
STATUTORY INSTRUMENTS

2024 No. 752

The M3 Junction 9 Development Consent Order 2024

PART 2

PRINCIPAL POWERS

Limits of deviation

- 8.** In carrying out the authorised development the undertaker may—
- (a) Subject to paragraphs (b), (c) and (d), deviate laterally from the lines or situations of the authorised development shown on the works plans to the extent of the limits of deviation shown on those plans;
 - (b) in respect of Work Nos. 1(i), 1(l), 1(k), 3(b), 8, 9(c), 9(d), 11, 30, 33, 42, between points A and B, C and D, G and H and I and L only, as shown on the works plans, deviate laterally from the lines or situations of the authorised development shown on the works plans to a maximum of 2.0 metres;
 - (c) in respect of Work Nos. 1(j) and 1(m) as shown on the works plans, deviate laterally from the lines or situations of the authorised development shown on the works plans to a maximum of 5.0 metres;
 - (d) deviate vertically from the levels of the authorised development shown on the engineering and structural drawings and sections—
 - (i) to a maximum of 1 metre upwards or downwards in respect of the construction of the gyratory northern overbridge (work number 27), gyratory southern overbridge (work number 28), A34 southbound underpass (work number 13), A33 underpass (work number 14), attenuation basin (work numbers 1(j) and 1(m)), M3 southern bridge portal gantry (work number 36) and bridleway (work number 9);
 - (ii) to a maximum of 0.75 metres upwards or downwards in respect of the construction of the retaining walls (work numbers 2(d), 12(a), 12(c), 31(a), 32(c), 32(d)), subways (work numbers 2(e), 24(a), 24(d), 33(a)), A34 footway/cycleway overbridge (work number 4) and gyratory (work number 29);
 - (iii) in respect of any other work comprised in the authorised development, to a maximum of 0.5 metres upwards or downwards,

except that those maximum limits of 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 those limits would not give rise to any materially new or materially different environmental effects in comparison with those reported in the environmental statement.