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STATUTORY INSTRUMENTS

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**2022 No. 911**

**INFRASTRUCTURE PLANNING**

**The A47 North Tuddenham to Easton  
Development Consent Order 2022**

*Made - - - - 12th August 2022*

*Coming into force 2nd September 2022*

**THE A47 NORTH TUDDENHAM TO EASTON  
DEVELOPMENT CONSENT ORDER 2022**

PART 1

PRELIMINARY

1. Citation and commencement
2. Interpretation
3. Disapplication of legislative provisions
4. Maintenance of drainage works

PART 2

PRINCIPAL POWERS

5. Development consent etc. granted by the Order
6. Maintenance of authorised development
7. Limits of deviation
8. Benefit of Order
9. Consent to transfer benefit of Order

PART 3

STREETS

10. Application of the 1991 Act
11. Construction and maintenance of new, altered or diverted streets and other structures
12. Classification of roads, etc.
13. Power to alter layout etc. of streets
14. Street works
15. Temporary stopping up and restriction of use of streets

*Status: This is the original version (as it was originally made).*

16. Permanent stopping up and restriction of use of streets and private means of access
17. Access to works
18. Clearways
19. Traffic regulation

#### PART 4

#### SUPPLEMENTAL POWERS

20. Discharge of water
21. Protective work to buildings
22. Authority to survey and investigate the land

#### PART 5

#### POWERS OF ACQUISITION

23. Compulsory acquisition of land
24. Compulsory acquisition of land – incorporation of the mineral code
25. Time limit for exercise of authority to acquire land compulsorily
26. Compulsory acquisition of rights and imposition of restrictive covenants
27. Public rights of way
28. Private rights over land
29. Modification of Part 1 of the 1965 Act
30. Application of the 1981 Act
31. Acquisition of subsoil or airspace only
32. Rights under or over streets
33. Temporary use of land for carrying out the authorised development
34. Temporary use of land for maintaining the authorised development
35. Statutory undertakers
36. Apparatus and rights of statutory undertakers in stopped up streets
37. Recovery of costs of new connections
38. Special category land

#### PART 6

#### OPERATIONS

39. Felling or lopping of trees and removal of hedgerows
40. Trees subject to tree preservation orders

#### PART 7

#### MISCELLANEOUS AND GENERAL

41. Application of landlord and tenant law
42. Operational land for purposes of the 1990 Act
43. Defence to proceedings in respect of statutory nuisance
44. No double recovery
45. Disregard of certain improvements etc.
46. Set off for enhancement in value of retained land
47. Appeals relating to the Control of Pollution Act 1974
48. Use of consecrated land
49. Protection of interests
50. Certification of documents, etc.
51. Service of notices

- 52. Arbitration
- 53. Crown Rights  
Signature

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## SCHEDULES

### SCHEDULE 1 — AUTHORISED DEVELOPMENT

### SCHEDULE 2 — REQUIREMENTS

#### PART 1 — REQUIREMENTS

- 1. Interpretation
  - 2. Time limits
  - 3. Detailed design
  - 4. Environmental Management Plan
  - 5. Landscaping
  - 6. Contaminated land and groundwater
  - 7. Protected species
  - 8. Surface water drainage
  - 9. Archaeological remains
  - 10. Traffic management
  - 11. Fencing
  - 12. Ecological works
  - 13. Ørsted works
  - 14. Approvals and amendments to approved details
- #### PART 2 — PROCEDURE FOR DISCHARGE OF REQUIREMENTS
- 15. Applications made under requirements
  - 16. Further information
  - 17. Register of requirements
  - 18. Anticipatory steps towards compliance with any requirement
  - 19. Details of consultation

### SCHEDULE 3 — CLASSIFICATIONS OF ROADS, ETC.

#### PART 1 — TRUNK ROADS

#### PART 2 — CLASSIFIED B ROADS

#### PART 2A — CLASSIFIED C ROADS

#### PART 3 — UNCLASSIFIED ROADS

#### PART 4 — SPEED LIMITS

#### PART 5 — REVOCATIONS & VARIATIONS OF EXISTING TRAFFIC REGULATION ORDERS

#### PART 6 — FOOTPATHS, CYCLE TRACKS, FOOTWAYS AND BRIDLEWAYS

#### PART 7 — ROADS TO BE DE-TRUNKED

#### PART 8 — TRAFFIC REGULATION MEASURES (CLEARWAYS AND PROHIBITIONS)

### SCHEDULE 4 —

— PERMANENT STOPPING UP OF HIGHWAYS AND PRIVATE  
MEANS OF ACCESS & PROVISION OF NEW HIGHWAYS AND  
PRIVATE MEANS OF ACCESS

#### PART 1 — HIGHWAYS TO BE STOPPED UP FOR WHICH NO SUBSTITUTE IS TO BE PROVIDED

*Status: This is the original version (as it was originally made).*

PART 2 — HIGHWAYS TO BE STOPPED UP FOR WHICH A SUBSTITUTE IS TO BE PROVIDED AND NEW HIGHWAYS WHICH ARE OTHERWISE TO BE PROVIDED

PART 3 — PRIVATE MEANS OF ACCESS TO BE STOPPED UP FOR WHICH A SUBSTITUTE IS TO BE PROVIDED AND NEW PRIVATE MEANS OF ACCESS WHICH ARE OTHERWISE TO BE PROVIDED

PART 4 — PRIVATE MEANS OF ACCESS TO BE STOPPED UP FOR WHICH NO SUBSTITUTE IS TO BE PROVIDED

SCHEDULE 5 — LAND IN WHICH ONLY NEW RIGHTS ETC. MAY BE ACQUIRED

SCHEDULE 6 — MODIFICATION OF COMPENSATION AND COMPULSORY PURCHASE ENACTMENTS FOR CREATION OF NEW RIGHTS

*Compensation enactments*

1. The enactments for the time being in force with respect...
2. (1) Without limitation on the scope of paragraph 1, the...
3. (1) Without limitation on the scope of paragraph 1, the...

*Application of Part 1 of the 1965 Act*

4. Part 1 of the 1965 Act, as applied by section...
5. (1) The modifications referred to in paragraph 4(a) are as...

SCHEDULE 7 — LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

SCHEDULE 8 — REMOVAL OF HEDGEROWS

PART 1 — REMOVAL OF HEDGEROWS

PART 2 — REMOVAL OF IMPORTANT HEDGEROWS

SCHEDULE 9 — PROTECTIVE PROVISIONS

PART 1 — FOR THE PROTECTION OF ELECTRICITY, GAS, WATER AND SEWAGE UNDERTAKERS

1. For the protection of the utility undertakers referred to in...
2. In this Part of this Schedule— “alternative apparatus” means alternative...
3. On street apparatus
4. Apparatus in stopped up streets
5. Protective works to buildings
6. Acquisition of land
7. Removal of apparatus
8. Facilities and rights for alternative apparatus
9. Retained apparatus
10. Expenses and costs
11. (1) Subject to sub-paragraphs (2) and (3), if by reason...
12. Cooperation
13. Nothing in this Part of this Schedule affects the provisions...

PART 2 — FOR THE PROTECTION OF OPERATORS OF ELECTRONIC COMMUNICATIONS CODE NETWORKS

14. For the protection of any operator, the following provisions have...
15. In this Part of this Schedule— “the 2003 Act” means...

16. The exercise of the powers conferred by article 35 (statutory...
17. (1) Subject to sub-paragraphs (2) to (4), if as the...  
PART 3 — FOR THE PROTECTION OF NATIONAL GRID AS GAS UNDERTAKER
18. Application
19. Interpretation
20. Except for paragraphs 21 (apparatus in stopped up streets), 26...
21. Apparatus of National Grid in stopped up streets
22. Protective works to buildings
23. Acquisition of land
24. Removal of apparatus
25. Facilities and rights for alternative apparatus
26. Retained apparatus: protection of gas undertaker
27. Expenses
28. Indemnity
29. Enactments and agreements
30. Co-operation
31. Access
32. Arbitration
33. Notices  
PART 4 — FOR THE PROTECTION OF ANGLIAN WATER
34. Application
35. Interpretation
36. On street apparatus
37. Apparatus in stopped up streets
38. Protective works to buildings
39. Acquisition of land
40. Removal of apparatus
41. Facilities and rights for alternative apparatus
42. Retained apparatus
43. Expenses and costs
44. (1) Subject to sub-paragraphs (2) and (3), if by reason...
45. Cooperation
46. Where the undertaker identifies any apparatus which may belong to...
47. Nothing in this Part of this Schedule affects the provisions...
48. Any time period in which an action must be taken...

#### SCHEDULE 10 — DOCUMENTS, ETC. TO BE CERTIFIED

##### Explanatory Note