
STATUTORY INSTRUMENTS

2024 No. 360

**The A66 Northern Trans-Pennine
Development Consent Order 2024**

PART 2

WORKS PROVISIONS

Principal powers

Limits of deviation

7.—(1) The following provisions of this article have effect subject to the requirement that the undertaker must, save for any works or operations authorised under articles 14 (protective works to buildings) or 15 (authority to survey and investigate land), construct the authorised development within the Order limits.

(2) In constructing and maintaining the non-linear works comprised in the authorised development, the undertaker may deviate laterally within the limits of deviation for those works shown on the works plans.

(3) Subject to paragraph (4), in constructing or maintaining the linear works comprised in the authorised development the undertaker may deviate laterally from the lines or situations shown on the works plans, within the Order limits, save that—

- (a) in constructing or maintaining any linear work other than those referred to in column (1) of the table below, in deviating laterally from the centrelines shown on the works plans, the situation of the centreline may be varied up to a maximum of 3 metres either side of the centreline of that work as shown on the works plans; and
- (b) in relation to the linear works referred to in column (1) of the table below, the centreline of that work may be—
 - (i) situated on the north side of the centreline of that work shown on the works plans, by a distance not exceeding the permitted limit for each such part, set out in the corresponding entry in column (2) of the table below; and
 - (ii) situated on the south side of the centreline of that work shown on the works plans, by a distance not exceeding the permitted limit for each such part, set out in the corresponding entry in column (3) of the table below.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Table referred to in paragraph (3)

(1)	(2)	(3)
<i>Part of authorised development</i>	<i>Lateral limit of deviation of the centre line numbered work to the north side of the centre line shown on the works plans</i>	<i>Lateral limit of deviation of the centre line of the numbered work to the south side of the centre line shown on the works plans</i>
Work No. 0102-1D	10 metres	10 metres
Work No. 0102-7B	To the extent of the corresponding fine dashed green line shown on the works plans	To the extent of the corresponding fine dashed green line shown on the works plans
Work No. 0102-8	To the extent of the corresponding fine dashed green line shown on the works plans	3 metres
Work No. 03-6	To the outer extent of the earthworks on the south side of Work No. 03-1B (being the A66 mainline)	3 metres
Work No. 03-7B	To the extent of the Order limits	To the outer extent of the earthworks on the north side of Work No. 03-1B (A66 mainline)
Work No. 03-8	To the extent of the Order limits	To the outer extent of the earthworks on the north side of Work No.03-1B (A66 mainline)
Work No. 0405-4B	To the extent of the Order limits	To the extent of the Order limits
Work No. 0405-6C	To the extent of the corresponding fine dashed green line shown on the works plans	3 metres
Work No. 0405-8	3 metres	To the extent of the corresponding fine dashed green line shown on the works plans
Work No. 0405-12B	3 metres	To the extent of the corresponding fine dashed green line shown on the works plans
Work No. 0405-18	To the extent of the Order limits	To the extent of the Order limits
Work No. 0405-19	To the extent of the Order limits	To the extent of the Order limits

(1) <i>Part of authorised development</i>	(2) <i>Lateral limit of deviation of the centre line numbered work to the north side of the centre line shown on the works plans</i>	(3) <i>Lateral limit of deviation of the centre line of the numbered work to the south side of the centre line shown on the works plans</i>
Work No. 06-4B	3 metres	To the extent of the corresponding fine dashed green line shown on the works plans
Work No. 06-4D	3 metres	To the extent of the corresponding fine dashed green line shown on the works plans
Work No. 06-7A	To the outer extent of the earthworks on the south side of Work No. 06-1D (A66 mainline)	3 metres
Work No. 09-1B	5 metres	5 metres
Work No. 09-1D	To the extent of the Order limits	3 metres
Work No. 09-3B	To the extent of the corresponding fine dashed green line shown on the works plans	3 metres
Work No. 09-3E	To the extent of the corresponding fine dashed green line shown on the works plans	3 metres
Work No. 09-3F	0 metres	5 metres

(4) In constructing or maintaining the linear works referred to in column (1) of the table below, the undertaker may deviate laterally within the Order limits so that the centreline of that work shown on the works plans may be—

- (a) situated on the west side of the centreline of that work shown on the works plans, by a distance not exceeding the permitted limit for each such part, set out in the corresponding entry in column (2) of the table below; and
- (b) situated on the east side of the centreline of that work shown on the works plans, by a distance not exceeding the permitted limit for each such part, set out in the corresponding entry in column (3) of the table below.

Table referred to in paragraph (4)

<i>(1)</i> <i>Part of the authorised development</i>	<i>(2)</i> <i>Lateral limit of deviation of the centre line of the numbered work to the west side of the centre line shown on the works plans</i>	<i>(3)</i> <i>Lateral limit of deviation of the centre line of the numbered work to the east side of the centre line shown on the works plans</i>
Work No. 0102-7B	To the extent of the corresponding fine dashed green line shown on the works plans	To the extent of the corresponding fine dashed green line shown on the works plans
Work No. 0405-7	To the extent of the corresponding fine dashed green line shown on the works plans	3 metres
Work No. 0405-13	To the extent of the corresponding fine dashed green line shown on the works plans or where there is no fine dashed green line, 3 metres	To the extent of the corresponding fine dashed green line shown on the works plans or, where there is no fine dashed green line, 3 metres
Work No. 0405-20B	To the extent of the corresponding fine dashed green line shown on the works plans	3 metres
Work No. 0405-20C	3 metres	To the extent of the corresponding fine dashed green line shown on the works plans
Work No. 06-2B	To the extent of the corresponding fine dashed green line shown on the works plans	3 metres

(5) In constructing or maintaining the authorised development, the undertaker may deviate vertically from the levels shown on the engineering section drawings: plan and profiles and the engineering section drawings: cross sections—

- (a) upwards to any extent not exceeding 1 metre, or, in relation to the parts of the authorised development referred to in column (1) of the table below, not exceeding the permitted limit for each such part, set out in the corresponding entry in column (2) of that table;
- (b) downwards to any extent not exceeding 1 metre, or, in relation to the parts of the authorised development referred to in column (1) of the table below, not exceeding the permitted limit for each such part, set out in the corresponding entry in column (3) of that table; and
- (c) except that—
 - (i) in the case of Work Nos. 03-1A and 03-1B, the upwards and downwards vertical limits set out in paragraphs (a) and (b) will not apply where their application would

preclude the undertaker from retaining the existing levels of the A66 carriageway along the lengths of those numbered works; and

- (ii) in the case of Work No. 07-8, the upwards and downwards vertical limits set out in paragraphs (a) and (b) will not apply to the levels shown eastwards of chainage reference point 650,000 on Sheet 9 of the engineering section drawings: plan and profiles for scheme 07 where their application would preclude the undertaker from tying Work No. 07-8 into the existing ground levels at Bowes Cross Farm.

Table referred to in paragraph (5)

<i>(1)</i> <i>Part of authorised development</i>	<i>(2)</i> <i>Upwards vertical limit of deviation</i>	<i>(3)</i> <i>Downwards vertical limit of deviation</i>
Work No. 0102-1D	3 metres	3 metres
Work No. 0102-7A	2 metres	2 metres
Work No. 0102-7B	2 metres	2 metres
Work No. 0102-7C	2 metres	2 metres
Work No. 0102-8	1.5 metres	0 metres
Work No. 03-6	To any extent the undertaker considers to be necessary	To any extent the undertaker considers to be necessary
Work No. 03-7B	To any extent the undertaker considers to be necessary	To any extent the undertaker considers to be necessary
Work No. 03-8	To any extent the undertaker considers to be necessary	To any extent the undertaker considers to be necessary
Work No. 0405-1A	3 metres	3 metres
Work No. 0405-2A	3 metres	3 metres
Work No. 0405-5	1 metre	2 metres
Work No. 0405-6B	2 metres	To any extent the undertaker considers to be necessary
Work No. 0405-6C	2 metres	To any extent the undertaker considers to be necessary to tie in with Work No. 0405-7
Work No. 0405-7	1 metre	To any extent the undertaker considers to be necessary
Work No. 0405-8	To any extent the undertaker considers to be necessary to tie in with Work No. 0405-07	To any extent the undertaker considers to be necessary to tie in with Work No. 0405-7
Work No. 0405-12A	1 metre	To any extent the undertaker considers to be necessary to use existing ground levels

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>(1)</i> <i>Part of authorised development</i>	<i>(2)</i> <i>Upwards vertical limit of deviation</i>	<i>(3)</i> <i>Downwards vertical limit of deviation</i>
Work No. 0405-12B	1 metre	To any extent the undertaker considers to be necessary to use existing ground levels
Work No. 0405-13	3 metres	To any extent the undertaker considers to be necessary to use existing ground levels
Work No. 0405-20B	1 metre	To any extent the undertaker considers to be necessary to pass beneath Work Nos. 0405-1B and 0405-2B
Work No. 0405-20C	1 metre	To any extent the undertaker considers to be necessary to tie in with Work No. 0405-20B
Work No. 0405-18	1 metre	0 metres
Work No. 06-1B	1 metre	0 metres
Work No. 06-1C	0 metres	To any extent the undertaker considers to be necessary
Work No. 06-2A	2 metres	2 metres
Work No. 06-2B	2 metres	2 metres
Work No. 06-3	0 metres	To any extent the undertaker considers to be necessary
Work No. 06-4B	1 metre	To any extent the undertaker considers to be necessary
Work No. 06-7A	To any extent the undertaker considers to be necessary as a consequence of any horizontal movement northwards	2 metres
Work No. 07-1B	1 metre	1.5 metres
Work No. 07-2B	1 metre	1.5 metres
Work No. 07-7B	2 metres	2 metres
Work No. 08-1B	1 metre	2 metres
Work No. 08-4A	1 metre	2 metres
Work No. 08-4B	1 metre	2 metres
Work No. 09-1B	1 metre	3 metres
Work No. 09-1D	1 metre	4 metres

<i>(1)</i> <i>Part of authorised development</i>	<i>(2)</i> <i>Upwards vertical limit of deviation</i>	<i>(3)</i> <i>Downwards vertical limit of deviation</i>
Work No. 09-3B	1 metre	To any extent the undertaker considers to be necessary
Work No. 09-5	1 metre	3 metres

(6) The maximum vertical limits of deviation referred to in paragraph (5) do not apply where it is demonstrated by the undertaker to the Secretary of State’s satisfaction and the Secretary of State certifies accordingly, following consultation with the relevant planning authority, that a deviation in excess of these limits would not give rise to any materially new or materially different environmental effects in comparison with those reported in the environmental statement.

(7) Without limitation on the scope of paragraphs (2) to (5), in constructing or maintaining the authorised development the undertaker may deviate by up to 3 metres from the points of commencement and termination of any linear works shown on the works plans.

(8) In this article, references to—

“linear works” are references to any works shown on the works plans by way of a centreline;
and

“non-linear works” are references to any other works shown on the works plans.