</th>
<th>PINS Reference</th>
<th>ES Chapter Heading</th>
<th>Likely effect of the change</th>
<th>Material change/ Non-material change/ No change</th>
</tr>
</thead>
<tbody>
<tr>
<td>6</td>
<td>AS-022</td>
<td>Air Quality</td>
<td>The proposed change would only be relevant during the construction of the Scheme and is located within the existing Order Limits. There would be a negligible change in traffic movements including HGVs associated with this NMC. Dust impacts during construction (including from these HGV movements) will be controlled through measures in the Code of Construction Practice ('CoCP') (REP2-027). On this basis, it can be concluded that the findings of Chapter 6 of the ES (AS-022) remain as reported.</td>
<td>No change.</td>
</tr>
<tr>
<td>7</td>
<td>APP-031</td>
<td>Community and Private Assets</td>
<td>The proposed change is likely to result in minor beneficial effects in relation to private assets as it would ensure exclusive access/egress to Birch Sites’ land is provided via the new PMA. Whilst this provides some benefits for this particular landowner, it is considered that the scale of the proposed change is such that this will not make a material difference to the conclusions of the ES (APP-031).</td>
<td>Non-material change.</td>
</tr>
<tr>
<td>8</td>
<td>REP1-101</td>
<td>Cultural Heritage and Archaeology</td>
<td>The proposed change is within the Order Limits and study area as assessed in Chapter 8 of the ES (REP1-101). If unknown archaeological remains of national importance are identified during any works associated with the Scheme, (including the works to facilitate this change (if accepted by the Examining Authority)) appropriate procedures are in place for the identification and treatment of such assets as set out in the CoCP (REP2-027), resulting in a Neutral significance of effect. On this basis, the findings of Chapter 8 of the ES (REP1-101) remain as reported.</td>
<td>No change.</td>
</tr>
</tbody>
</table>
### Terrestrial Ecology

The proposed change is within the Order Limits and an assessment of the study area is presented in Chapter 9 of the ES (APP-031). Any vegetation removal undertaken as part of the accommodation works will be subject to the controls in the CoCP. On this basis, the findings of Chapter 9 of the ES (APP-031) remain as reported.

No change.

### Marine Ecology

There would be no impact on the marine environment as a result of the proposed change. The works do not interact with the River Thames and would not affect the number of barge movements associated with the Scheme. On this basis, the findings of Chapter 10 of the ES (REP1-103) remain as reported.

No change.

### Effects on all Travellers

None of the traffic flows within the vicinity of Birch Sites' land would be affected by the proposed change, as the proposed PMA remains directly connected to Millennium Way. On this basis, the findings of Chapter 11 of the ES (APP-031) remain as reported.

No change.

### Geology, Soils and Hydrogeology

The proposed change is within the Order Limits and an assessment of the study area is presented in Chapter 12 of the ES (REP1-105). The CoCP (REP2-027) includes measures to avoid and limit any potentially adverse contamination impacts arising from the Scheme (including the works to facilitate this change (if accepted by the Examining Authority)). On this basis, the findings of Chapter 12 of the ES (REP1-105) remain as reported.

No change.

### Material Resources and Waste

The proposed change would slightly increase the amount of materials required for the Scheme due to the proposed accommodation works, however in the context of the construction of the Scheme the volumes... Non-material change.
would be insignificant and as such this will not make a material difference to the conclusions of the ES (APP-031).

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<tr>
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<tbody>
<tr>
<td>14</td>
<td>APP-031</td>
<td>Noise and Vibration</td>
</tr>
<tr>
<td></td>
<td></td>
<td>There would be a negligible change in traffic movements, including HGVs, associated with the proposed accommodation works. Operational changes to traffic flows will not change as a result of the accommodation works as the proposed change will replace an existing access route; therefore it is not anticipated to generate any more vehicular movements to and from the Birch Sites. On this basis, the findings of Chapter 14 of the ES (APP-031) remain as reported.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>No change.</td>
</tr>
<tr>
<td>15</td>
<td>APP-031</td>
<td>Townscape and Visual Amenity</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Given the nature and scale of the proposed change and the fact that the proposed accommodation works are within the Order Limits, it is not anticipated that the provision of the PMA at the proposed location will result in significant impacts to the townscape character and visual amenity. On this basis, the findings of Chapter 15 of the ES (APP-031) remain as reported.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>No change.</td>
</tr>
<tr>
<td>16</td>
<td>REP1-109</td>
<td>Surface Water and Flood Risk</td>
</tr>
<tr>
<td></td>
<td></td>
<td>The proposed change would result in a small area of additional impervious surface area; however this would not result in a significant change in drainage requirements. Furthermore, the CoCP includes measures to avoid and limit potentially adverse pollution impacts arising from impervious surface areas. On this basis, it can be concluded that the proposed works make no material difference to the assessment in the ES (REP1-109).</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Non-material change.</td>
</tr>
<tr>
<td>17</td>
<td>APP-031</td>
<td>Cumulative and Synergistic Effects</td>
</tr>
<tr>
<td></td>
<td></td>
<td>The nature and scale of the proposed change are such that it is unlikely that it would have any cumulative or synergistic effects not already assessed in chapter 17 of the ES.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>No change</td>
</tr>
</tbody>
</table>
2.3.2 In summary, it is considered that NMC6 would be unlikely to result in any new or materially worse likely significant environmental effects beyond those assessed and reported in the Environmental Statement.
2.4 Before and After Extracts

Figure 1: ‘Before’ and ‘After’ extracts from Sketch based on Rights of Way and Access Plans (DCO Document 2.6, PINS Ref. APP-009), included in Appendix NMC6.1, Ref STWTN-ATK-GEN-XXXX-SK-Z-0295, simplified for clarity.
### 2.5 Schedule of engagement

2.5.1 Schedule of engagement, identified on the basis of the location of the proposed access shown in the illustration of NMC6 on Land Plans (DCO Document 2.3, PINS Ref. App-006, Sheet 2), included in Appendix NMC6.2, Ref. ST150030-MCO-ZZZ-ZZ-DRG-XS-0059.

#### Table 2: NMC6 Schedule of Engagement

<table>
<thead>
<tr>
<th>Party</th>
<th>Plots in the vicinity of NMC6</th>
<th>Book of Reference (DCO Document Ref. 4.3/AS-002) Category</th>
<th>Engagement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Birch Sites Limited</td>
<td>02-015, 02-017, 02-089</td>
<td>Part 1 Category 1</td>
<td>Consulted</td>
</tr>
<tr>
<td>BT Group plc</td>
<td>02-015, 02-018, 02-018a</td>
<td>Part 1 Category 2</td>
<td>Advised</td>
</tr>
<tr>
<td>GLA Land and Property Limited</td>
<td>02-018, 02-018a</td>
<td>Part 1 Category 1</td>
<td>Advised</td>
</tr>
<tr>
<td>GTC Pipelines Limited</td>
<td>02-018, 02-018a</td>
<td>Part 1 Category 2</td>
<td>Advised</td>
</tr>
<tr>
<td>Knight Dragon Developments Limited</td>
<td>02-018, 02-018a</td>
<td>Part 1 Category 2</td>
<td>Advised</td>
</tr>
<tr>
<td>London Underground Limited</td>
<td>02-018, 02-018a</td>
<td>Part 1 Category 2</td>
<td>Advised</td>
</tr>
<tr>
<td>National Grid Gas plc</td>
<td>02-018, 02-018a</td>
<td>Part 1 Category 2</td>
<td>Advised</td>
</tr>
<tr>
<td>Royal Borough of Greenwich</td>
<td>02-018, 02-018a</td>
<td>Part 1 Category 1</td>
<td>Consulted</td>
</tr>
<tr>
<td>Southern Gas Networks plc</td>
<td>02-017, 02-018, 02-018a, 02-089</td>
<td>Part 1 Category 2</td>
<td>Consulted</td>
</tr>
<tr>
<td>Thames Water Utilities Limited</td>
<td>02-018, 02-018a</td>
<td>Part 1 Category 2</td>
<td>Advised</td>
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<tr>
<td>UK Power Networks (Operations) Limited</td>
<td>02-015, 02-018, 02-018a</td>
<td>Part 1 Category 2</td>
<td>Advised</td>
</tr>
<tr>
<td>Virgin Media Limited</td>
<td>02-018, 02-018a</td>
<td>Part 1 Category 2</td>
<td>Advised</td>
</tr>
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### 2.6 Schedule of consequential amendments to Application documents

**Table 3: NMC6 Schedule of Consequential Amendments to Application Documents**

<table>
<thead>
<tr>
<th>Application Document Ref.</th>
<th>PINS Document Ref.</th>
<th>Application Document Name and (where relevant) Sheet Number</th>
<th>Current Version</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.6</td>
<td>APP-009</td>
<td>Rights of Way and Access Plans Sheet 1</td>
<td>0</td>
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<tr>
<td>3.1</td>
<td>REP3-003</td>
<td>dDCO Schedule 7</td>
<td>3</td>
</tr>
<tr>
<td>4.1</td>
<td>REP1-099</td>
<td>Statement of Reasons Appendix A</td>
<td>1</td>
</tr>
</tbody>
</table>
3. CONCLUSION

3.1 Request for proposed NMC6

3.1.1 As explained above, this Addendum relates to the NMC Application and is a request for the Examining Authority to consider and accept a further non-material change which is proposed to be made to the Application for development consent for the Scheme. This Addendum supports the submission of, and request for the acceptance of, NMC6 and its inclusion in the on-going examination of the Application.

3.2 Reason for requesting NMC6

3.2.1 As explained above, since the Application was submitted to the Secretary of State for Communities and Local Government via the Planning Inspectorate in May 2016, on-going and diligent negotiations between the Applicant and Birch Sites and SGN have led to the identification of the need for a further NMC – NMC6 as presented in this Addendum.

3.3 Nature of proposed NMC6

3.3.1 NMC6 comprises accommodation works to construct a new private means of access off the public highway (Millennium Way) into adjoining land which is owned by Birch Sites Limited.

3.4 Engagement with affected/interested parties

3.4.1 The Applicant has engaged with affected/interested parties in relation to NMC6 as set out in the ‘schedule of engagement’ above. NMC6 is also included in the Applicant’s wider publicity arrangements, as requested by the Examining Authority in its letter to the Applicant dated 1 February 2017 and published on 2 February 2017 [PINS reference not yet allocated]. All affected parties / potentially interested parties will have an opportunity to comment and submit representations on NMC6, as well as NMCs 1, 2, 3 and 5.

3.5 Environmental appraisal of NMC6

3.5.1 NMC6 has been reviewed and tested in the context of each environmental topic previously assessed in the Silvertown Tunnel Environmental Statement [APP-031] in order to identify any potential likely significant effects that would be new or materially worse than those assessed previously.

3.5.2 Having carried out the appraisal, the Applicant has concluded that the change would be unlikely to result in any materially worse or new likely
significant environmental effects beyond those assessed and reported in the Environmental Statement.

3.6 Non-materiality of NMC6

3.6.1 Following careful consideration, the Applicant has concluded that NMC6 is not material in nature – whether considered separately, or cumulatively with proposed NMCs 1, 2, 3 and 5 – NMC6 would not result in a change to the underlying Scheme to which the Application relates.

3.6.2 NMC6 is localised in its effect and does not change either the substance of the Scheme for which development consent is sought, or the effect of the Scheme on the local community.

3.6.3 In environmental terms, NMC6 has been reviewed and tested and has not been found to present any new or materially worse likely significant environmental effects beyond those assessed and reported on in the Environmental Statement [APP-031].

3.6.4 For the reasons set out in this Addendum, the Applicant considers that NMC6 does not make a material difference to the access arrangements for land adjoining Millennium Way, which were originally proposed and consulted on prior to the submission of the Application to the Secretary of State for Communities and Local Government, via the Planning Inspectorate.

3.6.5 Accordingly, the Applicant concludes that, if accepted by the Examining Authority, NMC6 would be a non-material change to the Application.
APPENDIX NMC6. “BIRCH SITES ACCESS”
SUPPORTING DOCUMENTS

NMC6.1 NMC6 BEFORE AND AFTER SKETCH, REF. STWTN-ATK-GEN-XXXX-SK-Z-0295, BASED ON RIGHTS OF WAY AND ACCESS PLANS
(DCO DOCUMENT 2.6, PINS REF. APP-009) ST150030-PLN-ZZZ-ZZ-DSD-0097
NMC6.2  NMC6 ILLUSTRATION, REF ST150030-MCO-ZZZ-ZZ-DRG-XS-0059,
BASED ON LAND PLANS (DCO DOCUMENT 2.3, PINS REF. APP-006)
ST150030-PLN-ZZZ-ZZ-DSD-ZZ-0094
Land Use and Plot Boundary

Permanent acquisition of land
Acquisition of permanent rights over land
Temporary possession of land
Land required for protective works

1. These Land Plans should be read in conjunction with other plans and documents in the relevant planning process, where an opportunity to consider the impact of development exists.

2. All assessments, values and public rights are proposed to be subject to the land to be considered under material objections.

3. The use of these plans is for administrative purposes only and does not constitute approval of any development. The plans are not intended to be used as a basis for any legal proceedings.

4. All plans and related documents are subject to revision and approval by the relevant authority.

5. The plans are subject to the conditions of the Development Consent Order and any relevant legal agreements, including the terms of any site agreement.

6. The plans are subject to the conditions of the Development Consent Order and any relevant legal agreements, including the terms of any site agreement.

7. The plans are subject to the conditions of the Development Consent Order and any relevant legal agreements, including the terms of any site agreement.

8. The plans are subject to the conditions of the Development Consent Order and any relevant legal agreements, including the terms of any site agreement.

9. The plans are subject to the conditions of the Development Consent Order and any relevant legal agreements, including the terms of any site agreement.

10. The plans are subject to the conditions of the Development Consent Order and any relevant legal agreements, including the terms of any site agreement.

11. The plans are subject to the conditions of the Development Consent Order and any relevant legal agreements, including the terms of any site agreement.

12. The plans are subject to the conditions of the Development Consent Order and any relevant legal agreements, including the terms of any site agreement.

13. The plans are subject to the conditions of the Development Consent Order and any relevant legal agreements, including the terms of any site agreement.

14. The plans are subject to the conditions of the Development Consent Order and any relevant legal agreements, including the terms of any site agreement.

15. The plans are subject to the conditions of the Development Consent Order and any relevant legal agreements, including the terms of any site agreement.

16. The plans are subject to the conditions of the Development Consent Order and any relevant legal agreements, including the terms of any site agreement.

17. The plans are subject to the conditions of the Development Consent Order and any relevant legal agreements, including the terms of any site agreement.

18. The plans are subject to the conditions of the Development Consent Order and any relevant legal agreements, including the terms of any site agreement.

19. The plans are subject to the conditions of the Development Consent Order and any relevant legal agreements, including the terms of any site agreement.

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