

CORRECTION NOTICE

A57 LINK ROADS DEVELOPMENT CONSENT ORDER 2022 (S.I. 2022 No. 1206)

SCHEDULE 4 TO THE PLANNING ACT 2008 CORRECTION OF ERRORS IN DEVELOPMENT CONSENT DECISIONS

01 February 2024

The Secretary of State received a request dated 28 December 2022 from Gowling WLG (UK) LLP acting on behalf of National Highways Limited (“the Applicant”) for the correction of errors and omissions in the A57 Link Roads Development Consent Order 2022 (“the Order”), under paragraph 1(6) of Schedule 4 to the Planning Act 2008.

The Secretary of State has made the following corrections to the Order:

Corrections to articles

Article 15 (permanent stopping up and restriction of use of highways, streets and private means of access)

In article 15(1), insert “highways,” before “streets”

Secretary of State’s rationale: to ensure clarity, consistency with the title of article 15 and Schedule 4 and the correct operation of article 15 given that paragraphs (1) and (2) cross-refer to routes to be stopped up, as identified in column (1) of Parts 1 and 2 of Schedule 4 and that column (1) of Part 1 of Schedule 4 expressly includes “public rights of way” as a minor form of highway.

In article 15(2) and (3), before “street” in each of the six places the expression occurs insert “highway,”

Secretary of State’s rationale: to ensure clarity, consistency with the title of article 15 and Schedule 4 and the correct operation of article 15 given that paragraphs (1) and (2) cross-refer to routes to be stopped up, as identified in column (1) of Parts 1 and 2 of Schedule 4 and that column (1) of Part 1 of Schedule 4 expressly includes public rights of way as a minor form of highway.

LEGAL CHALLENGES RELATING TO APPLICATIONS FOR DEVELOPMENT CONSENT ORDERS

Under section 118(4) of the Planning Act 2008, a decision under paragraph 1 of Schedule 4 to correct an error in an Order granting development consent can be challenged only by means of a claim for judicial review. A claim for judicial review must be made to the High Court during the period of 6 weeks beginning with the day after the day on which the Order making the correction is published. The A57 Link Roads Order 2022 (as made) is being published on the Planning Inspectorate website at the following address:

[A57 Link Roads \(previously known as Trans Pennine Upgrade Programme\) | National Infrastructure Planning \(planninginspectorate.gov.uk\)](https://www.planninginspectorate.gov.uk/a57-link-roads/)

These notes are provided for guidance only. A person who thinks they may have grounds for challenging the decision to make the Correction Order referred to in this notice is advised to seek legal advice before taking any action. If you require advice on the process for making any challenge you should contact the Administrative Court Office at the Royal Courts of Justice, Strand, London, WC2A 2LL (020 7947 6655).