



The Planning Inspectorate

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Our Ref: TR010040

Date: 26 November 2021

Dear Sir / Madam,

The Examining Authority's Schedule of changes to the Applicant's draft Development Consent Order

Application by National Highways for an Order Granting Development Consent for the A47 Blofield to North Burlingham scheme

This letter contains the Examining Authority's (ExA's) Schedule of Changes to the most recent version of the Applicant's draft Development Consent Order (dDCO) [\[REP7-007\]](#) relating to the above application.

The additions and deletions suggested by the ExA are listed in the table at **Annex A** with brief reasoning for the proposed changes. For ease of reference, text shown emboldened in red identifies insertions of new suggested text, while text shown with a strike through is suggested for deletion.

Interested Parties are invited to make comments by **Deadline 8 (7 December 2021)**.

In addition to this schedule of changes, further matters may arise during the course of the Examination which may lead to the ExA recommending further changes to the dDCO.

Should you have any queries regarding the content of this letter, please contact the case team using the details at the top of this letter.

Yours faithfully,

Alex Hutson
Examining Authority

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Schedule of Changes

dDCO Ref	ExA's suggested changes	ExA's comments
Article 2(1)	<p>"commence" means beginning to carry out any material operation (as defined in section 56(4) of the 1990 Act) forming part of the authorised development other than operations consisting of archaeological investigations and mitigation works, ecological surveys and pre-construction ecological mitigation, investigations for the purpose of assessing and monitoring ground conditions and levels, remedial work in respect of any contamination or other adverse ground conditions, erection of any temporary means of enclosure, receipt and erection of construction plant, equipment, welfare facilities and temporary buildings, and site clearance, and the temporary display of site notices or advertisements, and "commencement" is to be construed accordingly;</p>	<p>The ExA has a concern that to include 'site clearance' might impact on protected species / ecology should it be allowed to occur prior to required surveys being undertaken in accordance with Requirement 7 (Protected species) of the dDCO.</p>
Article 2(1)	<p>"watercourse" includes all rivers, streams, ditches, drains, canals, cuts, culverts, dykes, sluices, sewers and passages through which water flows except a public sewer or drain; and</p>	<p>There are no other references to the term 'watercourse' within the dDCO.</p>
Article 2(1)	<p>"the undertaker" means National Highways Limited, company number 09346363, whose registered office is at Bridge House, 1 Walnut Tree Close, Guildford, Surrey, GU1 4LZ; and</p>	<p>Due to the above suggested change.</p>
Article 49	<p>(1) Except where otherwise expressly provided for in this Order and unless otherwise agreed between the parties, any difference under any provision of this Order (other than a difference which falls to be determined by the tribunal) must be referred to and settled by a single arbitrator to be agreed between the parties or, failing agreement, to be appointed on the application of either party (after giving notice in writing to</p>	<p>It would seem appropriate to the ExA to have a specific exclusion for the Secretary of State, who should not be bound by arbitration given that the Secretary of State would be acting as a public law decision-maker.</p>

	<p>the other) by the President of the Institution of Civil Engineers.</p> <p>(2) This article does not apply where any difference under any provision of this Order is between any person and the Secretary of State.</p>	
Schedule 1	Work No. 6 – new car park (of approximately 25 spaces) for Blofield Allotments including access to Work No. 7, together with a field access to Work No. 7, south of Work No. 7 and shown on sheet number 1 of the works plans;	For consistency with how other work numbers are written.
Schedule 1	Work No. 10 – improvements to Waterlow including new junction with Work No. 7, 307 metres east of Yarmouth Road, Blofield, and south of Work nNo. 7, shown on sheet number 2 of the works plans;	For consistency with how other work numbers are written.
Schedule 1	Work No. 18 – drainage and soakaway to the east of the Blofield Overbridge (Work nNo. 15) and north of Work No. 1 shown on sheet numbers 2 and 3 of the works plans;	For consistency with how other work numbers are written.
Schedule 1	Work No. 37 – temporary compound east of South Walsham Road and north of Work No. 1, shown on sheet numbers 6 and 7 of the works plans;	For consistency with how other work numbers are written.
Requirement 11	Any permanent and temporary fencing and other means of enclosure for the authorised development must be constructed and installed in accordance with Manual of Contract Documents for Highway Works maintained by or on behalf for of the undertaker except where any departures from that manual are agreed in writing by the Secretary of State in connection with the authorised development.	This appears to be a typographical error