

**A30 Chiverton to Carland Cross
TR010026**

**8.9 RESPONSE TO HEARING ACTION
POINTS - ISH 2 ON DRAFT DCO**

Volume 8

April 2019

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1 Introduction

1.1 Purpose of this document

- 1.1.1 This document sets out the Highways England (the Applicant) response to the Hearing Action Points arising from the Issue Specific Hearing 2 on the draft Development Consent Order for the A30 Chiverton to Carland Cross scheme, which took place at the Old Bakery Studios in Truro at 10am on Wednesday 3 April 2019.

1.2 Structure of this document

- 1.2.1 Each chapter of this document provides a response to a Hearing Action Point. Where necessary, this response may include information that is provided in an appendix to this document or which has been submitted to the Examining Authority (ExA) separately.
- 1.2.2 Any of the Action Points which were directed solely at another Interested Party have not been included in this document, as no response or comment by Highways England is required.

2 Action Point 1

Hearing Action Point 1: Update on relevant matters including potential timescales if request to be made for amendment to the application

2.1 Highways England Response

- 2.1.1 The responses to Action Points 1 and 2 in this document form a request for non-material amendments to the scheme. A description of individual changes and the reasons for them is given below. In general, amendments to the scheme have occurred as a result of ongoing engagement with interested parties, or in response to matters raised in written submissions from interested parties and/or submissions made by interested parties at hearings.
- 2.1.2 Highways England is of the view that the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 (the Regulations) are not engaged in relation to any of the amendments described below. The reasons for this are set out below.
- 2.1.3 As per Regulation 4, the Regulations apply where it is proposed to include in a DCO a provision authorising the compulsory acquisition of additional land and a person with an interest in the additional land does not consent. “Additional land” means land which it is proposed shall be subject to compulsory acquisition and which was not identified in the Book of Reference submitted with the application as land (Regulation 2).
- 2.1.4 “Land” is defined by reference to section 159 of the Planning Act 2008, which states that “land includes any interest in or right over land”. Therefore, land would only be “additional land” if it had not been identified in the Book of Reference as being subject to compulsory acquisition of either land or rights over land.
- 2.1.5 Given that the plots which are affected by the requested changes are all already identified in the **Book of Reference** (Document Reference 4.3(A)) [AS-034] as being subject to compulsory acquisition, they do not constitute “additional land” and so the Regulations do not apply.
- 2.1.6 An explanation for why Highways England considers that the amendments are non-material is given in response to Action Point 2 in this document.

Everything Everywhere (“EE”) Telecommunications Mast

- 2.1.7 The DCO application requires the demolition of an existing telecommunications mast at Nanteague Farm. Highways England received no response to statutory consultation from the affected party EE (C/O Arqiva). Following submission, Highways England and EE continued to engage regarding the effect of the scheme on the mast. This resulted in EE requesting the relocation of the mast to be included in the DCO and proposed a new location on 28 February 2019.
- 2.1.8 The proposed new location is approximately 60 metres south east of the current location. The requested amendment does not require any new land beyond the Order limits and does not affect any new parties.
- 2.1.9 The current location of the mast is within plot 5/2k, which is subject to permanent acquisition. A new plot 5/2m has been created within the existing plot 5/2j to accommodate the relocation of the mast. Both plots 5/2j and 5/2m are subject to the acquisition of permanent rights. EE would access the relocated mast on plot 5/2m from the proposed Private Means of Access shown as Reference 7 and

Reference 27 on Sheet 4 of the **Rights of Way and Access Plans** (Document Reference 2.5(C)). Rights for EE to access the new plot 5/2m have been added to plots 5/2j, 5/2g, 4/10f, 4/10t, and 4/10r.

- 2.1.10 All of these plots are currently included in the **Book of Reference** (Document Reference 4.3(A)) [AS-034] as being subject to permanent acquisition or the acquisition of permanent rights.
- 2.1.11 All parties with an interest in the affected plots were notified of the proposal to make changes to the application documents to give effect to the relocation of the mast in a letter sent on 27 March 2019, which invited them to provide comments on the proposed changes to Highways England by Monday 22 April 2019. A copy of this letter is attached at **Appendix A**. No objections to the changes have been received.
- 2.1.12 This amendment does not require any new land beyond the Order limits and does not affect any new parties. The amendment does not require any amendment to the powers of compulsory acquisition that are being sought, other than the addition of a right to plots that are already subject to the acquisition of rights. As noted above Highways England is of the view that the Regulations are not engaged in relation to the proposed amendment. The net result of the proposed changes is to provide equivalent property rights for the mast to that which are currently enjoyed, in favour of the same freehold owner.
- 2.1.13 Table 1 below shows the documents that have been updated to show the requested amendment at Deadline 3, or that are proposed to be updated at a later Deadline:

Table 1 Requested amendments to relevant documents for EE Mast

Document Reference	Document name	Description of amendment to the document
2.2(B)	Land Plans, Sheet 5	A new plot 5/2m has been added.
2.4(C)	Works Plans, Sheet 4	Labels for Work No's 6(i) and 6(j) have been added. Work No.6(i) relates to the demolition of the existing mast and the construction of the new mast and 6(j) relates to the new Private Means of Access for the mast.
2.5(C)	Rights of Way and Access Plans, Sheet 4	Reference 27 has been added to show the 2 metre private means of access to the relocated mast.
2.6(A)	General Arrangement and Section Plans, Sheet 4	The location of the relocated mast has been added to the plan and annotated.
3.1(D)	Draft Development Consent Order	Article 10 (consent to transfer benefit of order) has been amended to include EE in relation to Work No. 6(i). SCHEDULE 1 Work No. 6(i) has been added: <i>"the demolition of an existing telecommunications mast and the construction of a new telecommunications mast"</i> . Work No. 6(j) has been added: <i>"the construction of a new private means of access to a telecommunications mast"</i> .

		<p>SCHEDULE 4 PART 4</p> <p>Reference 27 has been added and states: <i>“A new private access to a telecommunications mast for a length of 2m”</i>.</p> <p>SCHEDULE 5</p> <p>A new right has been added to plots 4/10f, 4/10r, 4/10t, 5/2g and 5/2j: <i>“New right of access with or without vehicles plant and machinery for the benefit of Everything Everywhere Limited”</i>.</p> <p>A new plot 5/2m has been added which will be subject to the acquisition of a permanent right: <i>“New right to construct, operate, protect, inspect and maintain a telecommunications mast including a right of access with or without vehicles plant and machinery for the benefit of Everything Everywhere Limited”</i>.</p>
4.1(B)	Statement of Reasons Appendix A	<p>Plot 5/2m has been added to Table 2 to describe the need for the new plot.</p> <p>A description of the rights for EE to access the new plot 5/2m have been added to plots 5/2j, 5/2g, 4/10f, 4/10t, and 4/10r in Table 2.</p>
4.3(A)	Book of Reference	Plot 5/2m will be added to the Book of Reference when an updated version of the document is provided at Deadline 5
6.3 Figure 7.6	Environmental Masterplans, Sheet 9	This will be updated for Deadline 4 to show the location of the relocated mast.

Scottish Power Renewables (SPR)

- 2.1.14 The application for the DCO included access arrangements for the SPR wind farm at Carland Cross. SPR raised concerns at statutory consultation and during engagement up to the submission of the DCO application regarding the proposed access arrangements for the wind farm. Following submission, Highways England has continued to engage with SPR to resolve the technical matters and enter into a private legal agreement.
- 2.1.15 Following these extensive discussions, technical matters have been resolved between Highways England and SPR. This amendment is requested to change the proposed access arrangements at Carland Cross wind farm in order to give effect to the technical matters that have been agreed with SPR.
- 2.1.16 The requested amendments comprise:
- The addition of a private access lane for wind farm abnormal load vehicles only, to the south of the realigned existing A30 to join into the northern roundabout of Carland Cross as shown on Sheet 8 of the **General Arrangement and Section Plans** (Document Reference 2.6(A)).
 - The addition of a private access lane across the northern roundabout of Carland Cross junction for wind farm abnormal load vehicles only, as shown on Sheet 8 of the **General Arrangement and Section Plans** (Document Reference 2.6(A)).
 - Minor changes to the horizontal and vertical alignment of access lanes to the wind farm to improve access for abnormal load vehicles, shown as

References 21, 22, 23, and 29 on the **Rights of Way and Access Plans** (Document Reference 2.5(C)).

2.1.17 The amendments do not require any new land beyond the Order limits and do not affect any new parties. The amendments do not require any change to the type of compulsory acquisition being sought. Highways England is of the view that the Regulations are therefore not engaged in relation to the requested amendment.

2.1.18 Table 2 below shows the documents that have been updated to show the requested amendment at Deadline 3, or that are proposed to be updated at a later Deadline:

Table 2 Requested amendments to relevant documents for SPR

Document Reference	Document name	Description of amendment to the document
2.4(C)	Works Plans, Sheet 8	An additional label for Work No. 5(a) has been added to indicate the access only lane across the northern roundabout of Carland Cross. A label to show Work No. 5(p) has been added.
2.5(C)	Rights of Way and Access Plans, Sheet 8	Reference 29 has been added to denote the additional private means of access as described in Schedule 4 of the draft DCO (Document Reference 3.1(D)).
2.6(A)	General Arrangement and Section Plans, Sheet 4	The access lanes to the wind farm have been amended. The access only lane on the northern roundabout at Carland Cross has been added.
3.1(D)	Draft Development Consent Order	SCHEDULE 1 Work 5(a) has been amended to state: <i>“a new roundabout north of the main carriageway of the new A30 including track for overrun area”</i> . Work No. 5(p) has been added and states: <i>“the construction of a new private means of access to Newlyn Downs / Trewithen Estate”</i> . SCHEDULE 4 PART 4 Reference 29 has been added and states: <i>“A new private access to Newlyn Downs / Trewithen Estate to the north of the existing Carland Cross roundabout for a length of 10 metres”</i> .
6.3 Figure 7.6	Environmental Masterplans, Sheet 18 and Sheet 19	This will be updated for Deadline 4 to show that the access lanes to the wind farm have been amended and the access only lane on the northern roundabout at Carland Cross has been added.

Pennycomequick

2.1.19 Highways England met with the Harvey Family, residents of Pennycomequick, on 20 March 2019 to discuss the Highways England comments on the Relevant Representation [REP1-004] and Written Representation [REP2-020] submitted by the Harvey Family. As a result of this meeting, Highways England proposes to make amendments to the compulsory acquisition of the land owned by the Harvey Family, and to the provision of measures on Sheet 15 of the Environmental Statement **Environmental Masterplans** (Document Reference 6.3) [APP-195] (this will be updated at Deadline 4). The requested amendments relate to the Pennycomequick residence and the adjacent field, referred to as the wildflower meadow.

2.1.20 The requested amendments comprise:

- Change to the compulsory acquisition of land from the wildflower meadow and the stream in the ownership of the Harvey Family from permanent acquisition to acquisition of permanent rights.
- Change to the compulsory acquisition of land from the Pennycomequick residence from permanent acquisition to acquisition of permanent rights.
- Provision of a replacement access to the wildflower meadow.

2.1.21 These amendments do not require any new land beyond the Order limits and do not affect any new parties. These amendments amount to a reduction in the extent of compulsory acquisition powers being sought. Highways England is therefore of the view that the Regulations are not engaged in relation to the proposed amendments.

2.1.22 Table 3 below shows the documents that have been updated to show the requested amendment at Deadline 3, or that are proposed to be updated at a later Deadline:

Table 3 Requested amendments to relevant documents for Pennycomequick

Document Reference	Document name	Description of amendment to the document
2.2(B)	Land Plans, Sheet 8	New plots 8/2h, 8/2j, 8/2k have been added to show the land requested to be changed to acquisition of permanent rights. Plots 8/2c; 8/2d; 8/2e; 8/2f have been changed from permanent acquisition to temporary acquisition. Plot 8/2g has been removed from the plans as it is no longer required due to the changes to the proposed acquisition.
2.4(C)	Works Plans, Sheet 6	A label for Work No. 11(h) has been added to show the location of the private means of access to the wildflower meadow.
2.5(C)	Rights of Way and Access Plans, Sheet 6	Reference 28 has been added to show the location of the private means of access to the wildflower meadow.
2.6(A)	General Arrangement and Section Plans, Sheet 6	The access to the wildflower meadow has been added.
3.1(D)	Draft Development Consent Order	SCHEDULE 1 Work No. 11(h) has been added and states: " <i>the construction of a new private means of access to field east of Pennycomequick</i> ". SCHEDULE 4 PART 4 Reference 28 has been added and states: " <i>A new private access to the field south of the A30(T) to the east of Pennycomequick for a length of 7 metres</i> ". SCHEDULE 5 Plot 8/2c has been added and states: " <i>New right to construct, use, protect, inspect and maintain drainage attenuation pond no. 14, associated drainage facilities, access and landscaping</i> ".

		Plots 8/2h, 8/2j and 8/2k have been added and state: “ <i>New right to construct, use, protect, inspect and maintain landscaping</i> ”.
4.1(B)	Statement of Reasons	New plots 8/2h, 8/2j, 8/2k have been added to Table 2 to describe the reason for the acquisition of the land requested to be changed to temporary acquisition with permanent rights. Plots 8/2c; 8/2d; 8/2e; 8/2f have been added to Table 2 to describe the reason for the acquisition of the land requested to be changed to temporary acquisition with permanent rights. Plot 8/2g has been removed from Appendix A as it is no longer required.
4.3(A)	Book of Reference	New plots 8/2h, 8/2j, 8/2k will be added to the Book of Reference when an updated version of the document is provided at Deadline 5. Plot 8/2g will be removed from the Book of Reference when an updated version of the document is provided at Deadline 5.
6.3 Figure 7.6	Environmental Masterplans, Sheet 15	This will be updated for Deadline 4 to remove the woodland planting from the wildflower meadow.

A39 Bridleway crossing

- 2.1.23 It was identified at the Issue Specific Hearing for walking, cycling and horse riding on 4 April 2019 that that the existing footway/cycleway to and from the crossing of the A39 would need to be re-designated as a bridleway, including the crossing of the A39. In response to this, Highways England has made a requested amendment for the re-designation of the footway/cycleway as a bridleway by extending the proposed Reference UU (PR14) bridleway. This request includes additional holding areas for horses on either side of the existing crossing, and within the existing refuge island.
- 2.1.24 The amendment does not require any new land beyond the Order limits and does not affect any new parties. The amendment does not require any amendment to the type of compulsory acquisition being sought. Highways England is of the view that the Regulations are not engaged in relation to the proposed amendment.
- 2.1.25 Table 4 below shows the documents that have been updated to show the requested amendment at Deadline 3, or that are proposed to be updated at a later Deadline:

Table 4 Requested amendments to relevant documents for the A39 bridleway

Document Reference	Document name	Description of amendment to the document
2.4(C)	Works Plans, Sheet 8	A label for Work No. 5(l) has been added to show the location of the extended bridleway.
2.5(C)	Rights of Way and Access Plans, Sheet 6	The bridleway denoted as Reference UU has been extended and amended to include refuges for horse riders.
2.6(A)	General Arrangement and Section Plans, Sheet 6	A label has been added to denote location of bridleway and crossing of the A39.

3.1(D)	Draft Development Consent Order	<p>SCHEDULE 1 Work No. 5(l) has been amended to explicitly refer to the provision of equine refuges.</p> <p>SCHEDULE 3, PART 8 Reference UU (PR14) has been amended to state the length of the bridleway as 486 metres.</p> <p>SCHEDULE 4, PART 2 Reference UU (PR14) has been amended to state the length of the bridleway as 486 metres and to make explicit reference to the provision of equine refuges.</p>
6.3 Figure 7.6	Environmental Masterplans, Sheet 19	This will be updated for Deadline 4 to show the extended bridleway.
6.4(A) Appendix 16.1	Outline CEMP Annexes, Annex M	Figure 3-4 has been updated to show the extended bridleway.

3 Action Point 2

Hearing Action Point 2: If and when amendment to application requested clarification and justification as to whether this is a material or non-material amendment.

3.1 Highways England Response

3.1.1 Highways England considers that all amendments which have been requested are non-material, and that when considered cumulatively the amendments do not amount to a material amendment. This is justified for the reasons below:

- All amendments are within the existing Order limits.
- All amendments are considered 'de minimis' in planning terms.
- None of the amendments result in a significant change to the engineering design of the main carriageway which has been assessed as part of the Environmental Statement (Volume 6 of the application).
- None of the amendments give rise to any new or different likely significant environmental effects than have been assessed as part of the Environmental Statement (Volume 6).
- The Regulations are not engaged in relation to any of the amendments.
- The amendments do not, either individually or cumulatively, amount to 'substantial' changes to the scheme, as referred to in PINS Advice Note 16.

3.1.2 All amendments have been made in response to matters raised in written submissions to the ExA and/or discussed at hearings during the Examination. All amendments are in response to requests from landowners or other interested parties. The amendments are being requested in order to reduce the effects of the scheme on landowners or other interested parties following due consideration by Highways England.

3.1.3 Each requested amendment is considered below.

EE Telecommunications Mast

3.1.4 It is considered that the relocation of the EE telecommunications mast, which is within the existing Order limits on land which is proposed for oak-rich woodland planting, would not give rise to any new or significantly worse effects from those presented in the Environmental Statement. The proposed change has been assessed by the author of the relevant chapter of the Environmental Statement.

Landscape

3.1.5 It is considered that the new location for the mast would not change the results of the assessment of landscape and visual effects as reported in Chapter 7 Landscape of the Environmental Statement (Volume 6).

3.1.6 The addition of the EE telecommunications mast could comprise an intrusive element in the landscape and in views, which would have potential effects on views from Marazanvose shown on View Point 12, Sheet 26 of Appendix 7.5 of the **Environmental Statement** (Document Reference 6.4) [APP-179]. The proposed location has been chosen to minimise the visual impact of the relocated mast by positioning it adjacent to the existing backdrop of trees which are to be retained. This would reduce the prominence of the mast in the landscape, particularly from View Point 12.

- 3.1.7 Given this, it is considered that the relocation of the mast would not give rise to any more significant adverse landscape or visual effects in addition to those already assessed in the LVIA.

Scottish Power Renewables

- 3.1.8 The requested amendments amount to a minor reconfiguration of the access proposals as submitted with the DCO application, and do not require any land outside the Order limits. Therefore, it is considered that the amended layout of the proposed access to the windfarm would not give rise to any new or significantly worse effects from those reported in the Environmental Statement (Volume 6).

Pennycomequick

- 3.1.9 The requested amendment relates to a minor amendment to the field access and landscaping proposals within the DCO application and does not affect any land that was previously unaffected or require any works outside Order limits. It is considered that the requested amendments would not give rise to any new or significantly worse effects from those reported in the Environmental Statement.
- 3.1.10 The proposed change has been assessed by the authors of the relevant chapters of the Environmental Statement.

Landscape

- 3.1.11 The proposed woodland to be removed is not required to screen any visual receptors and was put in place as a continuation of the line of trees opposite. In response to the request from the Harvey Family and following review of the baseline after revisiting site by the landscape chapter author, Highways England is able to accommodate the change.
- 3.1.12 As such, the removal of the proposed woodland planting from the existing meadow, to be shown on Sheet 15 of Figure 7.6 Environmental Masterplans, Environmental Statement (Document Reference 6.3) [APP-195] at Deadline 4, would not change the results of the assessment of landscape and visual effects as reported in **Chapter 7 Landscape** of the Environmental Statement (Document Reference 6.2) [APP-060].

Ecology

- 3.1.13 The landscape planting at Pennycomequick is referred to at paragraph 8.10.46 of Chapter 8 of the Environmental Statement (Document Reference 6.2) [APP-061]. It states that the landscape planting on Pennycomequick is proposed in order to dissuade bats from following their existing route on to the proposed emergency access lane, and instead use the new route through the proposed underpass.
- 3.1.14 Bats would use the proposed Cornish Hedge with vegetation to navigate Pennycomequick Lane from the existing A30. The proposed woodland to the south of Pennycomequick Lane and adjacent to the underpass would guide bats to use the desired route.
- 3.1.15 It is confirmed that the removal of woodland from the field meadow adjacent to Pennycomequick would not affect the navigation of bats and would not change the results of the assessment of ecology and nature conservation, as reported in **Chapter 8 Ecology and Nature Conservation** of the Environmental Statement (Document Reference 6.2) [APP-061].

A39 Bridleway crossing

- 3.1.16 The requested amendment requires a minor amendment to a section of existing footway and an existing crossing of the A39 and its the re-designation and extension of the proposed bridleway including equine refuges. This re-designation is to allow legal access for walkers, cyclists and horse riders. It is considered that the requested amendment nor the addition of equine refuges would not give rise to any new or significantly worse effects from those reported in the Environmental Statement.

4 Action Point 4

Hearing Action Point 4: Delivery of Outline CEMP

4.1 Highways England Response

4.1.1 An updated **Outline CEMP** (Document Reference 6.4(A)) has been submitted to the ExA at Deadline 3. This comprises two documents, the **Outline CEMP** and the **Outline CEMP Annexes**.

4.1.2 Within the Outline CEMP Annexes, the following changes and additions have been made:

- Update to Annex M: Public Rights of Way Management Plan
- Addition of Annex P: Outline Soil Management Plan
- Addition of Annex Q: Outline Landscape and Ecology Management Plan
- Addition of Annex R: Scheduled Monument Protection Plan

5 Action Point 5

Hearing Action Point 5: Delivery of outline soil management plan (early draft to NFU)

5.1 Highways England Response

- 5.1.1 **Annex P Outline Soil Management Plan** has been submitted to the ExA at Deadline 3 as a new annex within the updated **Outline CEMP Annexes** (Document Reference 6.4(A)).
- 5.1.2 A draft of Annex P Outline Soil Management Plan was shared with the National Farmers Union (NFU) on 9 April 2019. The Outline Soils Management Plan has been updated to reflect the comments provided by the NFU.

6 Action Point 7

Hearing Action Point 7: Update SoCG

6.1 Highways England Response

- 6.1.1 This action point requires an updated Statement of Common Ground with the NFU to be submitted by Deadline 4.
- 6.1.2 Highways England is progressing an update of the SoCG with NFU and will submit this at Deadline 4 in accordance with the Action Point.

7 Action Point 8

Hearing Action Point 8: Table of position in relation to statutory undertakers

7.1 Highways England Response

- 7.1.1 A **Table of Position in Relation to Statutory Undertakers** (Document Reference 8.14) has been submitted at Deadline 3. This will be updated at subsequent deadlines as necessary.

8 Action Point 9

Hearing Action Point 9: Copies of updated Land Plan Sheets as sheets 2, 8 & 9 (unchanged on additional submissions AS-006 - 012) are within APP-013, which is now incorrect

8.1 Highways England Response

- 8.1.1 An updated and complete set of **Land Plans** (Document Reference 2.2(B)) has been submitted at Deadline 3.

9 Action Point 11

Hearing Action Point 11: Chybucca junction position

9.1 Highways England Response

- 9.1.1 The deadline for this Action Point is Deadline 4. As such, Highways England will submit information relating to this Action Point at Deadline 4.

10 Action Point 12

Hearing Point 12: EE telecoms mast (5/2k) update

10.1 Highways England Response

10.1.1 This matter is answered in response to Action Point 1 and Action Point 2.

Appendix A Letter to landowners regarding EE mast relocation

Mr Vivian George



Josh Hodder
Highways England
Temple Quay House
2 The Square, Temple Quay
Bristol, BS1 6HA

27 March 2019

Dear Mr George,

THE A30 CHIVERTON TO CARLAND CROSS DEVELOPMENT CONSENT ORDER (DCO): RELOCATION OF EE MAST AT NANTEAGUE FARM

As you may be aware our application for the above named order was accepted by the Planning Inspectorate on 27 September 2018 and the examination of the application is currently underway.

We are proposing to make minor changes to the draft DCO and associated documents in order to remove the existing Everything Everywhere ("EE") mast and install a new mast at Nanteague Farm. We are seeking your comments as you have an interest in the land affected by the proposed changes.

It is proposed that the mast will be removed from its current location within Plot 5/2k to a new Plot 5/2m, to be created within existing Plot 5/2j. This is a distance of approximately 60 metres. Rights over new Plot 5/2m will be granted to EE to construct, use and maintain the relocated mast. Rights of access for EE are proposed to be added to plots 5/2g, 4/10t, 4/10r and 4/10f. We are seeking your comments on the proposed changes to these plots.

The proposed changes do not require any new land beyond the existing Order limits and do not require the compulsory acquisition of any land that is not already identified for compulsory acquisition.

Enclosed with this letter are the following documents which show the proposed changes:

- Draft DCO (Document Reference 3.1(C))
- Book of Reference (Document Reference 4.3(A))
- Statement of Reasons (Document Reference 4.1(A))
- Sheet 4 of the Works Plans (Document Reference 2.4(B))
- Sheets 4 and 5 of the Land Plans (Document Reference 2.2(A))
- Sheet 4 of the Rights of Way and Access Plans (Document Reference 2.5(A))

We are seeking your comments on the proposed changes to these documents. We intend to submit the updated documents to the examination at Deadline 3 on 24 April 2019, so would be grateful to receive any comments you may have by no later than **Monday 22 April** so that they can be taken into account.

The relocation of the mast has been assessed by the authors of the relevant topic specific chapters within the Environmental Statement, who consider that it would not give rise to any new or significantly worse effects from those presented in the Environmental Statement. Specifically, it is considered that the new location for the mast would not change the results of the assessment of landscape and visual effects as stated in **Chapter 7 Landscape** of the Environmental Statement (Document Reference 6.2).

Please get in touch if you have any queries about the proposed changes.

Yours faithfully,



Josh Hodder
Project Manager
A30 Chiverton to Carland Cross

Enc.

Draft DCO (Document Reference 3.1(C))
Book of Reference (Document Reference 4.3(A))
Statement of Reasons (Document Reference 4.1(A))
Sheet 4 of the Works Plans (Document Reference 2.4(B))
Sheets 4 and 5 of the Land Plans (Document Reference 2.2(A))
Sheet 4 of the Rights of Way and Access Plans (Document Reference 2.5(A))

Statement of Reasons - Table 2: Acquisition of Rights - by Plot Number

Land Plans Sheet Number	Plot Number	Work Number	Purpose for which the land is required
4	4/9	1cc	New right to construct, use, protect, inspect and maintain a new culvert and equipment for the benefit of Highways England Company Limited
4	4/9e	22	New right to construct, use, protect, inspect and maintain a new gas pipeline and equipment for the benefit of Wales and West Utilities Limited. New right to construct, use, protect, inspect and maintain a new culvert and equipment for the benefit of Highways England Company Limited
4	4/9f	22	New right to demolish existing structure New right to construct, use, protect, inspect and maintain a new gas pipeline and equipment for the benefit of Wales and West Utilities Limited
4	4/10	22	New right to construct, use, protect, inspect and maintain a new gas pipeline and equipment for the benefit of Wales and West Utilities Limited
4	4/10f	1	A new private access to Nanteague Farm New right of access with or without vehicles plant and machinery for the benefit of KS SPV 11 LIMITED, 14 HIGH CROSS, TRURO, CORNWALL, TR1 2AJ (and their successors in title) <u>New right of access with or without vehicles plant and machinery for the benefit of Everything Everywhere Limited (EE Limited), Trident Place, Mosquito Way, Hatfield, Hertfordshire, AL10 9BW (and their successors in title).</u>
4	4/10g	22 / 1bb	New right to construct, use, protect, inspect and maintain a new gas pipeline and equipment for the benefit of Wales and West Utilities Limited Required for the construction of drainage culverts
4	4/10h	1bb	New right to construct, use, protect, inspect and maintain a new drainage ditch and equipment for the benefit of Highways England Company Limited
4	4/10k	1e	New right to construct, use, protect, inspect and maintain a new drainage outlet pipeline and equipment for the benefit of Highways England Company Limited
4	4/10m	1e	New right to construct, use, protect, inspect and maintain a new drainage outlet pipeline and equipment for the benefit of Highways England Company Limited
4	4/10n	1e / 1bb	New right to construct, use, protect, inspect and maintain a new drainage outlet pipeline and equipment for the benefit of Highways England Company Limited. Required the construction of drainage culverts
4	4/10r	1	A new private access to Nanteague Farm New right of access with or without vehicles plant and machinery for the benefit of KS SPV 11 LIMITED, 14 HIGH CROSS, TRURO, CORNWALL, TR1 2AJ (and their successors in title)

Statement of Reasons - Table 2: Acquisition of Rights - by Plot Number

Land Plans Sheet Number	Plot Number	Work Number	Purpose for which the land is required
			<u>New right of access with or without vehicles plant and machinery for the benefit of Everything Everywhere Limited (EE Limited), Trident Place, Mosquito Way, Hatfield, Hertfordshire, AL10 9BW (and their successors in title).</u>
4	4/10s	22	New right to construct, use, protect, inspect and maintain a new gas pipeline and equipment for the benefit of Wales and West Utilities Limited
4	4/10t	1	A new private access to Nanteague Farm New right of access with or without vehicles plant and machinery for the benefit of KS SPV 11 LIMITED, 14 HIGH CROSS, TRURO, CORNWALL, TR1 2AJ (and their successors in title) <u>New right of access with or without vehicles plant and machinery for the benefit of Everything Everywhere Limited (EE Limited), Trident Place, Mosquito Way, Hatfield, Hertfordshire, AL10 9BW (and their successors in title).</u>
5	5/2a	22	New right to construct, use, protect, inspect and maintain a new water pipeline and equipment for the benefit of Wales and West Utilities Limited
5	5/2e		Plot not used
5	5/2g	1 / 1cc	A new private access to Nanteague Farm New right of access with or without vehicles plant and machinery for the benefit of KS SPV 11 LIMITED, 14 HIGH CROSS, TRURO, CORNWALL, TR1 2AJ (and their successors in title). New right to construct, use, protect, inspect and maintain a new culvert and equipment for the benefit of Highways England Company Limited <u>New right of access with or without vehicles plant and machinery for the benefit of Everything Everywhere Limited (EE Limited), Trident Place, Mosquito Way, Hatfield, Hertfordshire, AL10 9BW (and their successors in title).</u>
5	5/2h	22	New right to construct, use, protect, inspect and maintain a new water pipeline and equipment for the benefit of Wales and West Utilities Limited
5	5/2j	1 / 1cc	A new private access to Nanteague Farm New right of access with or without vehicles plant and machinery for the benefit of KS SPV 11 LIMITED, 14 HIGH CROSS, TRURO, CORNWALL, TR1 2AJ (and their successors in title). New right to construct, use, protect, inspect and maintain a new culvert and equipment for the benefit of Highways England Company Limited <u>New right of access with or without vehicles plant and machinery for the benefit of Everything Everywhere Limited (EE Limited), Trident Place, Mosquito Way, Hatfield,</u>

Statement of Reasons - Table 2: Acquisition of Rights - by Plot Number

Land Plans Sheet Number	Plot Number	Work Number	Purpose for which the land is required
			<u>Hertfordshire, AL10 9BW (and their successors in title).</u>
5	5/2m	4/tee6i / 6j	<u>New right to construct, operate, protect, inspect and maintain a telecommunications mast for the benefit of Everything Everywhere Limited (EE Limited), Trident Place, Mosquito Way, Hatfield, Hertfordshire, AL10 9BW (and their successors in title).</u>
55	5/3	25	New right to construct, use, protect, inspect and maintain a new water pipeline and equipment for the benefit of South West Water New right to construct, use, protect, inspect and maintain a new culvert and equipment for the benefit of Highways England Company Limited
5	5/4a		Plot not used
5	5/4c		Plot not used
5	5/7a	1	New right to construct, use, protect, inspect and maintain a new bat roost and equipment for the benefit of Highways England Company Limited
5	5/7b	1m	New right for a new bridleway (PR7) over a green bridge north of the existing A30(T) in a southerly direction and a new footpath to join a new bridleway over a green bridge as described in Schedule 4 Part 2 Highways To Be Stopped Up For Which A Substitute Is To Be Provided And New Highways Which Are Otherwise To Be Provided
5	5/7g	1f	New right to construct, use, protect, inspect and maintain a new drainage outlet pipeline and equipment for the benefit of Highways England Company Limited
5	5/7h	1m	New right for a new bridleway (PR7) over a green bridge north of the existing A30(T) in a southerly direction and a new footpath to join a new bridleway over a green bridge as described in Schedule 4 Part 2 Highways To Be Stopped Up For Which A Substitute Is To Be Provided And New Highways Which Are Otherwise To Be Provided
5	5/8a	<u>1m</u>	New right for a new bridleway (PR7) over a green bridge north of the existing A30(T) in a southerly direction and a new footpath to join a new bridleway over a green bridge as described in Schedule 4 Part 2 Highways To Be Stopped Up For Which A Substitute Is To Be Provided And New Highways Which Are Otherwise To Be Provided
5	5/8b	1m	New right for a new bridleway (PR7) over a green bridge north of the existing A30(T) in a southerly direction and a new footpath to join a new bridleway over a green bridge as described in Schedule 4 Part 2 Highways To Be Stopped Up For Which A Substitute Is To Be Provided And New Highways Which Are Otherwise To Be Provided
5	5/9b	1f	New right to construct, use, protect, inspect and maintain a new drainage outlet pipeline and equipment for the benefit of Highways England Company Limited

1. Book of Reference - Part 1

Names and addresses for service of each person within Categories 1 and 2 as defined in Section 57 of the Planning Act 2008.

Qualifying Persons under Regulation 7(1)(a) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009						
Land Plans Sheet Number	Plot Ref	Extent, Description and Situation of the Land or Right	Category 1			Category 2
			Owners	Lessees or Tenants	Occupiers	(A person is within Category 2 if the applicant, after making diligent inquiry, knows that the person - (a) is interested in the land, or (b) has power - (i) to sell and convey the land, or (ii) to release the land)
						<p><u>Newport, NP10 8FZ</u></p> <p><u>Western Power Distribution (South West) PLC</u> <u>c/o Mr Paul Willoughby,</u> <u>Trevenson Lane,</u> <u>Pool,</u> <u>Redruth,</u> <u>TR15 3RF</u></p>
5	5/3	A right to construct, use, protect, inspect and maintain a water pipeline and equipment over approximately 1594 square metres of land forming part of agricultural land with hedge and tree lined boundary, north west of Nanteague Solar Farm, south of Lower Ventongimps, north of existing A30 Highway	Mr Arthur Warne Carveth and Mrs Elizabeth Margaret Carveth The Barn, Lower Ventongimps Farm, Callestick, Truro, Cornwall, TR4 9HE		As Owner	<p>South West Water c/o Mr Glen Muza, Peninsula House, Rydon Lane, Exeter, EX2 7HR</p> <p>Western Power Distribution (South West) PLC c/o Mr Paul Willoughby, Trevenson Lane, Pool, Redruth, TR15 3RF</p>
5	5/3a	Temporary possession and use of approximately 44244 square metres of land	Mr Arthur Warne Carveth and Mrs Elizabeth Margaret Carveth The Barn, Lower Ventongimps Farm,		As Owner	<p>South West Water c/o Mr Glen Muza, Peninsula House, Rydon Lane, Exeter, EX2 7HR</p>

1. Book of Reference - Part 1

Names and addresses for service of each person within Categories 1 and 2 as defined in Section 57 of the Planning Act 2008.

Qualifying Persons under Regulation 7(1)(a) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009						
Land Plans Sheet Number	Plot Ref	Extent, Description and Situation of the Land or Right	Category 1 (A person is within Category 1 if the applicant, after making diligent inquiry, knows that the person is an owner, lessee, tenant (whatever the tenancy period) or occupier of the land)			Category 2 (A person is within Category 2 if the applicant, after making diligent inquiry, knows that the person - (a) is interested in the land, or (b) has power - (i) to sell and convey the land, or (ii) to release the land)
			Owners	Lessees or Tenants	Occupiers	
					<p>Wales and West Utilities Ltd Wales And West House, Spooner Close Celtic Springs, Newport, NP10 8FZ</p> <p>Western Power Distribution (South West) PLC c/o Mr Paul Willoughby, Trevenson Lane, Pool, Redruth, TR15 3RF</p>	
5	5/2m	A right to construct operate, protect, inspect and maintain a telecommunications mast and equipment over 169 square metres of land forming agricultural land and tree planting south east of the existing A30 highway and east of Town and Country Motors and north of Nanteague Solar Farm	Mr Vivian George Nanteague Farm, Marazanvose, Truro, Cornwall, TR4 9DH		<p><u>As Lessee/Tenant/Owner</u></p> <p><u>British Telecommunications PLC</u> 81 Newgate Street, London, EC1A 7AJ</p> <p><u>Environment Agency</u> Head Office, Seacole Block, London, SW1P 4DF</p> <p><u>KS SPV 11 Limited</u> 14 High Cross, Truro, Cornwall, TR1 2AJ</p> <p><u>South West Water</u> c/o Mr Glen Muza, Peninsula House, Rydon Lane, Exeter, EX2 7HR</p> <p><u>Wales and West Utilities Ltd</u> Wales And West House, Spooner Close Celtic Springs,</p>	

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2. Book of Reference - Part 2 - Part 2A (Land inside the Development Consent Order Boundary)

Names and addresses for service of each person within Category 3 that would or might make a relevant claim as defined by Section 57 of the Planning Act 2008

Qualifying Persons under Regulation 7(1)(b) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009			
Land Plans Sheet Number	Plot Ref	Extent, Description and Situation of the Land or Right	Name and Address for Service (Where Applicable) of Each Person Within Category 3 (A person is within Category 3 if the applicant thinks that, if that order sought by the proposed application were to be made and fully implemented, the person would or might be entitled to make relevant claim under Section 10 of the Compulsory Purchase Act 1965, Section 152(3) of the Planning Act 2008 and/or Part 1 of the Land Compensation Act 1973. A person is within Category 3 only if the person is known to the applicant after making diligent inquiry)
	4/4v, 4/6f, 4/6g, 4/8d, 4/8m	4/6f, 4/6g, 4/8d, 4/8m	
5	5/2a, 5/2b, 5/2c, 5/2f, 5/2g, 5/2h, 5/2j, 5/2k, 5/2m	See Part 1 of BoR. Plots: 5/2a, 5/2b, 5/2c, 5/2f, 5/2g, 5/2h, 5/2j, 5/2k, 5/2m	- Mr Vivian George Nanteague Farm, Marazanvose, Truro, Cornwall, TR4 9DH
5	5/4b	See Part 1 of BoR. Plots: 5/4b	- Mr Andrew Warrener and Mrs Jennifer Anne Warrener Marazan Farm, Marazanvose, Zelah, Truro, Cornwall, TR4 9DQ
5	5/8, 5/8a, 5/8b	See Part 1 of BoR. Plots: 5/8, 5/8a, 5/8b	- Mr Stephen John Chamberlain and Mrs Lucy Chamberlain Nancarrow Farm, 1 The Cottages, Marazanvose, Truro, Cornwall, TR4 9DQ
5	5/11, 5/11b	See Part 1 of BoR. Plots: 5/11, 5/11b	- Mrs Gillian Richards Killivose House, St Allen, Truro, Cornwall, TR4 9DG
5	5/11a	See Part 1 of BoR. Plots: 5/11a	- George Hugh Ninth Viscount Falmouth c/o The Estate Office, Tregothnan, Tresillian, Truro, Cornwall, TR2 4AN
6	6/3, 6/3a	See Part 1 of BoR. Plots: 6/3, 6/3a	- Mr Richard Butter Bracken Woods, Zelah, Truro, Cornwall, TR4 9HD
6	6/5a	See Part 1 of BoR. Plots: 6/5a	- Mrs Christine Dawn Pascoe St Freda, Zelah, TR4 9DG
6	6/8, 6/8a	See Part 1 of BoR. Plots: 6/8, 6/8a	- Mr Nicholas Stephen Littler and Mrs Susan Marie Littler Hill House, St Allen, Truro, Cornwall, TR4 9DG
7	7/3aa, 7/3ab, 7/3ac, 7/3f, 7/3n, 7/3p, 7/3q, 7/3v, 7/3w, 7/3x, 7/3y, 7/3z	See Part 1 of BoR. Plots: 7/3aa, 7/3ab, 7/3ac, 7/3f, 7/3n, 7/3p, 7/3q, 7/3v, 7/3w, 7/3x, 7/3y, 7/3z	- Mr Simon Lutey Trevalso Farm, Zelah, Truro, Cornwall, TR4 9HZ - Mr Stamford Timothy John Galsworthy 78 Minford Gardens, London, W14 0AP
7	7/4	See Part 1 of BoR. Plots: 7/4	- Mr Crispin David Jermyn Holborow Thorpe Malsor Hall, Church Way, Thorpe Malsor, Kettering, NN14 1JS - Mr James Michael Williams D.I.

3. Book of Reference - Part 3

Names and addresses of those persons whose entitlement to enjoy private easements or rights may be extinguished, suspended or interfered with

Qualifying Persons under Regulation 7(1)(c) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009			
Land Plans Sheet Number	Plot Ref	Extent, Description and Situation of the Land or Right	Names of all Those Entitled to Enjoy Easements or Other Private Rights over Land (Including Private Rights of Navigation Over Water) Which it is Proposed shall be Extinguished, Suspended or Interfered with
			<ul style="list-style-type: none"> - South West Water c/o Mr Glen Muza (In respect of Access Rights) - Western Power Distribution (South West) PLC c/o Mr Paul Willoughby (In respect of Access Rights)
5	5/2k	See Part 1 of BoR. Plots: 5/2k	<ul style="list-style-type: none"> - British Telecommunications PLC (In respect of Access Rights) - Environment Agency (In respect of Rights of access to Rain Gauge granted by a lease agreement dated 19 June 2012) - Everything Everywhere Limited (EE Limited) and Everything Everywhere Limited (EE Limited) (In respect of access and maintenance Rights granted by a deed dated 15 April 2011) - KS SPV 11 Limited (In respect of Access Rights to Nanteague Solar Farm granted by a lease agreement dated 9 February 2015) - South West Water c/o Mr Glen Muza (In respect of Access Rights) - Wales and West Utilities Ltd (In respect of Access Rights and for the laying and maintenance of a gas main) - Western Power Distribution (South West) PLC c/o Mr Paul Willoughby (In respect of Access Rights)
<u>5</u>	<u>5/2m</u>	<u>See Part 1 of BoR. Plots: 5/2m</u>	<ul style="list-style-type: none"> - <u>British Telecommunications PLC (In respect of Access Rights)</u> - <u>Environment Agency (In respect of Rights of access to Rain Gauge granted by a lease agreement dated 19 June 2012)</u> - <u>KS SPV 11 Limited (In respect of Access Rights to Nanteague Solar Farm granted by a lease agreement dated 9 February 2015)</u> - <u>South West Water c/o Mr Glen Muza (In respect of Access Rights)</u> - <u>Wales and West Utilities Ltd (In respect of Access Rights and for the laying and maintenance of a gas main)</u> - <u>Western Power Distribution (South West) PLC</u>
5	5/3, 5/3a	See Part 1 of BoR. Plots: 5/3, 5/3a	<ul style="list-style-type: none"> - South West Water c/o Mr Glen Muza (In respect of Access Rights) - Western Power Distribution (South West) PLC c/o Mr Paul Willoughby (In respect of Access Rights)
5	5/4	See Part 1 of BoR. Plots: 5/4	<ul style="list-style-type: none"> - Western Power Distribution (South West) PLC c/o Mr Paul Willoughby (In respect of Access Rights)
5	5/4b	See Part 1 of BoR. Plots: 5/4b	<ul style="list-style-type: none"> - Highways England (In respect of Access Rights)

Planning permission

7. If planning permission is granted under the powers conferred by the 1990 Act for development any part of which is within the Order limits following the coming into force of this Order that is—

- (a) not itself a nationally significant infrastructure project under the 2008 Act or part of such a project; or
- (b) required to complete or enable the use or operation of any part of the development authorised by this Order,

then the carrying out, use or operation of such development under the terms of the planning permission does not constitute a breach of the terms of this Order.

Limits of deviation

8. In carrying out the authorised development the undertaker may—

- (a) in respect of the earthworks associated with Work Nos. 1 to 12 only, deviate laterally from the lines or situations of the authorised development shown on the works plans to a maximum of 1.75 metres;
- (b) in respect of any other work, deviate laterally from the lines or situations of the authorised development shown on the works plans to a maximum of 0.5 metres;
- (c) subject to sub-paragraph (d), deviate vertically from the levels of the authorised development shown on the general arrangement and section plans to a maximum of 0.5 metres upwards or downwards; and
- (d) in respect of that part of:
 - (i) Work Nos. 1 and 3 between points M and N on sheet 1 of the works plans;
 - (ii) Work No. 1 between points O and P on sheet 4 of the works plans; and
 - (iii) Work Nos. 1 and 5 between points Q and R on sheet 8 of the works plans,

deviate vertically from the levels of the authorised development shown on the general arrangement and section plans to a maximum of 0.5 metres downwards, except that these maximum limits of 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 and the local highway 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 in comparison with those reported in the environmental statement.

Benefit of Order

9.—(1) Subject to article 10 (consent to transfer benefit of Order) and paragraph (2), the provisions of this Order conferring powers on the undertaker have effect solely for the benefit of the undertaker.

(2) Paragraph (1) does not apply to the works for which 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.

Consent to transfer benefit of Order

10.—(1) The undertaker may—

- (a) transfer to another person (“the transferee”) any or all of the benefit of the provisions of this Order and such related statutory rights as may be agreed between the undertaker and the transferee; or
- (b) grant to another person (“the lessee”) for a period agreed between the undertaker and the lessee any or all of the benefit of the provisions of this Order and such related statutory rights as may be so agreed.

(2) Where an agreement has been made in accordance with paragraph (1) references in this Order to the undertaker, except in paragraph (3), include references to the transferee or the lessee.

(3) The exercise by a person of any benefits or rights conferred in accordance with any transfer or grant under paragraph (1) is subject to the same restrictions, liabilities and obligations as would apply under this Order if those benefits or rights were exercised by the undertaker.

(4) If the benefit of the provisions of this Order relating to compulsory acquisition is transferred or granted to a transferee or lessee pursuant to this article and the transferee or lessee exercises those powers then the undertaker alone is liable for any compensation that is payable to another party as a consequence of the exercise of those powers by the transferee or lessee.

(5) The consent of the Secretary of State is required for a transfer or grant under this article, except where the transfer or grant is made to—

- (a) South West Water Limited (company number 02366665, whose registered office is at Peninsula House, Rydon Lane, Exeter, Devon EX2 7HR) for the purposes of undertaking Work Nos. 14, 16, 25, 31, 36, 46 and 66;
- (b) Western Power Distribution Public Limited Company (company number 09223384, whose registered office is at Avonbank, Feeder Road, Bristol BS2 0TB) (or a related or subsidiary company) for the purposes of undertaking Work Nos. 15, 19, 20, 24, 26, 28, 32, 37, 40, 42, 43, 57, 63 and 70;
- (c) BT Group Public Limited Company (company number 04190816, whose registered office is at 81 Newgate Street, London EC1A 7AJ) (or a related or subsidiary company) for the purposes of undertaking Work Nos. 21, 27, 29, 33, 34, 35, 39, 41, 44, 50, 51, 52, 54, 56, 59, 60, 61, 62, 64 and 65;
- (d) Wales & West Utilities Limited (company number 05046791, whose registered office is at Wales & West House, Spooner Close, Coedkernew, Newport, South Wales NP10 8FZ) for the purposes of undertaking Work Nos. 22 and 45;
- (e) Instalcom Limited (company number 03421543, whose registered office is at 202 Northolt Road, South Harrow, Middlesex HA2 0EX) for the purposes of undertaking Work Nos. 23, 47, 48, 49, 53, 55, 58, 67, 68, 69, 71, 72 and 73;
- (f) Level 3 Communications Limited (company number 03514850, whose registered office is at 7th Floor, 10 Fleet Place, London EC4M 7RB) for the purposes of undertaking Work Nos. 23, 47, 48, 49, 53, 55, 58, 67, 68, 69, 71, 72 and 73;
- (g) Renewable Energy Systems Limited (company number 01589961, whose registered office is at Beaufort Court, Egg Farm Lane, Station Road, Kings Langley, Hertfordshire WD4 8LR) for the purposes of undertaking Work Nos. 19 and 57;
- (h) ScottishPower Renewables (UK) Limited (company number NI028425, whose registered office is at The Soloist, 1 Lanyon Place, Belfast, Northern Ireland BT1 3LP) for the purposes of undertaking Work Nos. 5(g) and 5(m);
- (i) Verizon Digital Media Services UK Limited (company number 08524398, whose registered office is at Shropshire House, 11-20 Capper Street, London WC1E 6JA) for the purposes of undertaking Work No. 13;
- (j) Virgin Media Limited (company number 02591237, whose registered office is at Media House, Bartley Wood Business Park, Hook, Hampshire RG27 9UP) for the purposes of undertaking Work Nos. 23, 47, 48, 49, 53, 55, 58, 67, 68, 69, 71, 72 and 73;
- (k) Vodafone Group Public Limited Company (company number 01833679, whose registered office is at Vodafone House, The Connection, Newbury, Berkshire RG14 2FN) (or a related or subsidiary company) for the purposes of undertaking Work Nos. 23, 47, 48, 49, 53, 55, 58, 67, 68, 69, 71, 72 and 73; or
- (l) Sky UK Limited (company number 02906991, whose registered office is at Grant Way, Isleworth, Middlesex TW7 5QD) for the purposes of undertaking Work Nos. 23, 47, 48, 49, 53, 55, 58, 67, 68, 69, 71, 72 and 73; or

~~(H)~~(m) Everything Everywhere Limited (company number 08263590, whose registered office is at Trident Place, Mosquito Way, Hatfield, Hertfordshire AL10 9BW) for the purposes of undertaking Work No. 6(i).

PART 3 STREETS

Street works

11.—(1) The undertaker may, for the purposes of the authorised development, enter on so much of any of the streets as are within the Order limits and may—

- (a) break up or open the street, or any sewer, drain or tunnel under it;
- (b) tunnel or bore under the street;
- (c) place apparatus in the street;
- (d) maintain apparatus in the street or change its position; and
- (e) execute any works required for, or incidental to, any works referred to in sub-paragraphs (a), (b), (c) and (d).

(2) The authority given by paragraph (1) is a statutory right for the purposes of sections 48(3) (streets, street works and undertakers) and 51(1) (prohibition of unauthorised street works) of the 1991 Act.

(3) Subject to article 12 (application of the 1991 Act), the provisions of sections 54 to 106 of the 1991 Act apply to any street works carried out under paragraph (1).

Application of the 1991 Act

12.—(1) Works executed under this Order in relation to a highway which consists of or includes a carriageway are to be treated for the purposes of Part 3 (street works in England and Wales) of the 1991 Act as major highway works if—

- (a) they are of a description mentioned in any of paragraphs (a), (c) to (e), (g) and (h) of section 86(3)(a) of that Act; or
- (b) they are works which, had they been executed by the local highway authority, might have been carried out in exercise of the powers conferred by section 64(b) (dual carriageways and roundabouts) of the 1980 Act or section 184(c) (vehicle crossings over footways and verges) of that Act.

(2) In Part 3 of the 1991 Act references to the highway authority concerned are, in relation to works which are major highway works by virtue of paragraph (1), to be construed as references to the undertaker.

(3) The following provisions of the 1991 Act do not apply in relation to any works executed under the powers conferred by this Order—

- (a) section 56(d) (power to give directions as to timing of street works);
- (b) section 56A(e) (power to give directions as to placing of apparatus);
- (c) section 58A(f) (restriction on works following substantial road works);

-
- (a) Section 86(3) defines what highway works are major highway works.
 - (b) As amended by section 102 of, and Schedule 17 to, the Local Government Act 1985 (c.51) and section 168(2) of, and Schedule 9 to, the New Roads and Street Works Act 1991 (c.22).
 - (c) As amended by section 4 of, and paragraph 45 of Schedule 2 to, the Planning (consequential Provisions) Act 1990 (c.11).
 - (d) As amended by sections 40 and 43 of the Traffic Management Act 2004 (c.18).
 - (e) Inserted by section 44 of the Traffic Management Act 2004.
 - (f) As amended by section 51 of the Traffic Management Act 2004.

SCHEDULES

SCHEDULE 1

Articles 2, 5 and 6

AUTHORISED DEVELOPMENT

In the administrative area of Cornwall Council

The authorised development is a nationally significant infrastructure project as defined in sections 14 and 22 of the 2008 Act^(a) and associated development within the meaning of section 115(2) of the 2008 Act, comprising—

Work No. 1 – the construction of a new A30 dual carriageway road approximately 14 kilometres in length between a point 985 metres to the west of Work No. 3 and a point 956 metres to the east of Work No. 5. To include—

- (a) the construction of drainage attenuation pond no. 1 with associated drainage facilities, access and landscaping at the location shown on sheet 1 of the works plans;
- (b) the construction of drainage attenuation pond no. 2 with associated drainage facilities, access and landscaping at the location shown on sheet 1 of the works plans;
- (c) the construction of drainage attenuation pond no. 4 with associated drainage facilities, access and landscaping at the location shown on sheets 1 and 2 of the works plans;
- (d) the construction of drainage attenuation pond no. 6 with associated drainage facilities, access and landscaping at the location shown on sheet 3 of the works plans;
- (e) the construction of drainage attenuation pond no. 9 with associated drainage facilities, access and landscaping at the location shown on sheet 4 of the works plans;
- (f) the construction of drainage attenuation pond no. 10 with associated drainage facilities, access and landscaping at the location shown on sheet 4 of the works plans;
- (g) the construction of drainage attenuation pond no. 12 with associated drainage facilities, access and landscaping at the location shown on sheet 5 of the works plans;
- (h) the construction of drainage attenuation pond no. 14 with associated drainage facilities, access and landscaping at the location shown on sheet 6 of the works plans;
- (i) the construction of drainage attenuation pond no. 16 with associated drainage facilities, access and landscaping at the location shown on sheet 7 of the works plans;
- (j) the construction of drainage attenuation pond no. 18 with associated drainage facilities, access and landscaping at the location shown on sheet 8 of the works plans;
- (k) the construction of drainage attenuation pond no. 19 with associated drainage facilities, access and landscaping at the location shown on sheet 8 of the works plans;
- (l) the construction of drainage attenuation pond no. 20 with associated drainage facilities, access and landscaping at the location shown on sheet 8 of the works plans;
- (m) the construction of a green bridge over the main carriageway of the new A30 and the existing A30 at Marazanvose and associated construction compound no. 4 of approximately 12149 square metres at the location shown on sheet 4 of the works plans, to include provision for a new bridleway (PR7) to connect U6082 and C0178 and a new footpath (PR8) to connect the bridleway (PR7) to FP319/16/1;
- (n) the demolition of Marazan Farm House and associated outbuildings at the location shown on sheet 4 of the works plans;
- (o) the demolition of the barn at Nancarrow Farm at the location shown on sheet 4 of the works plans;

(a) Section 22 was substituted by article 3 of S.I. 2013/1883.

- (o) the construction of a track for walking, cycling and horse riding from the southern roundabout at Carland Cross to Mitchell.

Work No. 6 – works to Allet Road for access across the new A30 at Tresawsen at the location shown on sheet 4 of the works plans. To include—

- (a) the construction of an underbridge under the main carriageway of the new A30;
- (b) the re-alignment of approximately 338 metres of the Allet Road;
- (c) the conversion of approximately 306 metres of the Allet Road to an emergency access track;
- (d) the construction of drainage attenuation pond no. 8 with associated drainage facilities, access and landscaping;
- (e) construction compound no. 2 of approximately 12675 square metres, at the location shown on sheets 3 and 4 of the works plans;
- (f) the construction of a new private means of access to the south of the existing A30(T);
- (g) the construction of a new private means of access to Nanteague Farm;
- (h) the construction of a new private means of access to Nanteague Solar Farm;
- (i) the demolition of an existing telecommunications mast and the construction of a new telecommunications mast;
- ~~(h)~~(j) the construction of a new private means of access to a telecommunications mast.

Work No. 7 – the stopping up of the public highway U6082 at Marazanvose. To include—

- (a) the construction of a turning head;
- (b) the construction of a new private means of access to Nancarrow Farm.

Work No. 8 – the retention and continued use of the Two Barrows underbridge at the location shown on sheet 5 of the works plans. To include—

- (a) the retention and continued use of the access under the existing A30 for Shortlanesend Road;
- (b) the construction of a new road to connect the realigned existing A30 with the unnamed road C0364;
- (c) the stopping up of unnamed road C0089 to the existing A30 and retention for access only to St Freda Nursery.

Work No. 9 – the demolition and replacement of the existing bridge at Tolgroggan Farm at the location shown on sheet 5 of the works plans. To include—

- (a) the construction of a new overbridge over the main carriageway of the new A30 and the realigned A30;
- (b) construction compound no. 6 of approximately 3352 square metres;
- (c) the construction of a new private means of access to Tolgroggan Farm;
- (d) the construction of a new bridleway and new private means of access to fields;
- (e) the construction of a new bridleway and new private means of access to Tolgroggan Farm.

Work No. 10 – the construction of an underbridge under the main carriageway of the new A30 and the existing A30 at the location shown on sheet 6 of the works plans. To include—

- (a) the re-alignment of approximately 247 metres of Henver Lane;
- (b) works to the junction with Zelah and the existing A30;
- (c) the construction of drainage attenuation pond no. 13 with associated drainage facilities, access and landscaping;
- (d) construction compound no. 7 of approximately 5160 square metres;
- (e) the construction of a new private means of access to Trevalso Farm.

			total length of 410 metres
St Newlyn East Civil Parish			Reference VV (PR15) A new bridleway south of the existing A30(T) to its junction north of Treventon Farm, for a total length of 871 metres
St Erme, St Newlyn East Civil Parishes			Reference Z7 A30 eastbound off-slip to the new grade separated junction at Carland Cross for a length of 570 metres
St Erme, St Newlyn East Civil Parishes			Reference Z8 A30 eastbound on-slip from the new grade separated junction at Carland Cross for a length of 366 metres
St Erme, St Newlyn East Civil Parishes	Existing A30	For a length of 503 metres eastbound from the junction with the existing Carland Cross Roundabout	Reference Z9 A30 westbound off-slip to the new grade separated junction at Carland Cross for a length of 624 metres
St Erme Civil Parish			Reference Z10 A30 westbound on-slip from the new grade separated junction at Carland Cross for a length of 355 metres

PART 3

PRIVATE MEANS OF ACCESS TO BE STOPPED UP FOR WHICH NO SUBSTITUTE IS TO BE PROVIDED

(1) <i>Area</i>	(2) <i>Private means of access to be stopped up</i>	(3) <i>Extent of stopping up</i>
Kenwyn Civil Parish	Reference d Access to field south of the existing A30 (T) from the existing B3284, as shown on sheet 3 of the rights of way and access plans	From the existing B3284 for a length of 28 metres as shown on sheet 3 of the rights of way and access plans

			junction at Chybucca from the re-aligned B3284 for a length of 95 metres
Kenwyn Civil Parish			Reference 26 A new private access to the field south of the re-aligned A30 for a length of 11 metres
Rights of way and access plans – Sheet 4			
St Allen and Kenwyn Civil Parishes	Reference e Access to Nanteague Farm	At a point south of the existing A30(T) at Town and Country Motors for a total length of 272 metres	Reference 7 A new private access to the south of the existing A30(T), 475 metres to the west of the existing access, north east for a length of 1160 metres
St Allen Civil Parish	Reference e Access to Nanteague Farm	At a point south of the existing A30(T) at Town and Country Motors for a length of 272 metres as shown on sheet 3 of the rights of way and access plans	Reference 8 A new private access to Nanteague Farm for a length of 22 metres
St Allen Civil Parish	Reference e Access to Nanteague Farm	At a point south of the existing A30(T) at Town and Country Motors for a length of 272 metres	Reference 9 A new private access to Nanteague Solar Farm for a length of 7 metres
St Allen Civil Parish	Reference h Access to Nancarrow Farm	At a point to the south of the existing A30(T) to the east of Elmsleigh for a length of 83 metres	Reference 10 A new private access to Nancarrow Farm south of the existing A30(T), 210 metres south west of the existing access, north east for a length of 200 metres
<u>St Allen Civil Parish</u>			<u>Reference 27</u> <u>A new private access to a telecommunications mast for a length of 2.5 metres</u>
Rights of way and access plans – Sheet 5			
Perranzabuloe Civil Parish	Reference i Access to O2 Telecommunications Mast	At a point to the north of the existing A30(T) to the west of Chyverton Lodge for a length of 4 metres	Reference 11 A new private access to a telecommunications mast to the north of the realigned A30 for a length of 6 metres

SCHEDULE 5

Article 26

LAND IN WHICH ONLY NEW RIGHTS ETC. MAY BE ACQUIRED

<i>(1)</i> Plot reference number shown on land plans	<i>(2)</i> Purpose for which rights over land may be acquired	<i>(3)</i> Relevant part of the authorised development
Land Plans – Sheet 1		
1/1	New right to construct, use, protect, inspect and maintain a new drainage outlet pipeline and equipment	Work No. 1(a)
1/1a	New right to construct, use, protect, inspect and maintain a new drainage outlet pipeline and equipment	Work No. 1(a)
1/1b	New right to construct, use, protect, inspect and maintain a new drainage outlet pipeline and equipment	Work No. 1(a)
1/1c	New right to construct, use, protect, inspect and maintain a new drainage outlet pipeline and equipment	Work No. 1(a)
1/1d	New right to construct, use, protect, inspect and maintain a new drainage outlet pipeline and equipment	Work No. 1(a)
1/1g	New right to construct, use, protect, inspect and maintain a new drainage outlet pipeline and equipment	Work No. 1(a)
1/1h	New right to construct, use, protect, inspect and maintain a new drainage outlet pipeline and equipment	Work No. 1(a)
1/7	New right to construct, use, protect, inspect and maintain a new drainage outlet pipeline and equipment	Work No. 1(b)
1/8	New right to construct, use, protect, inspect and maintain a new drainage outlet pipeline and equipment	Work No. 1(b)
1/9b	New right to construct, use, protect, inspect and maintain a new water pipeline and equipment for the benefit of South West Water	Work No. 16
1/9c	New right to construct, use, protect, inspect and maintain a new drainage outlet pipeline and equipment New right to construct, use, protect, inspect and maintain a new water pipeline and	Work Nos. 1(b) and 16

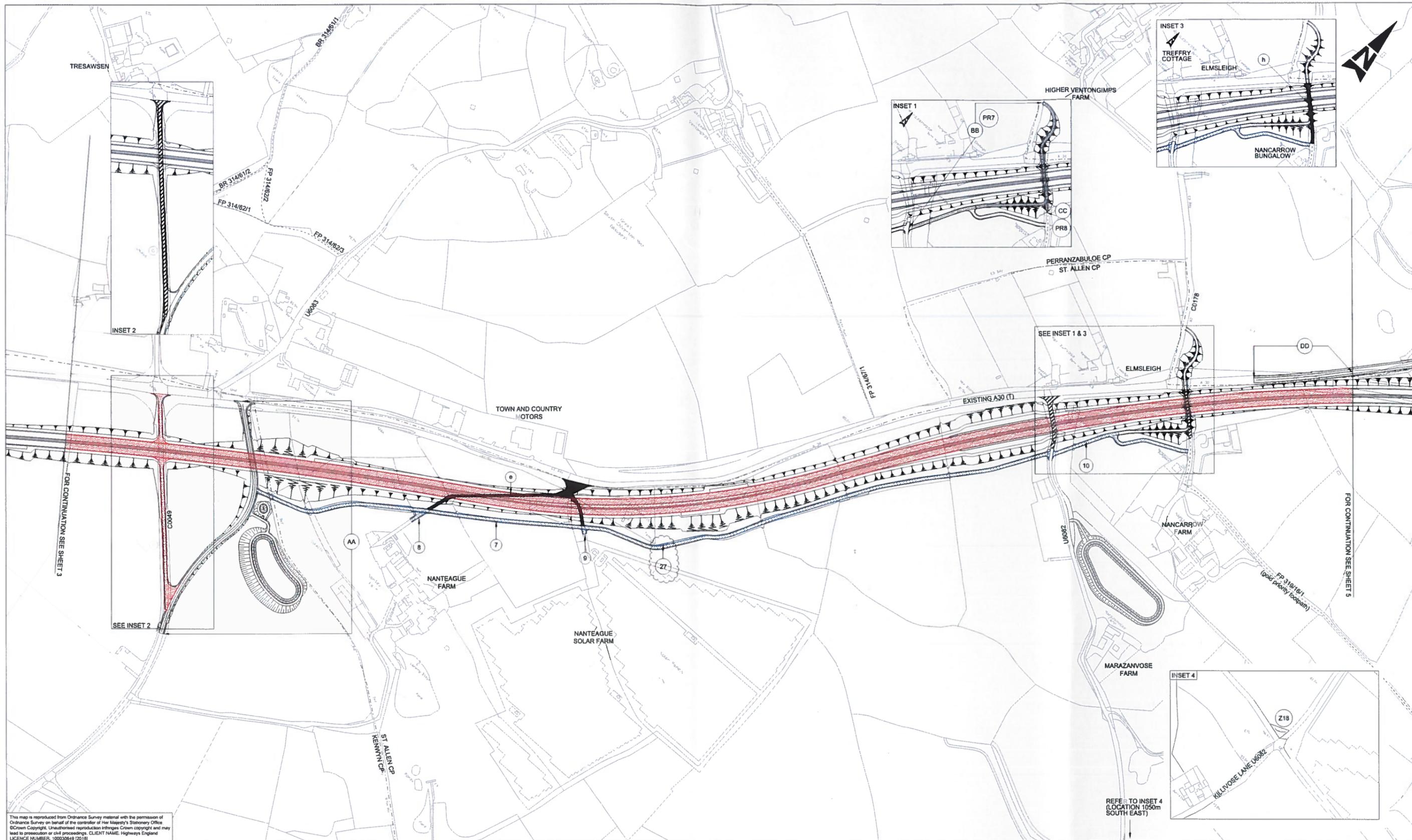
	<p>private access to Nanteague Farm</p> <p>New right of access with or without vehicles plant and machinery for the benefit of KS SPV 11 Limited</p> <p><u>New right of access with or without vehicles plant and machinery for the benefit of Everything Everywhere Limited</u></p>	
4/10g	<p>New right to construct, use, protect, inspect and maintain a new gas pipeline and equipment for the benefit of Wales and West Utilities Limited</p> <p>New right to construct, use, protect, inspect and maintain a new culvert and equipment</p>	Work Nos. 1(bb) and 22
4/10h	New right to construct, use, protect, inspect and maintain a new drainage ditch and equipment	Work No. 1(bb)
4/10k	New right to construct, use, protect, inspect and maintain a new drainage outlet pipeline and equipment	Work No. 1(e)
4/10m	New right to construct, use, protect, inspect and maintain a new drainage outlet pipeline and equipment	Work No. 1(e)
4/10n	New right to construct, use, protect, inspect and maintain a new drainage outlet pipeline and equipment	4/10n
4/10r	<p>New right to construct, use, protect, inspect and maintain a private access to Nanteague Farm</p> <p>New right of access with or without vehicles plant and machinery for the benefit of KS SPV 11 Limited</p> <p><u>New right of access with or without vehicles plant and machinery for the benefit of Everything Everywhere Limited</u></p>	Work No. 1
4/10s	New right to construct, use, protect, inspect and maintain a	Work No. 22

	new gas pipeline and equipment for the benefit of Wales and West Utilities Limited	
4/10t	<p>New right to construct, use, protect, inspect and maintain a private access to Nanteague Farm</p> <p>New right of access with or without vehicles plant and machinery for the benefit of KS SPV 11 Limited</p> <p><u>New right of access with or without vehicles plant and machinery for the benefit of Everything Everywhere Limited</u></p>	Work No. 1
Land Plans – Sheet 5		
5/2a	New right to construct, use, protect, inspect and maintain a new water pipeline and equipment for the benefit of Wales and West Utilities Limited	Work No. 22
5/2g	<p>New right to construct, use, protect, inspect and maintain a private access to Nanteague Farm</p> <p>New right of access with or without vehicles plant and machinery for the benefit of KS SPV 11 Limited</p> <p>New right to construct, use, protect, inspect and maintain a new culvert and equipment</p> <p><u>New right of access with or without vehicles plant and machinery for the benefit of Everything Everywhere Limited</u></p>	Work Nos. 1 and 1(cc)
5/2h	New right to construct, use, protect, inspect and maintain a new water pipeline and equipment for the benefit of Wales and West Utilities Limited	Work No. 22
5/2j	<p>New right to construct, use, protect, inspect and maintain a private access to Nanteague Farm</p> <p>New right of access with or without vehicles plant and machinery for the benefit of KS SPV 11 Limited</p>	Work Nos. 1 and 1(cc)

	New right to construct, use, protect, inspect and maintain a new culvert and equipment <u>New right of access with or without vehicles plant and machinery for the benefit of Everything Everywhere Limited</u>	
<u>5/2m</u>	<u>New right to construct, operate, protect, inspect and maintain a telecommunications mast including a right of access with or without vehicles plant and machinery for the benefit of Everything Everywhere Limited</u>	<u>Work Nos. 6(i) and 6(j)</u>
5/3	New right to construct, use, protect, inspect and maintain a new water pipeline and equipment for the benefit of South West Water New right to construct, use, protect, inspect and maintain a new culvert and equipment	Work No. 25
5/7a	New right to construct, use, protect, inspect and maintain a new bat roost and equipment	Work No. 1
5/7b	New right to construct, use, protect, inspect and maintain a new bridleway (PR7) and a new footpath	Work No. 1(m)
5/7g	New right to construct, use, protect, inspect and maintain a new drainage outlet pipeline and equipment	Work No. 1(f)
5/7h	New right to construct, use, protect, inspect and maintain a new bridleway (PR7) and a new footpath	Work No. 1(m)
5/8a	New right to construct, use, protect, inspect and maintain a new bridleway (PR7) and a new footpath	Work No. 1(m)
5/8b	New right to construct, use, protect, inspect and maintain a new bridleway (PR7) and a new footpath	Work No. 1(m)
5/9b	New right to construct, use, protect, inspect and maintain a new drainage outlet pipeline and equipment	Work No. 1(f)
5/11	New right to construct, use, protect, inspect and maintain a new drainage outlet pipeline and equipment	Work No. 1(f)

DO NOT SCALE

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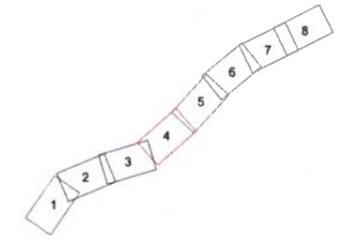


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- GENERAL NOTES**
- ALL DIMENSIONS ARE IN METRES UNLESS NOTED OTHERWISE
 - ONLY WRITTEN DIMENSIONS SHALL BE USED, DO NOT SCALE.
 - THESE PLANS SHOULD BE READ IN CONJUNCTION WITH OTHER PLANS AND APPLICATION DOCUMENTS IN PARTICULAR SCHEDULE 3 OF THE DEVELOPMENT CONSENT ORDER.
- LEGEND:**
- EXISTING HIGHWAYS TO BE STOPPED UP
 - NEW AND IMPROVED HIGHWAY - TRUNK ROAD
 - NEW AND IMPROVED HIGHWAY - SIDE ROAD
 - NEW PRIVATE MEANS OF ACCESS
 - PRIVATE MEANS OF ACCESS TO BE STOPPED UP
 - THE SCHEME (SHOWN FOR ILLUSTRATIVE PURPOSES)
 - PUBLIC RIGHTS OF WAY AND FOOTWAY / CYCLEWAY
 - PARISH BOUNDARY
 - EXISTING PUBLIC RIGHT OF WAY
 - PRIVATE MEANS OF ACCESS TO BE STOPPED UP REFERENCE LABEL
 - NEW PRIVATE MEANS OF ACCESS REFERENCE LABEL
 - NEW HIGHWAY REFERENCE LABEL



KEY PLAN:



Rev	Date	Description	By	Ch'd	App'd	Auth'd
P09	24/08/18	DCO ISSUE	LP	LP	DG	---
P10	24/08/18	DCO ISSUE	AJ	LP	DG	SW
C02	24/08/18	DCO ISSUE	AJ	LP	DG	SW
P11	19/12/18	VERSION A	HJ	RC	MB	---
P12	19/12/18	VERSION A	HJ	RC	MB	DG
C03	19/12/18	C03	HJ	RC	MB	DG
P13	15/03/19	VERSION B	HJ	LP	RC	---
P14	15/03/19	VERSION B	HJ	LP	RC	RC
C04	15/03/19	VERSION B	HJ	LP	RC	SW
P15.1	---	NOTE Z7 HATCH AREA ADDED	---	---	---	---

Client **highways england**

Client **European Union**
European Regional Development Fund

Drawing Status
SO INITIAL STATUS OR WIP

Project Title
A30 CHIVERTON TO CARLAND CROSS

Drawing Title
RIGHTS OF WAY AND ACCESS PLANS
APFP REGULATIONS 5(2)(K)
SHEET 4 OF 8

Scale	By	Checked	Approved	Authorised
1:2500	---	---	---	---

Original Size	Date	Date	Date	Date
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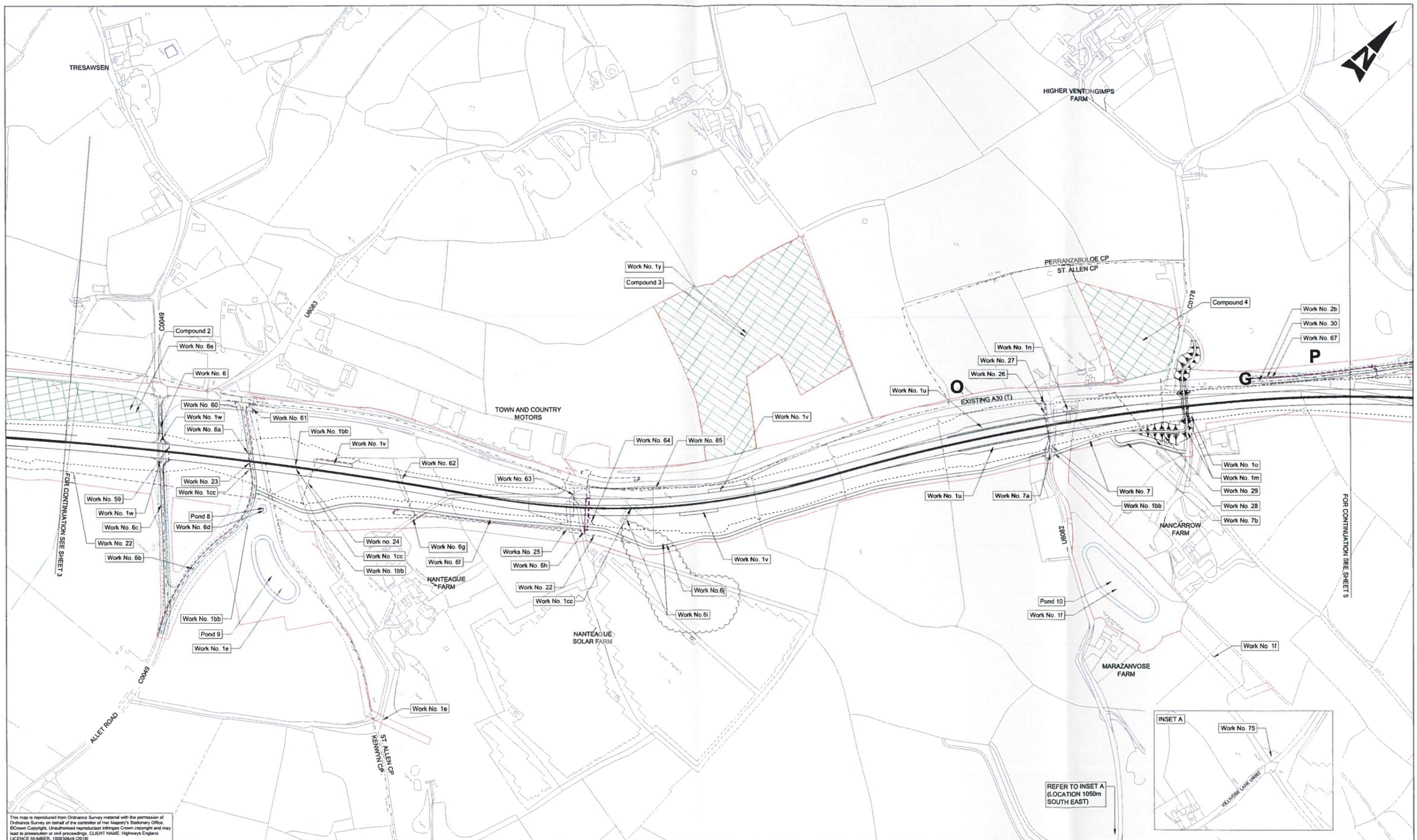
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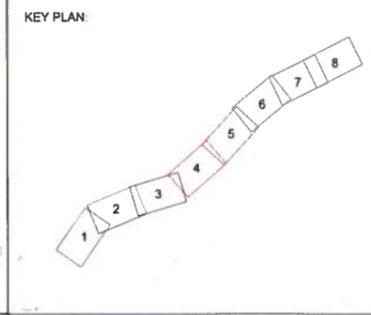
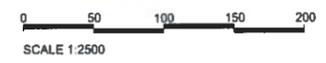
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- LEGEND**
- DEVELOPMENT CONSENT ORDER BOUNDARY
 - A30 MAINLINE CENTRELINE
 - EXTENT OF CARRIAGEWAY (INCLUDING 0.5M LATERAL DEVIATION)
 - A30 MAINLINE EARTHWORKS (INCLUDING 1.75M LATERAL DEVIATION)
 - SIDE ROAD, JUNCTION AND SLIP ROAD CENTRELINE
 - SIDE ROAD EARTHWORKS (INCLUDING 1.75M LATERAL DEVIATION)
 - UTILITY DIVERSION WORK CENTRELINE
 - ATTENUATION POND BOUNDARY
 - PARISH BOUNDARY



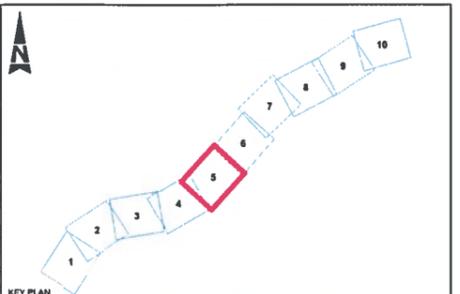
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P12	22/06/18	DCO ISSUE	HJ	LP	RC	SW
C01	22/06/18	DCO ISSUE	HJ	LP	RC	SW
P13	19/12/18	VERSION A	HJ	RC	MB	—
P14	19/12/18	VERSION A	HJ	RC	MB	DG
C02	19/12/18	C02	HJ	LP	RC	DG
P15	15/03/19	VERSION B	HJ	LP	RC	—
P16	15/03/19	VERSION B	HJ	LP	RC	—
C03	15/03/19	VERSION B	HJ	LP	RC	SW
P17	—	WORK NOS. 6I AND 6J ADDED	—	—	—	—

Sustainability	Drawing Status
SO	INITIAL STATUS OR WIP

Client
highways england

European Union
European Regional Development Fund

Project Title				
A30 CHIVERTON TO CARLAND CROSS				
Drawing Title				
WORKS PLANS APFP REGULATION 5(2)(J) SHEET 4 OF 8				
Scale	By	Checked	Approved	Authorised
1:2500	—	—	—	—
Original Size	Date	Date	Date	Date
A1	—	—	—	—
Drawing Number	Originator	Volume	Revision	
HA551502 - SW	ARP	LSI	P17.1	
Location	Type	Role	Number	
—	—	—	—	



- KEY:**
- EXISTING FOOTPATH
 - - - PARISH BOUNDARY
 - - - PLOT BOUNDARY
 - - - DEVELOPMENT CONSENT ORDER BOUNDARY / LIMITS OF ORDER LAND
 - LAND TO BE ACQUIRED
 - LAND TO BE USED TEMPORARILY AND RIGHTS TO BE ACQUIRED PERMANENTLY
 - LAND TO BE USED TEMPORARILY

- NOTES:**
1. All dimensions are in metres unless stated otherwise.
 2. These Land Plans should be read in conjunction with other plans and documents in the Development Consent Order, in particular the Book of Reference.
 3. The numbers in squares relate to plot numbers. Refer to the Book of Reference for more information about these plots including the area of each plot. Plot numbers shown on the Land Plans include a reference to the relevant sheet of the Land Plans. In this numbering convention, a plot number comprises the sheet number followed by the actual plot number e.g. Plot 30/14 - where "30" is the sheet number and "14" is the plot number.
 4. All easements, servitudes and private rights are proposed to be extinguished on the land that is to be acquired, unless stated otherwise in the Book of Reference.



SCALE 1:2,500

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PO9	26/3/19	PL0T 52M ADDED	FG	LP	DO
Rev	Date	Description	By	Chk'd	App'd
Client	highways england		European Union European Regional Development Fund		

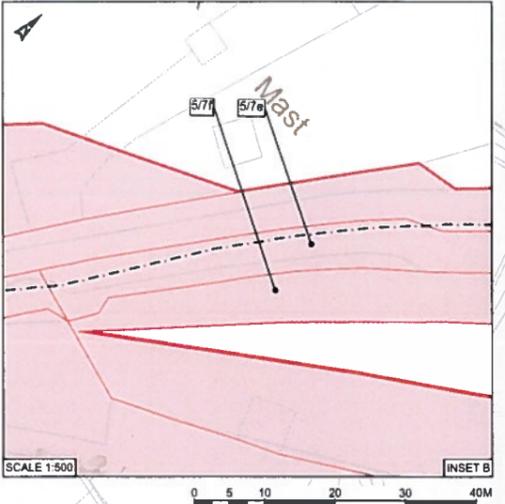
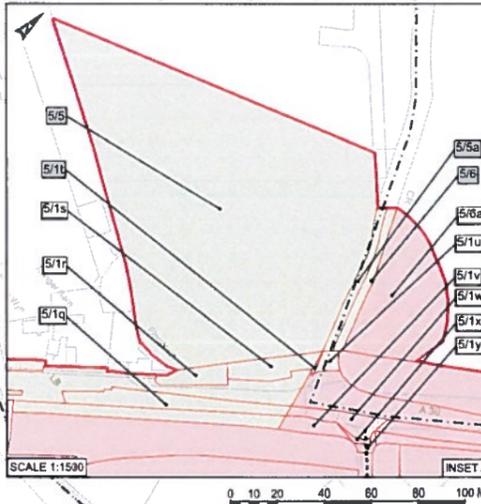
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Drawing Title: LAND PLANS APFP REGULATION 5(2)(1) SHEET 5 OF 10

Drawing Status: STAGE COMPLETED

Appr Job No.	26019-01	Project	HA551502-ARP-LSI-SW-DR-ZL-000104	Volume		Revision	P09
Scale	1:2500(A1, 1:5000(A3))	Location		Type		Role	
Drawing Number		Originator		Number			

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