

**Time limits**

1. The authorised project must commence no later than the expiration of five years beginning with the date this Order comes into force.

**Detailed design approval**

2.—(1) No phase of the authorised development may commence until details of—

- (a) the layout;
- (b) scale;
- (c) proposed finished ground levels;
- (d) external appearance;
- (e) hard surfacing materials;
- (f) vehicular and pedestrian access, parking and circulation areas;
- (g) refuse or other storage units, signs and lighting;
- (h) drainage, water, power and communications cables and pipelines; and
- (i) programme for landscaping works;

relating to that phase have been submitted to and approved in writing by the relevant planning authority.

(2) The details submitted must accord with—

- (a) the Location, Order limits and Grid coordinates plan;
- (b) the works plan; and
- (c) the outline design principles, or such variation thereof as may be approved by the relevant planning authority pursuant to requirement 17.

(3) The authorised development must be carried out in accordance with the approved details.

**Phases of authorised development**

3.—(1) The authorised development may not be commenced until a written scheme setting out the phases of construction of the authorised project has been submitted to and approved by the relevant planning authority.

(2) The scheme must be implemented as approved.

**Landscape and biodiversity management plan**

4.—(1) No phase of the authorised development may commence until a written landscape and biodiversity management plan (which accords with the outline landscape and biodiversity management plan) has been submitted to and approved by the relevant planning authority in consultation with Natural England.

(2) The landscape and biodiversity management plan must be carried out as approved.

**Implementation and maintenance of landscaping**

5.—(1) All landscaping works must be carried out in accordance with the landscape and biodiversity management plan approved under requirement 4 (provision of landscaping), and in accordance with the relevant recommendations of appropriate British Standards.

(2) Any tree or shrub planted as part of an approved landscaping management scheme that, within a period of five 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.

**Public rights of way diversions**

6.—(1) No phase of the authorised development may commence until a public rights of way management plan for any sections of public rights of way shown to be temporarily closed on the access and rights of way plans for that phase has been submitted to and, after consultation with the highway authority, approved by the relevant planning authority.

- (2) The plan must include details of—
- (a) measures to minimise the length of any sections of public rights of way to be temporarily closed; and
  - (b) advance publicity and signage in respect of any sections of public rights of way to be temporarily closed.
- (3) The plan must be implemented as approved unless otherwise agreed with the relevant planning authority in consultation with the highway authority.

### **Fencing and other means of enclosure**

- 7.—(1) No phase of the authorised development may commence until written details of all proposed permanent and temporary fences, walls or other means of enclosure of the connection works for that phase have been submitted to and approved by the relevant planning authority.
- (2) Any construction site must remain securely fenced in accordance with the approved details at all times during construction of the authorised development.
  - (3) Any temporary fencing must be removed on completion of the phase of construction of the authorised development for which it was used.
  - (4) Any approved permanent fencing must be completed before completion of the authorised development.

### **Surface and foul water drainage**

- 8.—(1) No phase of the authorised development may commence until details of the surface and (if any) foul water drainage system (including means of pollution control) for that phase have, after consultation with the relevant sewerage and drainage authorities and the Environment Agency, been submitted to and approved by the relevant planning authority.
- (2) The surface and foul water drainage system must be constructed in accordance with the approved details.

### **Archaeology**

- 9.—(1) No phase of the authorised development may commence until a written scheme of archaeological investigation (which must accord with the outline written scheme of investigation) for that phase has been submitted to and approved by the relevant planning authority.
- (2) In the event that site investigation is required, the scheme must include details of the following—
    - (a) an assessment of significance and research questions;
    - (b) the programme and methodology of site investigation and recording;
    - (c) the programme for post investigation assessment;
    - (d) provision to be made for analysis of the site investigation and recording;
    - (e) provision to be made for publication and dissemination of the analysis and records of the site investigation;
    - (f) provision to be made for archive deposition of the analysis and records of the site investigation; and
    - (g) nomination of a competent person or persons/organisation to undertake the works set out within the written scheme of investigation.
  - (3) Any archaeological works or watching brief must be carried out in accordance with the approved scheme.
  - (4) In the event that site investigation is required, the site investigation and post investigation assessment must be completed in accordance with the programme set out in the written scheme of archaeological investigation and provision made for analysis, publication and dissemination of results and archive deposition.

### **Construction environmental management plan**

- 10.—**(1) No phase of the authorised development may commence until a construction environmental management plan (which must accord with the outline construction environmental management plan) for that phase has been submitted to and approved by the relevant planning authority, in consultation with the relevant highway authority and the Environment Agency.
- (2) The construction environmental management plan must be implemented as approved.

#### **Construction traffic management plan**

- 11.—**(1) No phase of the authorised development may commence until written details of a construction traffic management plan (which must accord with the outline construction traffic management plan) for that phase has been submitted to and approved by the relevant local planning authority in consultation with the relevant highway authority.
- (2) The construction traffic management plan must be implemented as approved.

#### **Special protection area construction noise management plan**

- 12.—**(1) No phase of the authorised development may commence until written details of a special protection area construction noise management plan (which must accord with the outline special protection area construction noise plan) for that phase has been submitted to and approved by the relevant local planning authority.
- (2) The special protection area construction noise management plan must be implemented as approved.

#### **European protected species**

- 13.—**(1) No phase of the authorised development may commence until final pre-construction survey work has been carried out for that phase to establish whether a European protected species is present on any of the land affected, or likely to be affected, by the authorised development or in any of the trees to be lopped or felled as part of that stage of the connection works.
- (2) Where a European protected species is shown to be present, the phase of authorised development must not begin until, after consultation with Natural England and the relevant planning authority, a scheme of protection and mitigation measures has been submitted to and approved by the relevant planning authority.
- (3) The authorised development must be carried out in accordance with the approved scheme.
- (4) In this Requirement, “European Protected Species” has the same meaning as in regulations 40 and 44 of the Conservation of Habitats and Species Regulations 2010(a).

#### **Operational noise**

- 14.—**(1) No phase of the authorised development may commence until an operational noise assessment containing details of how the design of the authorised development has incorporated mitigation to ensure the operational noise rating levels as set out in the environmental statement shall be complied with for that phase has been submitted to and approved by the relevant local planning authority.
- (2) The design as described in the operational noise assessment must be implemented as approved.

#### **Decommissioning**

- 15.—**(1) Within three months of the cessation of commercial operation of the authorised development a decommissioning and restoration plan (which must accord with the outline decommissioning and restoration plan) must be submitted to and approved by the relevant planning authority.
- (2) The decommissioning plan must be implemented as approved.

#### **Requirement for written approval**

**16.** Where the approval, agreement or confirmation of the Secretary of State, local planning authority or another person is required under a requirement, that approval, agreement or confirmation must be given in writing.

**Amendments to approved details**

**17.—**(1) With respect to any requirement which requires the authorised project to be carried out in accordance with the details approved by the relevant planning authority or another person, the approved details must be carried out as approved unless an amendment or variation is previously agreed in writing by the relevant planning authority or that other person in accordance with paragraph (2).

(2) Any amendments to or variations from the approved details must be in accordance with the principles and assessments set out in the environmental statement. Such agreement may only be given in relation to immaterial changes where it has been demonstrated to the satisfaction of the relevant planning authority or that other person that the subject matter of the agreement sought is unlikely to give rise to any materially new or materially different environmental effects from those assessed in the environmental statement.

(3) The approved details must be taken to include any amendments that may subsequently be approved in writing by the relevant planning authority or that other person.