

A47 North Tuddenham to Easton

Scheme Number: TR010038

Volume 9

9.4 Draft Development Consent Order - Schedule of Drafting Changes for Deadline 5

The Infrastructure Planning (Examination Procedure) Rules 2010
Rule 3(2)(b)

Planning Act 2008

November 2021

Infrastructure Planning

Planning Act 2008

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

A47 North Tuddenham to Easton
Development Consent Order 202[x]

**DRAFT DEVELOPMENT CONSENT ORDER:
SCHEDULE OF DRAFTING CHANGES FOR DEADLINE 5**

Rule Number:	3(2)(b)
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Rev 0	September 2021	Deadline 1
Rev 1	September 2021	Deadline 2
Rev 2	October 2021	Deadline 3
Rev 3	November 2021	Deadline 5

1 INTRODUCTION

- 1.1.1 The Development Consent Order (**DCO**) application for the A47 North Tuddenham to Easton scheme was submitted on 15 March 2021 and accepted for examination on 12 April 2021.
- 1.1.2 The purpose of Table 1.1 in this document is to set out the changes made to the draft Development Consent Order (**dDCO**) from that submitted on 15 March 2021 (Version 0) (**APP-017**).
- 1.1.3 These changes were made principally to reflect the advice issued by the Planning Inspectorate, on 12 April 2021, under section 51 of the Planning Act 2008 following acceptance of the application and to address comments made by interested parties in their relevant representations issued by the Planning Inspectorate 01 July 2021.
- 1.1.4 The purpose of Table 1.2 in this document is to set out the changes made to the draft Development Consent Order (**dDCO**) from that submitted on 1 September 2021 (Version 1) (**REP1-004**).
- 1.1.5 These changes were made principally to reflect the Examining Authority's first set of written questions.
- 1.1.6 The purpose of Table 1.3 in this document is to set out the changes made to the draft Development Consent Order (**dDCO**) from that submitted on 14 September 2021 (Version 2) (**REP2-005**).
- 1.1.7 These changes were made principally to reflect the updates to plans in response to comments made by interested parties in their relevant representations issued by the Planning Inspectorate on 01 July 2021.
- 1.1.8 The purpose of Table 1.4 in this document is to set out the changes made to the draft Development Consent Order (**dDCO**) from that submitted on 5 October 2021 (Version 3) (**REP3-011**).
- 1.1.9 It is submitted together with:
- Revised issue of the dDCO (Version 4), and
 - a comparison version of the dDCO showing all changes between the new Version 4 and Version 3.
- 1.1.10 These changes are made principally to reflect the points explored by the Examiner and other interested parties at Issue Specific Hearing 1: Draft Development Consent Order, which took place virtually on 2 November 2021.

Table 1.1: Summary of changes made to the dDCO (Version 1) from the dDCO submitted in the application for development consent (Version 0)

Article/Schedule	Change	Reason for change	Precedent used	Consequential changes
Article 2, Interpretation for the Development Consent Order	The definition of 'Cadent' has been removed.	This has been removed as this definition is not used in the DCO.	N/A	N/A
Article 2, Interpretation for the Development Consent Order	The definition of 'NGET' has been removed.	This has been removed as this definition is not used in the DCO.	N/A	N/A
Article 2, Interpretation for the Development Consent Order	The definition of 'Openreach' has been removed.	This has been removed as this definition is not used in the DCO.	N/A	N/A
Article 2, Interpretation for the Development Consent Order	The definition of 'Virgin Media' has been removed.	This has been removed as this definition is not used in the DCO.	N/A	N/A
Article 2, Interpretation for the Development Consent Order	The definition of 'Vodafone' has been removed.	This has been removed as this definition is not used in the DCO.	N/A	N/A
Article 3, Disapplication of legislative provisions	A new sub-section has been included to disapply s161(1) of the planning Act 2008 if compliance with the DCO prevents Orsted Hornsea Project Three UK (Orsted) from complying with any article or requirement in the Hornsea Three Offshore Wind Farm Order 2020 and vice versa.	This provision has been included at the request of Orsted (see RR078.13 in the Applicant's Responses to relevant Representations)	N/A	The definitions of 'Hornsea Three' and 'Hornsea Three Order' have been included in Article 2 Requirement 13 has been updated to reflect the inclusion of the Hornsea Three Order definition
Schedule 1, 'Authorised Development', Work No. 73	'and 2' has been added into the description of Work No. 73.	The description has been amended to accurately reflect the description for the works.	N/A	N/A
Schedule 1, 'Authorised Development', Work No. 74	'2' has been removed and '8, 9, 10 and 11' have been added into the description of Work No. 74.	The description has been amended to accurately reflect the description for the works.	N/A	N/A
Schedule 1, 'Authorised Development', Work No. 80	'15, 16 and 17' has been added into the description of Work No. 80.	The description has been amended to accurately reflect the description for the works.	N/A	NA

Article/Schedule	Change	Reason for change	Precedent used	Consequential changes
Schedule 1, 'Authorised Development', Work No. 83	'crossing Work Nos 1 and 16' has been added into the description of Work No. 83.	The description has been amended to accurately reflect the description for the works.	N/A	N/A
Schedule 1, 'Authorised Development', Work No. 84	'17, 18, 20' and 'and' has been removed and '19, 22, 23' and '29' have been added into the description of Work No. 84.	The description has been amended to accurately reflect the description for the works.	N/A	N/A
Schedule 1, 'Authorised Development', Work No. 85	Work No. 26 has been amended to Work No. 26a in the description of Work No. 85.	The description has been amended to accurately reflect the description for the works.	N/A	N/A
Schedule 1, 'Authorised Development', Work No. 87	'and 33' has been added into the description of Work No. 87.	The description has been amended to accurately reflect the description for the works.	N/A	N/A
Schedule 1, 'Authorised Development', Work No. 89	'32' has been added into the description of Work No. 89.	The description has been amended to accurately reflect the description for the works.	N/A	N/A
Schedule 1, 'Authorised Development', Work No. 90	'39 and' has been added into the description of Work No. 90.	The description has been amended to accurately reflect the description for the works.	N/A	N/A
Schedule 2, 'Requirements' Requirement 4(1)	The Environment Agency has been added as a consultee for the Environmental Management Plan (EMP) (Second Iteration).	This provision has been included at the request of the Environment Agency (see RR066.7 in the Applicant's responses to Relevant Representations).	N/A	N/A
Schedule 2, 'Requirements' Requirement 6(2)	This provision has been updated so that the requirement for remediation is based on a consideration of the risk assessment and wording has been added to clarify that remedial measures must also prevent any impacts on controlled waters.	This provision has been updated at the request of the Environment Agency (see RR066.9 in the Applicant's responses to Relevant Representations).	N/A	N/A
Schedule 2, 'Requirements' Requirement 8(1)	The Environment Agency has been added as a consultee for the details of the surface and foul water drainage system.	This provision has been included at the request of the Environment Agency (see RR066.11 in the Applicant's responses to Relevant Representations).	N/A	N/A
Schedule 2, 'Requirements' Requirement 9(1)	Norfolk County Council Historic Strategy and Advice Team and Historic England have been added as consultees for the written scheme of investigation.	This provision has been included at the request of Norfolk County Council (see	N/A	N/A

Article/Schedule	Change	Reason for change	Precedent used	Consequential changes
		RR037.17 in the Applicant's responses to Relevant Representations).		
Schedule 7, 'Temporary Possession'	Plot 14/6a has been included within Schedule 7.	This plot has been changed from permanent acquisition to temporary acquisition following discussions between Applicant and the landowner (see RR-006, RR-008 and RR-009 in the Applicant's responses to Relevant Representations).	N/A	N/A

Table 1.2: Summary of changes made to the dDCO (Version 2) from the dDCO submitted at deadline 1 (Version 1)

Article/Schedule	Change	Reason for change	Precedent used	Consequential changes
Article 2, Interpretation for the Development Consent Order	The definition of "commence" has been amended to delete reference to "diversion and laying of underground apparatus".	This amendment is in response to Question 7.0.5 of the Examining Authority's First Written Questions. Upon review the Applicant has decided to remove this wording.	N/A	N/A
Article 2, Interpretation for the Development Consent Order	The definition of "environment statement" has been amended to remove the capitals from the words.	The amendment has been made to ensure terminology is consistent throughout the DCO.	N/A	N/A
Article 2, Interpretation for the Development Consent Order	The definition of "Order land" has been amended to capitalise the words "Book of Reference".	The words "book of reference" have been capitalised for grammatical consistency and in response to Question 7.0.7 of the Examining Authority's First Written Questions.	N/A	N/A
Article 2, Interpretation for the Development Consent Order	Paragraph 4 has been amended to capitalise the words "Book of Reference".	The words "book of reference" have been capitalised for grammatical consistency and in response to Question 7.0.7 of the Examining Authority's First Written Questions.	N/A	N/A
Article 10, Consent to transfer benefit of Order	Sub-section 11 has been amended to include the words "any works relating to its apparatus set out in" in paragraphs (a) – (d).	This amendment has been made in response to question 7.0.12 of the Examining Authority's First Written	N/A	N/A

Article/Schedule	Change	Reason for change	Precedent used	Consequential changes
		Questions so that to ensure the transfer of benefit only applies to the apparatus owned by the particular entity.		
Article 12, Construction and maintenance of new, altered or diverted streets and other structures	Sub-section 5 has been amended to hyphenate the words "de-trunked" and "de-trunking".	This amendment has been made to ensure consistency between the DCO and the plans.	N/A	N/A
Article 12, Construction and maintenance of new, altered or diverted streets and other structures	Sub-section 6 has been amended to delete the word "and".	The word "and" has been removed in response to question 7.0.15 of the Examining Authority's First Written Questions.	N/A	N/A
Article 13, Classification of roads, etc.	Sub-section 6 has been updated to refer to the "relevant highway authority" as opposed to the "relevant planning authority".	This amendment has been made in light of question 7.0.17 of the Examining Authority's First Written Questions. Upon reflection the local highway authority is more appropriate.	N/A	N/A
Article 37 , Apparatus and rights of statutory undertakers in stopped up streets	The cross reference in sub-section (2) has been updated from article 16 to article 17.	This amendment is a correction of a typographical error.	N/A	N/A
Schedule 2, 'Requirements', Requirement 4(1)	The lead local flood authority has been listed as a consultee under Requirement 4(1) (Environmental Management Plan).	This amendment has been made at the request of Norfolk County Council as lead local flood authority.	N/A	The definition of "local lead flood authority" has been included in paragraph 1 of Schedule 2 'Requirements'
Schedule 2, 'Requirements', Requirement 8	The word foul water has been removed from Requirement 8.	This amendment has been made as a foul water drainage system is not being installed as part of the Scheme.	N/A	N/A
Schedule 2, 'Requirements', Requirement 8	The lead local flood authority has been listed as a consultee under Requirement 8(1) and 8(2) (Surface water drainage).	This amendment has been made at the request of Norfolk County Council as lead local flood authority.	N/A	The definition of "local lead flood authority" has been included in paragraph 1 of

Article/Schedule	Change	Reason for change	Precedent used	Consequential changes
				Schedule 2 'Requirements'
Schedule 2, 'Requirements', Requirement 10 (2)	The word "constructed" has been deleted and replaced with "implemented".	This amendment has been made in response to question 7.0.45 of the Examining Authority's First Written Questions.	N/A	N/A
Schedule 10, Documents, etc to be certified	The words "Chapter 2" has been inserted and revisions of the Documents have been inserted.	This amendment has been made in response to Question 7.0.2 of the Examining Authority's First Written Questions.	N/A	NA
Explanatory Note	The words "Book of Reference" has been capitalised, the word "and" deleted and the words "and other documents" inserted.	The words "book of reference" have been capitalised for grammatical consistency and in response to Question 7.0.7 of the Examining Authority's First Written Questions.	N/A	N/A

Table 1.3: Summary of changes made to the dDCO (Version 3) from the dDCO submitted at deadline 2 (Version 2)

Article/Schedule	Change	Reason for change	Precedent used	Consequential changes
Schedule 2, 'Requirements', Requirement 8 (2)	The word "and the Environment Agency" has been inserted.	This amendment was requested by the Environment Agency in their Written Representation.	N/A	N/A
Schedule 2, 'Requirements', Requirement 19 (2)	The number "10" has been deleted and replaced with "15".	This amendment was requested by Norfolk County Council in their Written Representation.	N/A	N/A
Schedule 3, 'Classifications of Roads', Part 1A	The entirety of "Part 1A Classified A Roads" has been deleted.	The spur will not be public highway unless and until the Norwich Western Link is delivered, so the corresponding classification has been deleted as it is not needed. Further detail is included in the Applicant's response to RR-077.3.	N/A	N/A

Article/Schedule	Change	Reason for change	Precedent used	Consequential changes
Schedule 3, 'Classifications of Roads', Part 4, The traffic regulation plans – sheet 1	The words "375m east of the junction with Hall Lane" has been deleted and replaced with "26m west of Fox Lane overbridge". The number "1156" has been deleted and replaced with "1699".	The length of the 50mph zone has been extended to the Fox Lane overpass at the request of Norfolk County Council. Therefore the description of the road has been updated accordingly.	N/A	N/A
Schedule 3, 'Classifications of Roads', Part 4, The traffic regulation plans – sheet 2	The number "60" has been deleted and replaced with "50".	The speed limit has been reduced on safety grounds following discussions with Norfolk County Council	N/A	N/A
Schedule 3, 'Classifications of Roads', Part 4, The traffic regulation plans – sheet 9	The number "60" has been deleted and replaced with "30".	The speed limit has been reduced in response to RR-046.1 and following discussions with Norfolk County Council.	N/A	N/A
Schedule 3, 'Classifications of Roads', Part 4, The traffic regulation plans – sheet 10	The number "60" has been deleted and replaced with "50".	The speed limit has been reduced in accordance with the Applicant's response to Norfolk County Council's comments in RR037.11.	N/A	N/A
Schedule 3, 'Classifications of Roads', Part 4, The traffic regulation plans – sheet 14	The number "60" has been deleted and replaced with "30".	The speed limit has been reduced on safety grounds following discussions with Norfolk County Council.	N/A	N/A
Schedule 3, 'Classifications of Roads', Part 4, The traffic regulation plans – sheet 14	The number "60" has been deleted and replaced with "30".	The speed limit has been reduced on safety grounds following discussions with Norfolk County Council	N/A	N/A
Schedule 3, 'Classifications of Roads', Part 6, The rights of way and access plans – sheet 7	The first row "East Tuddenham Parish; Reference CF39 to CF40 A cycletrack in the verge on the southern side of the Link Road from the existing A47 from point CF39 to CF40, a distance of 50 metres" has been deleted.	Following a review of the cycle track provision, this has been deleted because the cycle track is to be provided in the northern verge of the existing A47	N/A	N/A
Schedule 3, 'Classifications of Roads', Part 6, The rights of way and access plans – sheet 7,	The number "813" has been deleted and replaced with "844".	Following a review of the cycle track provision, the cycle track along the northern verge of the existing A47 has been extended to replace CF39 to CF40.	N/A	N/A

Article/Schedule	Change	Reason for change	Precedent used	Consequential changes
Schedule 3, 'Classifications of Roads', Part 6, The rights of way and access plans – sheet 9	<p>A new row has been inserted.</p> <p>In the first column, the words "Honingham Parish" have been inserted.</p> <p>In the second column, the words "Reference CF9 to CF9a A cycle track in the verge on the eastern side of Dereham Road from point CF9 in a northerly direction to meet the existing A47 and then in the verge on the southern side of the existing A47 in an easterly direction to a point CF9a, a distance of 260 metres" have been inserted.</p>	Part of the cycle track CF9 to CF10 has been upgraded to a restricted byway in response to the comments made by Norfolk County Council in RR-037.59	N/A	N/A
Schedule 3, 'Classifications of Roads', Part 6, The rights of way and access plans – sheet 9	<p>The letter "a" has been inserted after "Reference CF9"</p> <p>The words "cycle track" has been deleted and replaced with "restricted byway".</p> <p>The words "on the eastern side of Dereham Road" has been deleted.</p> <p>The words "in a northerly direction to meet the existing A47 and then in the verge" has been deleted.</p> <p>The number "415" has been deleted and replaced with "159".</p>	Part of the cycle track CF9 to CF10 has been upgraded to a restricted byway in response to the comments made by Norfolk County Council in RR-037.59	N/A	N/A
Schedule 3, 'Classifications of Roads', Part 6, The rights of way and access plans – sheet 12	The number "225" has been deleted and replaced with "257".	Following a review of the cycle track provision, the length of the cycle track has been extended to join up with CF11 to CF12.	N/A	N/A
Schedule 3, 'Classifications of Roads', Part 6, The rights of way and access plans – sheet 14	The words "Taverham Road and then in the verge on the western side in a northerly direction to" has been deleted and the words "on Taverham Road" has been inserted after "a point CF18".	Following a review of the cycle track provision, the alignment and length of the cycle track has been updated to follow the current existing cycle track.	N/A	N/A

Article/Schedule	Change	Reason for change	Precedent used	Consequential changes
	The number "201" has been deleted and replaced with "172" after the words "a distance of"			
Schedule 3, 'Classifications of Roads', Part 6, The rights of way and access plans – sheet 16	The words "cycle track" has been deleted and replaced with "footpath". The number "66" has been deleted and replaced with "69" after the words "a distance of".	The cycle track between CF23 and CF24 has been changed to a footpath in response to South Norfolk Council's comments in RR-057.11	N/A	N/A
Schedule 4, Part 1, The rights of way and access plans – sheet 6	The words "Access Road to Newgate House" has been deleted. The words "Access road" has been deleted and replaced with "Public Footpath" The number "38" has been deleted and replaced with "34" after "a distance of"	The access road is private, so has been moved to Part 4 of Schedule 4. The distance of the highway has been changed as a result of amendments to the base map as stated in the Applicant's response to RR-037.58	N/A	N/A
Schedule 4, Part 1, The rights of way and access plans – sheet 6	The words "A10" has been deleted and replaced with "A11" The word "public" has been capitalised and the words "southerly direction for 70metres and then a" has been deleted. The number "116" has been deleted and replaced with "95".	The reference to A10 has been corrected to A11 and the distances have been changed as a result of amendments to the base map as stated in the Applicant's response to RR-037.58	N/A	N/A
Schedule 4, Part 2, The rights of way and access plans – sheet 2	The words "and cycle track connection" has been inserted.	The description of the highway has been amended for accuracy.	N/A	N/A
Schedule 4, Part 2, The rights of way and access plans – sheet 6	In the third column, the number "21" has been deleted and replaced with "54" In the fourth column, the number "24" has been deleted and replaced with "55"	The distances have been updated as a result of amendments to the base map as stated in the Applicant's response to RR-037.58	N/A	N/A

Article/Schedule	Change	Reason for change	Precedent used	Consequential changes
Schedule 4, Part 2, The rights of way and access plans – sheet 6	In the third column, the number "19" has been deleted and replaced with "16"	The distances have been updated as a result of amendments to the base map as stated in the Applicant's response to RR-037.58	N/A	N/A
Schedule 4, Part 2, The rights of way and access plans – sheet 10	In the third column, the number "141" has been deleted and replaced with "467"	The distances have been changed as a result of amendments to the base map as stated in the Applicant's response to RR-037.58	N/A	N/A
Schedule 4, Part 3, The rights of way and access plans – sheet 16	In the fourth column, the words "79 metres west of" have been deleted and replaced with "at". The number "14" has been deleted and replaced with "89"	The description of the private access has been updated so that it is clear the access is closed from Ringland Lane	N/A	N/A
Schedule 4, Part 4, The rights of way and access plans – sheet 6	A new row has been inserted. In the first column, the words "Norfolk County Council Hockering Parish" have been inserted. In the second column, the words "Reference B11 to B12 Private access road to Newgate House" has been inserted. In the third column, the words "Reference B11 to B12 A point B11 extending south towards Newgate House to point B12, a distance of 32 metres" have been inserted.	This is a private road, not a public highway, so has been moved from Part 1 to Part 4 of Schedule 3.	N/A	N/A
Schedule 9, Part 4	The Protective Provisions for the protection of Anglian Water Services Limited have been updated.	The updated drafting reflects the latest draft of protective provisions in circulation.	N/A	N/A

Table 1.4: Summary of changes made to the dDCO (Version 4) from the dDCO submitted at deadline 3 (Version 3)

Article/Schedule	Change	Reason for change	Precedent used	Consequential changes
Article 2, Interpretation for the Development Consent Order	The definition of “authorised development” has been amended to remove a comma and insert a semi-colon, “;”, at the end of the definition	This change has been made at the request of the ExA for grammatical consistency	N/A	N/A
Article 2, Interpretation for the Development Consent Order	The definition of undertaker has been updated to refer to National Highways Limited rather than Highways England Company Limited	This change has been made to reflect the recent name change of the Applicant .	N/A	N/A
Article 10, Consent to transfer benefit of Order	Paragraph 3 has been amended to insert the words "save where those benefits or rights are exercised by a statutory undertaker or by an owner or occupier of land pursuant to paragraph (2) of article 27 (compulsory acquisition of rights and imposition of restrictive covenants) of this Order, in which case liability for the payment of compensation remains with the undertaker."	This change has been made in response to the Examiner's question at ISH1. Further detail can be found in 9.19 Applicant's Written Summary of Oral Submissions at ISH1 REP4-014 Question ref. 1.6.	N/A	N/A
Article 13, Classification of roads, etc.	Paragraph 7 has been amended to insert the words "only be constructed by the undertaker in the specified location if approved by the relevant highway authority and opened for use on such day as", to delete the words "the undertaker may determine", and to insert the words "approved by the relevant highway authority."	This change has been made as a result of ongoing discussions with Norfolk County Council regarding the delivery of Work No.26a.	N/A	N/A
Schedule 1, Authorised Development, Work No. 47	The descriptions of works under Work No. 47 has been amended to read as follows: "a new and altered carriageway, footways, embankment and drainage from the proposed Norwich Road junction northern dumbbell roundabout (Work No. 44) north 270 metres to Taverham Road , shown on sheet number 14 of the works plans".	This change has been made in response to the submission made by D G M Kenney at Deadline 4, REP4-033 .	N/A	N/A
Explanatory Note	The references to Highways England have been updated to refer to National Highways.	This change has been made to reflect the recent name change of the Applicant .	N/A	N/A