
STATUTORY INSTRUMENTS

2022 No. 738

The A47 Blofield to North Burlingham
Development Consent Order 2022

PART 2

PRINCIPAL POWERS

Development consent etc. granted by the Order

5.—(1) Subject to the provisions of this Order including the requirements in Schedule 2 (requirements), the undertaker is granted development consent for the authorised development to be carried out within the Order limits.

(2) Any enactment applying to land within or adjacent to the Order limits has effect subject to the provisions of this Order.

Commencement Information

I1 Art. 5 in force at 13.7.2022, see [art. 1](#)

Maintenance of authorised development

6. The undertaker may at any time maintain the authorised development, except to the extent that this Order, or an agreement made under this Order, provides otherwise.

Commencement Information

I2 Art. 6 in force at 13.7.2022, see [art. 1](#)

Planning permission

7. If planning permission is granted under the powers conferred by the 1990 Act for development any part of which is within the Order limits following the coming into force of this Order that is—

- (a) not itself a nationally significant infrastructure project under the 2008 Act or part of such a project; or
- (b) required to complete or enable the use or operation of any part of the authorised development,

the carrying out, use or operation of such development under the terms of the planning permission does not constitute a breach of the terms of this Order.

Commencement Information

I3 Art. 7 in force at 13.7.2022, see [art. 1](#)

Limits of deviation

8.—(1) In constructing Work Numbers, 1, 4, 7, 9, 10, 11, 14, 15, 17, 28, 29, 32, 34, 35 36 and 40 the undertaker may—

- (a) deviate laterally from the centrelines shown on the works plans to the extent that the situation of the centreline is varied by up to a maximum of 3 metres either side of the centreline of that work as shown on the works plans;
- (b) deviate by up to 3 metres from the points of commencement and termination; and
- (c) deviate vertically from the levels of the authorised development shown on the engineering drawings and sections, to a maximum of 1 metre upwards or 1 metre downwards,

except that the maximum limits of vertical deviation do not apply where it is demonstrated by the undertaker to the Secretary of State’s satisfaction and the Secretary of State, following consultation with the relevant planning authority and the local highway authority, certifies accordingly that a deviation in excess of these limits would not give rise to any materially new or materially different environmental effects from those reported in the environmental statement.

(2) In constructing or maintaining any other work comprised in the authorised development the undertaker must construct any such work within the limits of deviation or extents of work shown on the works plans for the relevant work.

Commencement Information

I4 Art. 8 in force at 13.7.2022, see [art. 1](#)

Benefit of Order

9.—(1) Subject to article 10 (consent to transfer benefit of Order) and paragraph (2), the provisions of this Order conferring powers on the undertaker have effect solely for the benefit of the undertaker.

(2) Paragraph (1) does not apply to the works for which the consent is granted by this Order for the express benefit of owners and occupiers of land, statutory undertakers and other persons affected by the authorised development.

Commencement Information

I5 Art. 9 in force at 13.7.2022, see [art. 1](#)

Consent to transfer benefit of Order

10.—(1) The undertaker may with the written consent of the Secretary of State—

- (a) transfer to another person (“the transferee”) any or all of the benefit of the provisions of this Order and such related statutory rights as may be agreed between the undertaker and the transferee;

- (b) grant to another person (“the lessee”) for a period agreed between the undertaker and the lessee any or all of the benefit of the provisions of this Order and such related statutory rights as may be so agreed.
- (2) Where an agreement has been made in accordance with paragraph (1) references in this Order to the undertaker include references to the transferee or the lessee.
- (3) The exercise by a person of any benefits or rights conferred in accordance with any transfer or grant under paragraph (1) is subject to the same restrictions, liabilities and obligations as would apply under this Order if those benefits or rights were exercised by the undertaker.
- (4) The consent of the Secretary of State is not required under this article, where the transfer or grant is made to—
- (a) Cadent Gas Limited (company number 10080864), whose registered office is at Pilot Way, Ansty, Coventry, CV7 9JU (or a related subsidiary company) for the purposes of undertaking Work No. 5;
 - (b) Anglian Water Services Limited (company number 2366656), whose registered office is at Lancaster House Lancaster Way, Ermine Business Park, Huntingdon, Cambridgeshire, United Kingdom, PE29 6XU (or a related subsidiary company) for the purposes of undertaking Work No. 8 and 44; and
 - (c) Eastern Power Networks Plc (company number 2366906), whose registered office is at Newington House, 237 Southwark Bridge Road, London, SE1 6NP (or a related subsidiary company) for the purposes of undertaking Work Nos. 3, 19, 20, 24 and 42.

Commencement Information

I6 Art. 10 in force at 13.7.2022, see [art. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The A47 Blofield to North Burlingham Development Consent Order 2022, PART 2.