

**A57 Link Roads**

**TR010034**

**9.34 Schedule of changes to dDCO**

Rule 8(1)(k)

Planning Act 2008

Infrastructure Planning (Examination Procedure) Rules 2010

March 2022

# Infrastructure Planning

## Planning Act 2008

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

### A57 Link Roads Development Consent Order 202[x ]

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#### 9.34 Schedule of changes to dDCO

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<b>Rule Number:</b>	Rule 8(1)(k)
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1	February 2022	Deadline 5
0	January 2022	Deadline 3

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# 1. Introduction

## 1.1. Schedule of dDCO Changes

- 1.1.1. This schedule of changes records the changes made to the draft Development Consent Order (the "dDCO"). It does not list every typographical change made to the dDCO. Clean and tracked change versions of the dDCO are submitted by the Applicant at each deadline.

## 1.2. Changes made at Deadline 7 – 23 March 2022

Provision	Change	Reason for change
<b>Schedule 5</b>	Reference to plot 8/6 added	To ensure the dDCO reflects the updated Book of Reference and Land Plans submitted at Deadline 7 to change plot 8/6 to temporary possession with permanent rights.
<b>Schedule 10</b>	References updated	To ensure the dDCO refers to the latest updated supporting DCO documentation to be certified.

## 1.3. Changes made at Deadline 6 – 16 March 2022

Provision	Change	Reason for change
<b>Article 11(8)</b>	Sub-clause deleted	This provision dis-applied permitting schemes adopted by local highway authorities and is no longer required.
<b>Article 14(7)</b>	New sub-clause 14(7) added	Article 14(7) has been inserted to notify a street authority of the deemed consent notice period. Article 14(6) has been updated accordingly.
<b>Article 15(2)(b)</b>	Text added	To clarify that a temporary alternative route must be provided for each street or private means of access until the new street or private means of access is open for use.
<b>Article 18(12)</b>	New sub-clause 18(12) added	Article 18(12) has been inserted to notify a traffic authority of the deemed consent notice period. Article 18(11) has been updated accordingly.
<b>Article 19(10)</b>	New sub-clause 19(10) added	Article 19(10) has been inserted to notify the person or body responsible for drainage infrastructure of the deemed consent notice period. Article 19(9) has been updated accordingly.

Provision	Change	Reason for change
<b>Article 21(7)</b>	New sub-clause 21(7) added	Article 21(7) has been inserted to notify a local highway authority or a street authority of the deemed consent notice period. Article 21(6) has been updated accordingly.
<b>Schedule 2 Requirement 4(2)(c)(x)</b>	Text added	To clarify that written notice will be provided in respect of works outside of specified hours except in cases of emergency or repair & maintenance of construction equipment which shall be notified as soon as practicable.
<b>Schedule 2 Requirement 5</b>	Requirement 5(1) text amended  New sub-requirement 5(2) inserted	Text added at requirement 5(1) to prevent commencement of works on a part of the authorised development until a written landscaping scheme has been approved for that part.  New sub-requirement 5(2) inserted to require the authorised development to be landscaped in accordance with the approved scheme.
<b>Schedule 2 Requirement 10(1)</b>	Text added	To ensure the written scheme of investigation includes a programme for post excavation matters in a manner consistent with the wording at requirement 10(3).

#### 1.4. Changes made at Deadline 5 – 23 February 2022

Provision	Change	Reason for change
<b>Preamble</b>	New paragraph in respect of Section 131 of the Planning Act 2008 added	New paragraph inserted to confirm the Secretary of State is satisfied the statutory exemption in section 131(5) applies and permits the compulsory acquisition of special category land.

Provision	Change	Reason for change
<b>Article 3(3)</b>	Sub-clause deleted	Provision no longer required.
<b>Article 5(1)</b>	Text added	Additional text inserted to clarify that where a landowner's access to land is restricted, the undertaker shall be responsible for maintaining the drainage of the land.
<b>Article 13(9)</b>	Text added	Additional text inserted to clarify that any changes agreed with the local authority will not give rise to environmental effects beyond those reported in the environmental statement.
<b>Schedule Work No.4</b>	1 New items (vii), (viii) and (ix) added	Additional works descriptions inserted to accurately describe updates made to the work plans.
<b>Schedule Work No.9</b>	1 "bridleway" replaced with "combined footway/cycleway with equestrian use"	To ensure the use of the term is consistent in the dDCO.
<b>Schedule Work No.11</b>	1 "combined footway/cycleway with equestrian use" inserted	To ensure the use of the term is consistent in the dDCO.
<b>Schedule Work No.13</b>	1 New item (x) added	Additional work description inserted to accurately describe updates made to the work plans.
<b>Schedule Work No.14</b>	1 Stated length updated	To accurately describe updates made to the work plans.
<b>Schedule Work No.25(iii)</b>	1 Stated length updated	To accurately describe updates made to the work plans.
<b>Schedule Work No.67</b>	1 New work description added	To accurately describe updates made to the work plans.
<b>Schedule Work No.68</b>	1 New work description added	To accurately describe updates made to the work plans.
<b>Schedule Work No.69</b>	1 New work description added	To accurately describe updates made to the work plans.

Provision	Change	Reason for change
<b>Schedule 1 other works</b>	Reference to the requirement to not give rise to environmental effects beyond those assessed in the environmental statement moved to precede items (a) to (p).	To clarify that none of the works listed in items (a) to (p) will give rise to environmental effects beyond those reported in the environmental statement.
<b>Schedule 2 interpretation</b>	New definition of "preliminary works" added	To clarify the types of preliminary works that can be undertaken and not require consent unless otherwise expressly stated in the dDCO.
<b>Schedule 2 requirement 4</b>	Requirement 4(1) consultation with the local highway authority and Environment Agency added  Requirement 4(2) (ii), (vi) and (ix) reference to materially new or materially worse environmental effects added	Text added to Requirement 4(1) to clarify that the second environmental management plan is to be approved by the Secretary of State in consultation with the local highway authority and Environment Agency.  Text added to Requirement 4(2) (ii), (vi) and (ix) to clarify that working beyond the allocated working hours for the specified items will not give rise to environmental effects beyond those reported in the environmental statement.
<b>Schedule 2 requirement 5(1)</b>	Text added	To clarify that the landscaping for the authorised development shall be approved by the Secretary of State in consultation with the planning authority prior to the relevant part of the authorised development coming into use.
<b>Schedule 2 requirement 7(2)</b>	Text added	To clarify the extent of the works that must cease in the event of a likely impact on a protected species.
<b>Schedule 2 requirement 8(1)</b>	Consultation with the Environment Agency added	To ensure the Environment Agency are consulted on matters related to its function.



Provision	Change	Reason for change
<b>Schedule 2 requirement 9</b>	<p>Requirement 9(1) text added</p> <p>Requirement 9(2) text amended</p>	<p>Requirement 9(1) has been amended to ensure the reference to the flood risk assessment can include the latest details approved by the Environment Agency.</p> <p>Requirement 9(2) has been amended to include consultation with the lead local flood authority and to delete the exception permitting flood levels to be exceeded by acceptance from affected landowners because the drainage solution does not require this for this scheme.</p>
<b>Schedule 2 requirement 10</b>	<p>Requirement 10(1) consultation with the Greater Manchester Archaeological Advisory Service and the county archaeologist at Derbyshire County Council added.</p> <p>New sub-requirements 10(7) and 10(8) added.</p>	<p>To ensure GMAAS and the county archaeologist are consulted on matters related to their function.</p> <p>New sub-requirements 10(7) provides for approval of the county archaeologist to the long term storage arrangements for artefacts.</p> <p>New sub-requirements 10(8) is an express exception where intrusive ground works comprise a category of preliminary works requiring approval.</p>
<b>Schedule 3 Part 8</b>	<p>Stated lengths have been updated and additional descriptions inserted</p>	<p>To ensure the dDCO accurately reflects the amended work plans.</p>
<b>Schedule 9 Part 6</b>	<p>Protective provisions in favour of the Environment Agency</p>	<p>Revised short form inserted as requested by the Environment Agency.</p>
<b>Schedule 10</b>	<p>References updated</p>	<p>To ensure the dDCO refers to the latest updated supporting DCO documentation.</p>

## 1.5. Changes made at Deadline 3 – 26 January 2022

Provision	Change	Reason for change
<b>Preamble paragraphs 2, 3 and 4</b>	Text referring to examination by a single appointed person updated.	The application is being examined by a two person panel.
<b>Preamble paragraph 5</b>	Section 123 of the Planning Act 2008 added.	The power for the Secretary of State to authorise the compulsory acquisition of land, which forms part of the application and dDCO, has been added.
<b>Article 2.1 "first iteration EMP"</b>	Definition moved to Schedule 2, Part 1, Requirement 1	This definition is only used in the requirements in Schedule 2.
<b>Article 2.1 "hedgerow and protected tree plans"</b>	Definition renamed "TPO and hedgerow plans"	To ensure the defined term is consistent with the name on the plans cited in Schedule 10.
<b>Article 2.1 "the speed limits and traffic regulations plans"</b>	Defined term applied consistently with a lower case throughout the dDCO	To ensure use of the defined term is consistent.
<b>Article 2.1 "the works plans"</b>	Defined term applied consistently with a lower case throughout the dDCO	To ensure use of the defined term is consistent.
<b>Article 12</b>	References to "local highway authority" and "street authority" have been updated	To ensure use of the defined terms is consistent.
<b>Article 19</b>	New Article 19(5) added	To clarify that the undertaker must not, when carrying out works or maintenance, interfere with the bed or banks of main river.
<b>Schedule 1</b>	Proposed bridleways replaced with combined footway/cycleway with equestrian use	Discussions with Tameside Metropolitan Borough Council have established that the designation of the new public rights of way as

Provision	Change	Reason for change
<b>Work No.s 7, 11, 14 &amp; 26</b>		footway/cycleways with equestrian use will best achieve the provision and future maintenance of a surface suitable for all categories of permitted user.
<b>Schedule 1 Work No.s (a) and (d)</b>	Reference to cycleways added	To ensure the rights in these provisions include the wider categories of user permitted by cycleways.
<b>Schedule 2 Requirement 1</b>	Definition of Environmental Management Plan removed and relevant references updated to refer to the first iteration EMP	To ensure use of the defined terms is consistent.
<b>Schedule 3 Part 8</b>	Proposed bridleways replaced with combined footway/cycleway with equestrian use	Discussions with Tameside Metropolitan Borough Council have established that the designation of the new public rights of way as footway/cycleways with equestrian use will best achieve the provision and future maintenance of a surface suitable for all categories of permitted user.
<b>Schedule 4 Part 1</b>	Relevant references inserted to new combined footway/cycleway with equestrian use and points on plans updated	Discussions with Tameside Metropolitan Borough Council have established that the designation of the new public rights of way as footway/cycleways with equestrian use will best achieve the provision and future maintenance of a surface suitable for all categories of permitted user.
<b>Schedule 5</b>	Updated to record the restrictive covenants required where utility works are referenced.	To record that new rights may include the imposition of restrictive covenants to protect the apparatus of statutory undertakers after it has been installed.
<b>Schedule 7</b>	The purposes for which some of the identified plots may be taken have been updated	To ensure the reasons provided for temporary possession are consistent with the Statement of Reasons.

Provision	Change	Reason for change
<b>Schedule 8 Part 2 column 4</b>	Column 4 retitled "Tree Preservation Order (TPO) reference"	For clarity and in response to the Examining Authority's request.
<b>Schedule 9</b>	Parts 5 onwards have been re-numbered	To ensure the parts of this schedule are numbered chronologically.
<b>Schedule 10 Speed limits and traffic regulations plans</b>	Typographical changes made and updated revision numbers inserted.	Changes made for consistency and revision numbers updated as requested by the Examining Authority.

### 1.6. Changes made at Deadline 1 – 1 December 2021

Provision	Change	Reason for change
<b>Article 2.1 "undertaker"</b>	Definition updated to refer to National Highways Limited	To accurately record the Applicant's name change.
<b>Schedule 1 New Work No. 66</b>	Lengths of noise barriers inserted	To provide clarity as requested by the Examining Authority.
<b>Schedule 7</b>	References to Work No. 66 inserted	To provide clarity as requested by the Examining Authority.

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