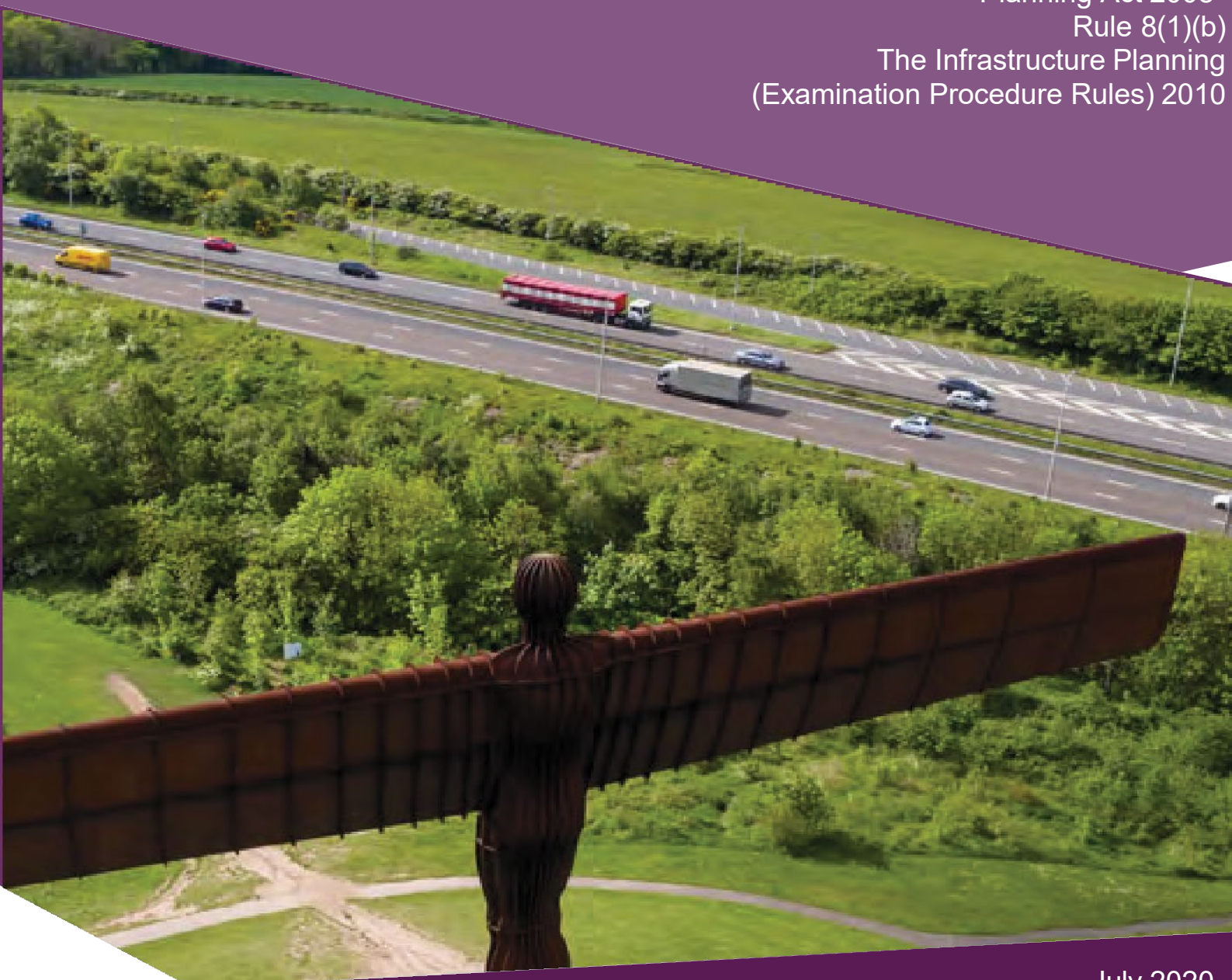


A1 Birtley to Coal House
Scheme Number: TR010031
Schedule of Changes to the DCO

Planning Act 2008
Rule 8(1)(b)
The Infrastructure Planning
(Examination Procedure Rules) 2010



Infrastructure Planning

Planning Act 2008

**The Infrastructure Planning
(Examination Procedure Rules) 2010**

**The A1 Birtley to Coal House
Development Consent Order 20[xx]**

Schedule of Changes to the DCO

Rule Number:	Rule 8(1)(b)
Planning Inspectorate Scheme Reference	TR010031
Application Document Reference	Schedule of Changes to the DCO
Author:	A1 Birtley to Coal House Project Team, Highways England

Version	Date	Status of Version
Rev 0	8 July 2020	For Issue

DCO VERSION, DATE OF PUBLICATION AND PINS DOCUMENT REFERENCE	LIST OF AMENDMENTS FROM PREVIOUS DCO VERSION
Submission Version (Document APP-013)	N/A
Preliminary Hearing Version - Revision 1 - published 16/1/2020 (Document AS-013)	<ul style="list-style-type: none"> • Schedule 1 (Authorised development) – descriptions of Work Nos. 8b and 19 updated; • Schedule 12 (Documents to be certified) – updated with latest document list and version numbers
Deadline 2 Revised Draft DCO – Revision 2 – published 27/2/2020 (Document REP2-045)	<ul style="list-style-type: none"> • Article 2 (interpretation) – Definition of ‘business day’ inserted; • Article 2 (interpretation) – definition of ‘commence’ revised to apply a different definition to paragraphs 4,5,7,8,9,10 of Part 1 to Schedule 2 based on the definition of material operation in section 56(4) of the 1990 Act; • Article 7 (limits of deviation); Schedule 1 (Authorised development) paragraph (u) of the coda; Schedule 2 (Requirements) Part 1, paragraph 3 (Detailed design), Schedule 2 (Requirements), Part 1, paragraph 8 (Surface and foul water drainage); Schedule 2 (Requirements) Part 2, paragraph 3(a) – clauses updated with consistent wording on treatment of environmental effects; • Article 33 (temporary use of land for maintaining the authorised development) – typographical error fixed in sub-section (4); • Article 37 (felling or lopping of trees and removal of hedgerows) – revised to include requirement for consent of local authority for removal of hedgerows;

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	<ul style="list-style-type: none"> • Schedule 1 (Authorised development) - replicated reference to removal of street furniture in paragraph (l) of the coda; • Schedule 2 (Requirements) Part 1, paragraph 1 (Interpretation) – definition of European protected species updated with reference to the Conservation of Habitats and Species Regulations 2017; • Schedule 2 (Requirements) Part 1, paragraph 3 (Detailed design) - new sub-paragraph (3) added to require details of Work No.10 to be submitted to and approved by the Secretary of State; • Schedule 2 (Requirements) Part 1, paragraph 4 (Construction and handover management plan) – list of management plans to be included in the CEMP revised; • Schedule 2 (Requirements) Part 1, paragraph 5 (Landscaping) – wording amended to prevent any part of the authorised development from commencing until the Secretary of State has approved a landscaping scheme for that part; consequential amendment made to sub-paragraph (4); • Schedule 2 (Requirements) Part 1, paragraph 6 – typographical error fixed in sub-paragraph (3); • Schedule 2 (Requirements) Part 1, paragraph 9 (Archaeological mitigation) – clause amended to include consultation with Historic England, for a final written scheme of

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	<p>investigation to be prepared, for this to be in accordance with the mitigation measures of the REAC; additional specification of the content of the scheme of investigation added; provision added in sub-paragraph (2) for final scheme of investigation to be varied by Secretary of State;</p> <ul style="list-style-type: none"> • Schedule 2 (Requirements) Part 1, paragraph 10 (Traffic management) – requirement added to consult with Sunderland Council on the traffic management plan; • Schedule 2 (Requirements) Part 1, paragraph 12 (Pedestrian, cyclist and horse riding facilities) – reference added to Work No. 18 to clarify that relevant Work No. for replacement of the North Dene footbridge; • Schedule 2 (Requirements) Part 1, paragraph 15 (Primary design mitigation) – paragraph (a) deleted as Requirement is covered by the CEMP; additional specification of the two remaining requirements to clarify geographical locations; • Schedule 5 (Public rights of way to be temporarily stopped up and for which a substitute is to be provided) – insertion of ‘temporary stopping up of Public Right of Way LA/40/10 leading to the B1296 Longbank’ as last entry in table; • Schedule 7 (Modification of compensation and compulsory purchase enactments for creation of new rights and imposition of restrictive covenants) – typographical error in paragraph numbering fixed; wording revised in counter notice to include correct reference to the DCO;

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	<ul style="list-style-type: none"> • Schedule 11 (Protective provisions) - Part 4 added to include protection of the environment agency; • Schedule 12 (Documents to be certified) – document list re-ordered and updated with latest document and version numbers;
<p>Deadline 4 Revised Draft DCO – Revision 3a – published 29/4/2020 (Document REP4-074)</p>	<ul style="list-style-type: none"> • Schedule 1 (Authorised Development) wording added after Work No. 4b to clarify that following list of works applies to both Work No. 4a and 4b; • Schedule 1 (Authorised Development) - paragraph (u) added to coda at the end of the Schedule to include the provision of drainage works including attenuation ponds, outfalls, ditches and culverts; • Schedule 2 (Requirements), Part 1, paragraph 3 (Detailed design) amended to require detailed approval for Work No. 12, for consultation with the planning authority and for Work Nos. 10 and 12 to be constructed in accordance with the details approved under sub-paragraph (3); • Schedule 2 (Requirements), Part 1, paragraph 4 (Construction and handover environmental management plans) – provision included in sub-paragraph (1) for consultation with the environment agency on the CEMP; provision included in sub-paragraph (3) for amendments to the CEMP to be approved in writing by the Secretary of State; • Schedule 2 (Requirements), Part 1, paragraph 9 (Archaeological remains) – sub-

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	<p>paragraph (3) revised to require that reporting and publication required in terms of the finalised written scheme of investigation must be agreed with the relevant planning authority in consultation with Historic England; sub-paragraph (6) revised to clarify requirements in relation to unexpected remains;</p> <ul style="list-style-type: none"> • Schedule 2 (Requirements), Part 1, paragraph 12 (Pedestrian, cyclist and horse riding facilities) - additional provision added requiring the details of the design replacement North Dean footbridge to be approved by the Secretary of State; • Schedule 10 (Scheduled monuments) – additional specification of the works to be carried out to the Bowes Railway added; • Schedule 12 (Documents to be certified) – list of documents updated with latest version numbers;
<p>Deadline 4 Change Request Additional Land Draft DCO – Revision 2a – published 29/4/2020 (Document REP4-072)</p>	<p>This version of the draft DCO has the same changes as Revision 3a ((Document REP4-074) but with the following additional revisals in relation to the Change Request:-</p> <ul style="list-style-type: none"> • Schedule 1 (Authorised Development) – Work No. 5a revised to include a new paragraph (iii) with a viaduct structure with up to three spans; • Schedule 2 (Requirements) Part 1, paragraph 14 (Allerdene bridge replacement) revised to include required specifications for three span structure; • Schedule 8 (Land of which temporary possession may be taken) updated to include reference in Land Plans – Sheet 3 to plot 3/13a being required for the construction

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	<p>compound for Allerdene Bridge and associated access;</p> <ul style="list-style-type: none"> • Schedule 12 (Documents to be certified) - list of documents updated with relevant version numbers in relation to the change request;
<p>Deadline 5 – Change Request Additional Land Draft DCO – Revision 3a – published 5/5/2020 (Document REP5-008)</p>	<ul style="list-style-type: none"> • Schedule 2 (Requirements) Part 1, paragraph 3 (Detailed design) - sub-paragraph (3) revised to include missing reference to Work No. 12; • Schedule 2 (Requirements) Part 1, paragraph 4 (Construction and handover environmental management plan) – sub-paragraph (1) revised to include a requirement to consult Historic England on the CEMP; sub-paragraph (3) revised so that any amendment to the CEMP requires to be subject to consultation with the relevant planning authority, the environment agency and Historic England; • Schedule 6 (Land in respect of which only new rights etc. may be acquired) – reference to plot 3/4q on Land Plans Sheet 3 revised to refer to access for the main highway works; • Schedule 10 (Scheduled monuments) - reference to private right of way corrected to public right of way;
<p>Deadline 5 – Revised Draft DCO – Revision 4 – published 5/5/2020 (Document REP5-004)</p>	<ul style="list-style-type: none"> • The same changes were made to the Revision 3A (i.e. the original version of the DCO without the proposed alterations changes in the change request) as were incorporated in Revision 3a;
<p>Deadline 6 – Updated Draft DCO Revision 5 – published 21/5/2020</p>	<ul style="list-style-type: none"> • Schedule 2 (Requirements), Part 1, paragraph 9 (Archaeological remains) - sub-paragraph (1) revised so that FWSI requires to be “substantially” in accordance with the

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(Document REP6-04)	<p>mitigation measures in the REAC;</p> <ul style="list-style-type: none"> • Formatting revised to ensure compliance with OPSI requirements; • Single version of DCO which replaces the 2 versions at Deadlines 4 and 5;
Deadline 8	<ul style="list-style-type: none"> • Article 2 (Interpretation) - additional definitions of “cantilever gantry”, “single span gantry” and “super span gantry” added; • Schedule 2 (Requirements), Part 1, paragraph 3 (Detailed design) – sub-section (3) revised to require details of the layout and scale of Work Nos. 10 and 12 to be approved by the Secretary of State if constructed by the undertaker unless in accordance with consent DC/20/00059/NI; new sub-section (5) added to require the timing of the demolition of the existing gas transfer building by the undertaker to be approved by the Secretary of State; new sub-section (6) added to protect the position of Northern Gas Networks Limited if gas transfer station works are carried out by them in terms of consents outwith the DCO; new sub-section (7) added require a signage scheme for signs in gantry areas to be approved by Secretary of State; new sub-section (8) added to require compliance with the approved signage scheme; new sub-section (8) added to clarify maintenance obligations for the gantries after installation; • Schedule 2 (Requirements), Part 1, paragraph 4 (Construction and handover environmental management plan) – sub-paragraph (2)(a) revised so that the CEMP must be “substantially in accordance with” the mitigation measures set out in the REAC; • Schedule 2 (Requirements), Part 1, paragraph 5(Landscaping) revised so that the

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	<p>landscaping scheme requires to address guidance on good aesthetics;</p> <ul style="list-style-type: none"> • Schedule 2 (Requirements), Part 1, paragraph 10 (traffic management) – new sub-paragraph (3) added to require details of access to construction and working compounds to be approved by the Secretary of State, in consultation with the local highway authority. • Schedule 2 (Requirements), Part 1, paragraph 12 (Pedestrian, cyclist and horse riding facilities) – sub-paragraph (2) revised so that the existing North Dene footbridge cannot be demolished until a scheme for its demolition, together the timings for demolition and construction for the replacement bridge are approved by the Secretary of State, in consultation with the local planning authority. The details submitted for the design of the new footbridge require to show how the design addresses guidance on good aesthetics. • Schedule 11 (Protective provisions), Part 3 - various paragraphs revised to reflect extent of agreement with Network Rail.

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Deadline 9	<ul style="list-style-type: none"> • Article 2 (Interpretation) – definition of “commence” revised to take out exceptions for site clearance and demolition work and option (b) of the definition deleted; additional definitions added for “Northern Gas Networks Land Ownership Plan” and “Southern Green Options Report” • Article 32 (temporary use of land for carrying out the authorised development) –

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	<p>subsection (12) added advising that in the event the Order includes temporary possession and compulsory purchase over the Allerdene construction compound then the undertaker is prohibited from exercising the power of temporary possession over the part of plot 3/6c shown delineated and hatched in purple on the Northern Gas Networks Land Ownership Plan</p> <ul style="list-style-type: none"> • Schedule 1 (authorised development) – description of the options for Work No. 5a re-ordered. • Schedule 2 (requirements), Part 1, paragraph 3 – sub-headings added for ‘general design requirements’, “design of gas transfer buildings”, “design of gantries” and “design of Allerdene Bridge”; paragraph 3(7) revised to include additional requirements for the signage strategy; paragraph 3(9) revised to restrict maintenance or replacement of gantries so that it does not give rise to any new materially or materially different environmental effects in comparison with those reported in the environmental statement; new sub paragraph 3(10) added so that no part of Work No. 5a (other than other than ground treatment, piling or the construction of abutments and supporting piers) is to be constructed until a scheme for various elements of the design of the bridge deck are submitted and approved by the Secretary of State, in consultation with the relevant planning authority. • Schedule 2 (requirements), Part 1, paragraph 4 – exception added to paragraph 4 for site clearance works carried out in terms of paragraph 15; reference to ‘environment agency’ in paragraph 4(1) amended to be capitalised.

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	<ul style="list-style-type: none"> • Schedule 2 (requirements), Part 1, paragraph 5 – exception added to paragraph 5 for site clearance works carried out in terms of paragraph 15; sub paragraph (2) revised so that the landscaping scheme required by sub-paragraph (1) is to be ‘substantially in accordance with’ the mitigation measures; sub-paragraphs (2) – (4) have been expanded to allow for landscaping scheme to be based on Options 1, 2 or 3 as set out in the Southern Green Options Appraisal. This is, however, subject to agreement being reached on any additional costs associated with these options and, in the case of Options 2 and 3, provision being made for additional replacement planting. • Schedule 2 (requirements), Part 1, paragraph 7 – exception added to paragraph 7 for site clearance works carried out in terms of paragraph 15; • Schedule 2 (requirements), Part 1, paragraph 8 – exception added to paragraph 8 for site clearance works carried out in terms of paragraph 15; sub-paragraph (1) revised so that the written details of the surface and foul water drainage system are ‘in substantial accordance with’ the mitigation measures set out in the REAC. This is in order to be consistent with similar provisions in Schedule 2. • Schedule 2 (requirements), Part 1, paragraph 9 – exception added to paragraph 9 for site clearance works carried out in terms of paragraph 15; • Schedule 2 (requirements), Part 1, paragraph 10 – exception added to paragraph 10 for site clearance works carried out in terms of paragraph 15; • Schedule 2 (requirements), Part 1, paragraph 12 – the sub heading has been amended

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	<p>from 'Pedestrian, cyclist and horse riding facilities' to 'Design of North Dene Footbridge.'</p> <ul style="list-style-type: none"> • Schedule 2 (requirements), Part 1, paragraph 13 – subsection (b) added to exempt acoustic barriers from the requirement to be with Volume 1, Series 0300 of the Manual of Contract Documents for Highway Works. • Schedule 2 (requirements), Part 1, paragraph 14 – the word 'substantially' has been inserted in replacement of 'generally' in subsection (a) so as to be consistent with similar terminology in Schedule 1; • Schedule 2 (requirements), Part 1, paragraph 16 – new provision included to require vegetation clearance works to be carried out in accordance with a construction management plan approved in advance by the Secretary of State following consultation. The construction management plan must address specified measures in the REAC. • Schedule 2 (requirements), Part 2, paragraph 17 – a typographical error in 'Secretary' has been corrected; consequential amendments to paragraph references. • Schedule 11 (protective provisions), part 3 – updated to reflect latest agreed position on protective provisions for railway interests; • Schedule 11 (protective provisions), part 3 - protective provisions for the Environment Agency removed at the request of the Environment Agency;

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	<ul style="list-style-type: none">• Schedule 12 (documents to be certified) – ‘Northern Gas Networks Land Ownership Plan’, “Southern Green Options Report” and ‘Environmental Statement Addendum – Additional Land – Appendix C: Update to Preliminary Ecological Appraisal: Updated to incorporate Preliminary Bat Roost Assessment’ added; updates to version numbers of various documents.

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