

Comparison Table

(1) Where the correction is to be made	Wording of DCO issued by Secretary of State “The M5 Junction 10 Development Consent Order 2025”	Wording to be amended as set out in the draft Correction Order
Part 3, Article 11(5)		The reference to “42” days to be substituted with “28” days
Schedule 2, paragraph 3(1)	“No part of the authorised development is to commence until a EMP (2 nd iteration) for that part has been prepared in consultation with the County Planning Authority and the strategic highway authority and submitted to and approved in writing by the relevant planning authority. ”	No part of the authorised development is to commence until a EMP (2 nd iteration) for that part has been prepared in consultation with the relevant planning authority and the strategic highway authority and submitted to and approved in writing by the county planning authority
Schedule 2, paragraph 3(4)	“Upon completion of construction of the authorised development, the EMP (3 rd iteration) must be prepared in consultation with the county planning authority and the strategic highway authority and submitted to the relevant planning authority for approval within 28 days of the opening of the authorised development for public use”	“Upon completion of construction of the authorised development, the EMP (3 rd iteration) must be prepared in consultation with the relevant planning authority and the strategic highway authority and submitted to the county planning authority for approval within 28 days of the opening of the authorised development for public use. ”
Schedule 2, paragraph 4	4.—(1) With respect to any requirement which requires details to be submitted to the relevant planning authority for approval under this Schedule following consultation with another party, the details submitted must be accompanied by a summary report setting out the consultation	All references to “relevant planning authority” changed to “county planning authority”

	<p>undertaken by the undertaker to inform the details submitted, the responses received to the consultation and the undertaker’s response to those responses.</p> <p>(2) At the time of submission to the relevant planning authority for approval, the undertaker must provide a copy of the summary report referred to under sub-paragraph (1) to the relevant consultees referred to in the requirement in relation to which approval is being sought from the relevant planning authority</p> <p>(3) The undertaker must ensure that any consultation responses are reflected in the details submitted to the relevant planning authority for approval under this Schedule, but only where it is appropriate, reasonable and feasible to do so, taking into account considerations including, but not limited to, cost and engineering practicality.</p> <p>(4) Where the consultation responses are not reflected in the details submitted to the relevant planning authority for approval, the undertaker must state in the summary report referred to in sub-paragraph (1) the reasons why the consultation responses have not been reflected in the submitted details.</p>	
Schedule 2, paragraph 5(1)	5.—(1) No part of the authorised development is to commence until a written landscaping scheme for that part has been submitted to and approved in writing by the relevant planning	“No part of the authorised development is to commence until a written landscaping scheme for that part has been submitted to and approved in writing by the county planning authority following consultation with the

	<p>authority following consultation with the county planning authority and the strategic highway authority</p>	<p>relevant planning authority and the strategic highway authority.”</p>
<p>Schedule 2, paragraph 7</p>	<p>7. Any permanent and temporary fencing and other means of enclosure for the authorised development must be constructed and installed in accordance with the Manual of Contract Documents for Highway Works except where any departures from that manual are agreed in writing by the relevant planning authority following consultation with the county planning authority and strategic highway authority on matters related to their functions in connection with the authorised development.</p>	<p>“Any permanent and temporary fencing and other means of enclosure for the authorised development must be constructed and installed in accordance with the Manual of Contract Documents for Highway Works except where any departures from that manual are agreed in writing by the county planning authority following consultation with the relevant planning authority and strategic highway authority on matters related to their functions in connection with the authorised development.”</p>
<p>Schedule 2, paragraph 8(1)</p>	<p>8.—(1) No part of the authorised development is to commence until a contamination risk assessment in respect of controlled waters has been produced for that part which is to include details of— (a) any existing sources of contamination within the Order limits that may be affected by the carrying out of the authorised development; (b) any reasonably required protective measures to ensure that the carrying out of the authorised development does not make worse any adverse conditions or risks associated with such existing sources of contamination; and (c) appropriate remediation strategies and mitigation measures to address any historic contamination which is shown to be having significant, unacceptable effects on the environment within the context of the proposed works,</p>	<p>All references to “relevant planning authority” changed to “county planning authority”</p>

	and the assessment has been submitted to and approved by the relevant planning authority following consultation with the Environment Agency.	
Schedule 2, paragraph 8(3)	(3) In the event that contaminated material, including impacted groundwater, is found at any time when carrying out the authorised development, which was not previously identified in the environmental statement, the undertaker must cease construction of the authorised development in the vicinity of that contamination and must report it immediately in writing to the Environment Agency and the relevant planning authority , and in agreement with the Environment Agency and the relevant planning authority undertake a risk assessment of the contamination, and sub-paragraphs (4) and (5) will apply.	“In the event that contaminated material, including impacted groundwater, is found at any time when carrying out the authorised development, which was not previously identified in the environmental statement, the undertaker must cease construction of the authorised development in the vicinity of that contamination and must report it immediately in writing to the county planning authority, Environment Agency and the relevant planning authority, and in agreement with the county planning authority, Environment Agency and relevant planning authority undertake a risk assessment of the contamination” ”
Schedule 2, paragraph 8(4)	(4) Where the risk assessment determines that remediation is necessary, a written scheme and programme for the remedial measures to be taken to render the land fit for its intended purpose must be prepared submitted to and approved in writing by the relevant planning authority following consultation with the Environment Agency and the county planning authority	4) Where the risk assessment determines that remediation is necessary, a written scheme and programme for the remedial measures to be taken to render the land fit for its intended purpose must be prepared submitted to and approved in writing by the county planning authority following consultation with the Environment Agency and the relevant planning authority.”
Schedule 2, paragraph 8(5)	(5) Remedial measures must be carried out in accordance with the scheme approved under sub-paragraph (4) and following completion of the remedial measures a validation report confirming the completion	All references to “relevant planning authority” changed to “county planning authority”

	and effectiveness of those measures must be submitted to the Environment Agency and the relevant planning authority .	
Schedule 2, paragraph 9(1)	9.(1) In order to be included in the EMP (2 nd iteration) pursuant to paragraph 3(2)(e)(viii) of this Schedule, the archaeological management plan must accord with the investigation and mitigation measures included in chapter 11 (cultural heritage) of the environmental statement, the EMP (1 st iteration), and must include provision for site specific archaeological project designs for each area and each phase where necessary, and have been prepared in consultation with the county planning authority , the strategic highway authority, the County Archaeologist and Historic England and have been submitted to and approved in writing by the relevant planning authority .	“have been prepared in consultation with the relevant planning authority , the strategic highway authority, the County Archaeologist and Historic England and have been submitted to and approved in writing by the county planning authority .”
Schedule 2, paragraph 9(2)	9.(2) The authorised development must be carried out in accordance with the archaeological management plan and where relevant the site specific archaeological project designs referred to in sub-paragraph (1) unless otherwise agreed in writing by the relevant planning authority	All references to “relevant planning authority” changed to “county planning authority”
Schedule 2, paragraph 9(5)	(5) No construction operations are to take place within 10 metres of the archaeological remains referred to in sub-paragraph (4) for a period of 14 days from the date the remains are reported to the County Archaeologist under sub-paragraph (4) unless otherwise agreed in writing by the relevant planning authority .	All references to “relevant planning authority” changed to “county planning authority”

Schedule 2, paragraph 9(6)	(6) In this paragraph “County Archaeologist” means the individual nominated or appointed as such by the relevant planning authority.	All references to “relevant planning authority” changed to “county planning authority”
Schedule 2, paragraph 11(1)	11.—(1) The authorised development must be designed in detail and carried out so that it is in accordance with - (a) the preliminary scheme design shown on the works plans, the general arrangement plans, the environmental masterplan and the engineering drawings and sections; and (b) the design principles set out in the design principles report, unless otherwise agreed in writing by the relevant planning authority following consultation with the county planning authority and strategic highway authority on matters related to their functions and provided that the relevant planning authority is satisfied that any amendments to the works plans, the general arrangement plans, the environmental masterplan and the engineering drawings and sections showing departures from the preliminary design would not give rise to any materially new or materially different environmental effects in comparison with those reported in the environmental statement.	11.—(1) The authorised development must be designed in detail and carried out so that it is in accordance with - (a) the preliminary scheme design shown on the works plans, the general arrangement plans, the environmental masterplan and the engineering drawings and sections; and (b) the design principles set out in the design principles report, unless otherwise agreed in writing by the county planning authority, following consultation with the relevant planning authority and strategic highway authority on matters related to their functions and provided that the county planning authority is satisfied that any amendments to the works plans, the general arrangement plans, the environmental masterplan and the engineering drawings and sections showing departures from the preliminary design would not give rise to any materially new or materially different environmental effects in comparison with those reported in the environmental statement.”
Schedule 2, paragraph 11(2)	(2) Where amended details are approved by the relevant planning authority under sub-paragraph (1), those details are deemed to be substituted for the corresponding works plans, general arrangement plans, environmental	All references to “relevant planning authority” changed to “county planning authority”

	<p>masterplan or engineering drawings and sections and the undertaker must make those amended details available in electronic form for inspection by members of the public</p>	
<p>Schedule 2, paragraph 11(3)</p>	<p>(3) In this Paragraph – (a) “the general arrangement plans” means the documents of that description listed in Schedule 10 (Documents to be certified) and certified by the relevant planning authority as the general arrangement plans (part 1) and the general arrangement plans (part 2) for the purposes of this Order; and (2) “design principles report” means the document of that description listed in Schedule 10 and certified by the Secretary of State as the design principles report for the purposes of this Order</p>	<p>All references to “relevant planning authority” changed to “Secretary of State”</p>
<p>Schedule 2, paragraph 12(1)</p>	<p>12.—(1) No part of the authorised development is to commence until written details of the surface and foul water drainage system for that part, in accordance with the mitigation measures in chapter 8 (road drainage and the water environment) of the environmental statement and including means of pollution control, have been submitted to and approved in writing by the relevant planning authority following consultation with the county planning authority, the strategic highway authority and the Environment Agency</p>	<p>“12.—(1) No part of the authorised development is to commence until written details of the surface and foul water drainage system for that part, in accordance with the mitigation measures in chapter 8 (road drainage and the water environment) of the environmental statement and including means of pollution control, have been submitted to and approved in writing by the county planning authority following consultation with the relevant planning authority, the strategic highway authority and the Environment Agency.”</p>

Schedule 2, paragraph 12(2)	(2) The drainage system must be constructed in accordance with the approved details referred to in sub-paragraph (1) unless otherwise agreed in writing by the relevant planning authority following consultation with the county planning authority, the strategic highway authority and the Environment Agency	“The drainage system must be constructed in accordance with the approved details referred to in sub-paragraph (1) unless otherwise agreed in writing by the county planning authority following consultation with the relevant planning authority, strategic highway authority and the Environment Agency.”
Schedule 2, paragraph 13(1)	13.—(1) No part of the authorised development within the existing floodplain is to commence until a detailed scheme for the flood compensation areas or flood storage area relevant to that part of the authorised development within the existing floodplain has been submitted to and approved in writing by the relevant planning authority following consultation with the county planning authority and the strategic highway authority on matters related to their functions.	“(1) No part of the authorised development within the existing floodplain is to commence until a detailed scheme for the flood compensation areas or flood storage area relevant to that part of the authorised development within the existing floodplain has been submitted to and approved in writing by the county planning authority following consultation with the relevant planning authority, the strategic highway authority and the Environment Agency on matters related to their functions.”
Schedule 2, paragraph 15(1)	15 (1) No part of the authorised development is to commence until written details of proposed noise mitigation in respect of the use and operation of that part of the authorised development, including noise barriers and any very low noise surfacing, have been submitted to and approved in writing by the relevant planning authority following consultation with the county planning authority and the strategic highway authority on matters related to their functions	15 (1) No part of the authorised development is to commence until written details of proposed noise mitigation in respect of the use and operation of that part of the authorised development, including noise barriers and any very low noise surfacing have been submitted to and approved in writing by the county planning authority following consultation with the relevant planning authority and the strategic highway authority on matters related to their functions.”

Schedule 2, paragraph 16(1)	16.—(1) No part of the authorised development is to be brought into use until a written scheme of the proposed highway lighting to be provided for that part of the authorised development has been submitted to and approved in writing by the relevant planning authority following consultation with the county planning authority and the strategic highway authority on matters related to their functions.	16.—(1) No part of the authorised development is to be brought into use until a written scheme of the proposed highway lighting to be provided for that part of the authorised development has been submitted to and approved in writing by the county planning authority following consultation with the relevant planning authority and the strategic highway authority on matters related to their functions.”
Schedule 2, paragraph 17(1)	17(1) No part of the authorised development is to be commence until written details of the materials to be used for the surfacing of the new highway and the adjacent cycleway and footway have been submitted to and approved in writing by the relevant planning authority following consultation with the county planning authority	17(1) No part of the authorised development is to be commence until written details of the materials to be used for the surfacing of the new highway and the adjacent cycleway and footway have been submitted to and approved in writing by the county planning authority following consultation with the relevant planning authority.”
Schedule 2, paragraph 18(1)	18(1) No part of the authorised development is to commence until written details of the building materials to be used for the external facing of all structures, including bridges, retaining walls and culvert sides and headwalls have been submitted to and approved in writing by the relevant planning authority following consultation with the county planning authority	“18(1) No part of the authorised development is to commence until written details of the building materials to be used for the external facing of all structures, including bridges, retaining walls and culvert sides and headwalls have been submitted to and approved in writing by the county planning authority following consultation with the relevant planning authority.”
Schedule 2, paragraph 19	19. With respect to any requirement which requires the authorised development to be carried out in accordance with the details approved under this Schedule, the approved details are taken to include any amendments	All references to “relevant planning authority” changed to “county planning authority”

	<p>that may be subsequently approved or agreed in writing by the relevant planning authority.</p>	
<p>Schedule 2, paragraph 20</p>	<p>20 (1) Where an application has been made to the relevant planning authority for any consent, agreement or approval required by a requirement (including agreement or approval in respect of part of a requirement) included in this Order, the relevant planning authority must give notice to the undertaker of the decision on the application within a period of 8 weeks beginning with—</p> <p>(a) the day immediately following that on which the application is received by the relevant planning authority;</p> <p>(b) the day immediately following that on which further information has been supplied by the undertaker under paragraph 21; or</p> <p>(c) such longer period as may be agreed between the parties.</p> <p>(2) Subject to sub-paragraph (3), in the event that the relevant planning authority does not determine an application within the period set out in sub-paragraph (1), the relevant planning authority is taken to have granted all parts of the application (without any condition or qualification) at the end of that period.</p> <p>(3) Where—</p> <p>(a) an application has been made to the relevant planning authority for any consent, agreement or approval required by a requirement included in this Order;</p>	<p>All references to “relevant planning authority” changed to “county planning authority”</p>

	<p>(b) the relevant planning authority does not determine such application within the period set out in subparagraph (1); and</p> <p>(c) the application is accompanied by a report referred to in paragraph 4 stating that, in the view of a body required to be consulted by the undertaker under the requirement in question, the subject matter of the application is likely to give rise to any materially new or materially different environmental effects in comparison with those reported in the environmental statement, the application is taken to have been refused by the relevant planning authority at the end of that period.</p>	
Schedule 2, paragraph 21	<p>21(1) In relation to any part of an application made under this Schedule, the relevant planning authority has the right to request such further information from the undertaker as is necessary to enable the relevant planning authority to consider the application.</p> <p>(2) In the event that the relevant planning authority considers such further information to be necessary, it must, within 21 business days of receipt of the application, notify the undertaker in writing specifying the further information required and (if applicable) to which part of the application it relates. In the event that the relevant planning authority does not give such notification within this 21 day period the relevant planning authority is deemed to have sufficient information to consider the application and is not subsequently entitled to request further information without the prior agreement of the undertaker.</p>	All references to “relevant planning authority” changed to “county planning authority”

	<p>(3) Where further information is requested under this paragraph in relation to part only of an application, that part is treated as separate from the remainder of the application for the purposes of calculating the time periods referred to in paragraph 20 and in this paragraph.</p> <p>(4) In this paragraph, “business day” means a day other than Saturday or Sunday which is not Christmas Day, Good Friday or a bank holiday under section 1 (bank holidays) of the Banking and Financial Dealings Act 1971(a).</p>	
Schedule 2, paragraph 22	<p>22(1) The undertaker must, as soon as practicable following the making of this Order, establish and maintain in an electronic form suitable for inspection by members of the public a register of those requirements contained in Part 1 of this Schedule that provide for further approvals to be given by the relevant planning authority.</p> <p>(2) The register must set out in relation to each such requirement the status of the requirement, in terms of whether any approval to be given by the relevant planning authority has been applied for or given, providing an electronic link to any document containing any approved details.</p> <p>(3) The register must be maintained by the undertaker for a period of 3 years following completion of the authorised development.</p>	All references to “relevant planning authority” changed to “county planning authority”
Schedule 10		In relation to the “environmental statement-appendix 1.1: glossary remove “0” and replace with “1”

Schedule 10		In relation to the “environmental statement – appendix 1.2: scoping opinion responses” remove “0” and replace with “1”