

SCHEDULES

SCHEDULE 2

Article 3

REQUIREMENTS

Interpretation

1.—(1) In this Schedule—

“contaminated land plan” means a written scheme for the treatment of contaminated land during construction;

“dust management plan” means a written scheme for the attenuation of dust during construction;

“relevant highway authority” means the highway authority responsible for the highway in question; and

“stage” means a defined section (if any) of the authorised development, the extent of which has been submitted to and approved in writing by the relevant planning authority under requirement 3.

(2) References in this Schedule to numbered requirements are references to the corresponding numbered paragraph of this Schedule.

Time limits

2. The authorised development must not commence later than the expiration of 5 years beginning with the date that this Order comes into force.

Stages of authorised development

3. Where the authorised development is to be implemented in stages, none of the authorised development is to commence until a written scheme setting out all the stages of the authorised development has been submitted to and approved in writing by the relevant planning authority. The authorised development must be carried out in accordance with the approved scheme.

Scheme design changes and staging

4.—(1) The authorised development must be carried out in accordance with the scheme design shown on the works plans and the sections.

(2) No stage of the authorised development is to commence until written details of the layout, scale and external appearance of any proposed gantries relating to that stage have been submitted to and approved in writing by the relevant planning authority. The proposed gantries must be constructed in accordance with the approved details.

Ecology

5.—(1) None of the authorised development, including any site clearance works, is to commence until an ecological strategy relating to the Order land containing details of how the authorised development will affect areas of nature conservation interest and what mitigation, compensatory

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and enhancement measures, reflecting the environmental statement, need to be incorporated into the authorised development in order to protect and enhance those areas, has been submitted to and approved in writing by the relevant planning authority.

(2) The authorised development must be carried out in accordance with the approved ecological strategy.

Protection of retained trees and shrubs during construction

6.—(1) No stage of the authorised development is to commence until for that stage written details, reflecting the mitigation measures included in the environmental statement, have been submitted to and approved in writing by the relevant planning authority for the safeguarding of trees, shrubs and hedgerows to be retained.

(2) The approved safeguarding measures must be implemented prior to the commencement of any demolition works, removal of topsoil or commencement of building operations and retained in position until the development is completed.

(3) The safeguarded areas must be kept clear of plant, building materials, machinery and other objects and the existing soil levels not altered.

Landscaping scheme

7.—(1) The authorised development must be landscaped in accordance with a written landscaping scheme, reflecting the environmental statement and incorporating ecological enhancement, mitigation and compensatory measures, that has been submitted to and approved in writing by the relevant planning authority. The landscaping scheme must be approved before the authorised development commences.

(2) The landscaping scheme must be in accordance with the ecological strategy approved under requirement 5, and must include details of all proposed hard and soft landscaping works for all land subject to development within the Order limits, including precise details and, where appropriate, samples relating to the following—

- (a) for hard landscaping areas—
 - (i) proposed finished levels;
 - (ii) hard surfacing materials;
 - (iii) minor structures (e.g. street furniture, signs and lighting, to include the colouring of lighting columns);
 - (iv) retained historic landscape features and proposals for restoration, where relevant; and
 - (v) boundary treatments and all means of enclosure; and
- (b) for soft landscaping areas—
 - (i) schedules and plans showing the location of proposed planting, noting species consistent with the ecological strategy, use of any species of local provenance, planting, size and proposed numbers and densities;
 - (ii) written specifications, schedules, and plans showing the proposed treatment and management of retained trees, shrubs and hedgerows;
 - (iii) services below ground, including drainage, pipelines, power and communication cables; and
 - (iv) written specifications associated with plant and grass establishment, including cultivation and other operations.

(3) An implementation timetable must be provided as part of the scheme that is consistent with the provisions set out in the approved ecological strategy.

Implementation and maintenance of landscaping

8.—(1) All landscaping works must be carried out in accordance with the landscaping scheme approved under requirement 7 and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised codes of good practice, including the Manual Of Contract Documents For Highway Works: Volume 1 Specification For Highway Works Series 3000 (05/01): Landscape And Ecology.

(2) Any tree, shrub or hedgerow planted as part of the approved landscaping that, within the period of three years after planting, is removed, dies or becomes, in the opinion of the relevant planning authority, seriously damaged or diseased, must be replaced in the first available planting season with a specimen of the same species and size as that originally planted, unless the relevant planning authority gives its written consent to any variation.

(3) If it becomes obvious that the original species and type were unsuitable for whatever reason, an appropriate alternative species may be specified, subject to the written consent of the relevant planning authority.

(4) Any tree, shrub or hedgerow which is retained and safeguarded during construction in accordance with requirement 6 must thereafter be maintained, and if necessary replaced, in accordance with this requirement, unless otherwise agreed in writing by the relevant planning authority.

Drainage

9.—(1) No stage of the authorised development is to be commenced until for that stage written details of the surface and foul water drainage system reflecting the mitigation measures included in the environmental statement, including where appropriate sustainable urban drainage solutions, have been submitted to and approved in writing by the relevant planning authority.

(2) The surface and foul water drainage system must be constructed in accordance with the approved details.

Measures to protect the water environment

10.—(1) None of the authorised development is to commence until—

- (a) a detailed site investigation has been carried out with respect to land within the Order limits to establish if contamination is present and to assess the degree and nature of contamination present and the action proposed to be taken to deal with any contamination that is identified;
- (b) a risk assessment has been carried out to consider the potential for pollution of the water environment; and
- (c) a water pollution prevention plan, reflecting the mitigation measures included in the environmental statement, has been submitted to and approved in writing by the relevant planning authority.

(2) The method and extent of the investigation and any measures or treatment to deal with contamination that is identified as a result must reflect the mitigation measures included in the environmental statement and be approved in writing by the relevant planning authority, following consultation with the Environment Agency and Thames Water Utilities Limited.

(3) The authorised development must be carried out—

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- (a) in accordance with the approved water pollution prevention plan referred to in sub-paragraph (1)(c); and
- (b) incorporating any such measures or treatments as are approved under sub-paragraph (2)..

Flood risk assessment

11.—(1) None of the authorised development is to commence until a flood risk assessment reflecting the mitigation measures included in the environmental statement has been submitted to and approved in writing by the relevant planning authority, following consultation with the Environment Agency.

(2) The authorised development must be carried out in accordance with any recommendations made in the flood risk assessment.

Archaeology

12.—(1) No stage of the authorised development is to commence until for that stage a written scheme for the archaeological investigation of land within the Order limits has been submitted to and approved in writing by the relevant planning authority.

(2) The scheme must identify areas where field work and/or a watching brief are required, and the appropriate measures to be taken to protect, record or preserve any significant archaeological remains that may be found.

(3) Any archaeological works and/or watching brief carried out on site under the scheme must be by a suitably qualified person or body approved by the relevant planning authority.

(4) Any archaeological works and/or watching brief must be carried out in accordance with the approved scheme.

Construction traffic and access strategy

13.—(1) No stage of the authorised development is to commence until for that stage written details of construction traffic management measures and a travel plan for the contractor’s workforce reflecting the mitigation measures included in the environment statement and including means of travel to construction sites and any parking to be provided, have been submitted to and approved in writing by the relevant planning authority.

(2) The authorised development must be carried out in accordance with the approved traffic management measures and travel plan.

Construction work and construction compounds

14.—(1) No stage of the authorised development is to commence until for that stage—

- (a) written details of the type and location of screen fencing for the proposed construction compounds;
- (b) written details of the type, specification and location of lighting around the compound areas and along the route during the construction phase of the authorised development;
- (c) a scheme for the attenuation of noise and vibration during construction;
- (d) a dust management plan; and
- (e) a contaminated land plan,

in each case reflecting the mitigation measures included in the environmental statement, have been submitted to and approved in writing by the relevant planning authority.

(2) The authorised development must be carried out in accordance with the approved details and plans mentioned in sub-paragraph (1).

Site waste management plan

15.—(1) No stage of the authorised development is to commence until a site waste management plan for that stage, reflecting the mitigation measures included in the environmental statement, has been submitted to and approved in writing by the relevant planning authority.

(2) The authorised development must be carried out in accordance with the approved plan mentioned in sub-paragraph (1).

Code of construction practice

16.—(1) No authorised development is to commence until a code of construction practice has been submitted to and approved in writing by the relevant planning authority.

(2) The code of construction practice must reflect the mitigation measures included in the environmental statement and the requirements relating to construction of the authorised development set out in this Schedule.

(3) The code of construction practice may incorporate the plans, schemes and details required to be approved in writing by other requirements set out in this Schedule.

(4) The authorised development must be carried out in accordance with the provisions of the code of construction practice..

Construction environmental management plan

17.—(1) No authorised development is to commence until a construction environmental management plan has been submitted to and approved in writing by the relevant planning authority.

(2) The construction environmental management plan must be prepared in accordance with the provisions of the approved code of construction practice, and must reflect the mitigation measures included in the environmental statement.

(3) The construction environmental management plan may incorporate the plans, schemes and details required to be approved in writing by other requirements set out in this Schedule.

(4) The authorised development must be carried out in accordance with the provisions of the construction environmental management plan.

Approved details

18. With respect to any requirement which requires the authorised development to be carried out in accordance with the details approved by the relevant planning authority, the approved details must reflect the mitigation measures included in the environmental statement.

Traffic management during construction

19.—(1) The authorised development must be implemented in accordance with a traffic management plan submitted to and approved in writing by each relevant highway authority, after consultation with the police, other emergency services and any other parties considered to be relevant stakeholders by the undertaker.

(2) The traffic management plan must be designed in accordance with relevant legislation, guidance and best practice, balancing the need to minimise disruption to the travelling public, protect the public and the workforce from hazards, and facilitate the economical construction of the authorised development.

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- (3) The plan must be approved before the authorised development commences.