

## SCHEDULES

### SCHEDULE 2

Article 4

### REQUIREMENTS

#### **Interpretation**

**1.** In this Schedule—

“the CR-E” means Network Rail’s Contract Requirements – Environment, Issue 5, April 2004, as set out in Volume I, Appendix E, of the environment statement; and

“stage” means a defined section or part of the authorised development, the extent of which is shown in a scheme submitted to and approved by the relevant planning authority under requirement 2 (stages of authorised development).

#### **Stages of authorised development**

**2.** No authorised development is to commence until a written scheme setting out all the stages of the authorised development has, after consultation with the highway authority, been submitted to, and approved in writing by, the relevant planning authority.

#### **In accordance with approved details**

**3.** The authorised development must be carried out in accordance with the design drawings unless otherwise agreed in writing by the relevant planning authority.

#### **Landscaping**

**4.—(1)** No stage of the authorised development is to commence until a written landscaping scheme for that stage has, after consultation with the relevant planning authority, been submitted to, and approved in writing by, the relevant planning authority.

(2) The submitted scheme must reflect the mitigation measures described in section 5.2 (Construction Phase Incorporated Mitigation) of Technical Appendix F (Landscape and Visual Amenity) to Volume II of the environmental statement.

(3) The landscape scheme must include details of—

- (a) location, number, species, size and planting density of any proposed planting;
- (b) cultivation, importing of materials and other operations to ensure plant establishment;
- (c) implementation timetables for all landscaping; and
- (d) temporary fencing that complies with current best practice to protect trees and hedgerows adjacent to the works.

#### **Implementation and maintenance of landscaping**

**5.—(1)** All landscaping work must be carried out in accordance with the scheme and implementation timetable approved under requirement 4 (landscaping).

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(2) Any tree or shrub planted as part of an approved landscaping scheme that, within a period of 5 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 otherwise approved in writing by the relevant planning authority.

### **Highway accesses**

6. No part of the authorised development, other than Works numbered 2, 3A, 3B, 4, 5 and 13, which requires road access for construction traffic from the west side of the East Coast Main Line, is to commence until—

- (a) for that part details of the siting, design and layout of any new or altered, permanent or temporary, access, and any temporary or permanent road improvements on Rockley Lane, Holme Lane and Storr Lane, and any temporary haul roads, have, after consultation with the relevant planning authority and local highway authority, been submitted to and approved in writing by the relevant planning authority; and
- (b) the approved highway alterations and improvements, including any altered or new accesses and any temporary haul roads, for that part have been implemented.

### **Archaeology**

7.—(1) No stage of the authorised development is to commence until for that stage a written scheme for the investigation of areas of archaeological interest identified at paragraph 5.2.1 (Incorporated Mitigation) of Technical Appendix E, (Historic Environment) to Volume II of the environmental statement has, after consultation with the relevant planning authority, been submitted to, and approved in writing by, the relevant planning authority.

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

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

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

### **Contract Requirements – Environment**

8.—(1) The authorised development must be carried out in accordance with the CR-E or as otherwise amended with the written agreement of the relevant planning authority. The mitigation measures set out in the environmental statement must be reflected in preparing any plan required by the CR-E.

(2) The Mandatory Environmental Requirements set out in section 5 of the CR-E in respect of—

- (a) 5.10 External Communications;
- (b) 5.13 Pollution Incident Control Plan (which must include a Construction Phase Surface Water Management Plan, as referred to in paragraph 5.2.1 (Incorporated Plan) of Technical Appendix J (Water Resources) to Volume II of the environmental statement); and
- (c) 5.17 Waste Management Plan (which must be prepared in accordance with The Site Waste Management Plans Regulations 2008<sup>(1)</sup>),

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(1) [S.I. 2008/314](#).

must not be agreed by Network Rail until they have been submitted to, and approved in writing by, the relevant planning authority.

(3) The following matters set out in section 6 (Particular Environmental Requirements) of the CR-E are mandatory—

- (a) 6.2 Environmental Design Management;
- (b) 6.3 Traffic Management Plan;
- (c) 6.4 Noise & Vibration Management Plan;
- (d) 6.6 Dust;
- (e) 6.7 Air Pollution;
- (f) 6.14 Boundaries; and
- (g) 6.15 Lighting.

(4) The dust, air pollution and lighting mitigation measures required by the CR-E must be incorporated into a Nuisance Management Plan. The Nuisance Management Plan and other plans required under section 6 of the CR-E must, after consultation with the relevant planning authority, be submitted to, and approved in writing by, the relevant planning authority.

(5) No stage of the authorised development is to be commenced until such of the plans or programmes required under sections 5.10, 5.13, 5.17, 6.2, 6.3, 6.4 of the CR-E and the Nuisance Management Plan as relate to that stage have been approved in writing by the relevant planning authority and those plans or programmes must be implemented as approved.

### **Ecological Management Plan**

9.—(1) No stage of the authorised development is to commence until for that stage a written ecological management plan reflecting the survey results and ecological mitigation and enhancement measures included in the environmental statement, in particular to accord with paragraph 5.2.1 of section 5 (Mitigation & Prediction of Effects) of Technical Appendix C (Ecology) to Volume II of the environmental statement, has been submitted to, and approved in writing by, the relevant planning authority.

(2) The ecological management plan must include an implementation timetable and must be carried out as approved.

### **Alteration, reconstruction or replacement of buildings**

10. No alteration, reconstruction or replacement of a building is to be carried out under article 5 (maintenance of authorised development) except in accordance with plans and specifications approved (after consultation) in writing by the relevant planning authority.

### **Alteration, reconstruction or replacement of level crossings**

11.—(1) Within 12 months of the commencement of the operation of the authorised development a report on the optimisation of the operation and risk assessments of the level crossings on the Askern Line between the authorised development and the Norton level crossing must be submitted to, and agreed in writing by, the Office of Rail Regulation and made available to the relevant local highway authority.

(2) Before commencement of the removal of the level crossing at Honey Lands Lane a report on the amendments to and risk assessment of the Owston Grange Farm No. 1 crossing both during construction and in final operational form must be submitted to, and agreed in writing by, the Office of Rail Regulation and made available to the relevant highway authority.

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### **Amendments to approved details**

12. 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 are taken to include any amendments that may subsequently be approved in writing by the relevant planning authority.

### **Flood Risk Assessment and Piling Method Statement**

13.—(1) The authorised development must be carried out in accordance with the approved Flood Risk Assessment document reference 3.2 version 3 dated May 2011 (Mott MacDonald) and the mitigation measures detailed in that document.

(2) No piling works for any part of the authorised development are to commence until a method statement for the piling works has been submitted to, and approved in writing by, the Environment Agency. Any piling works carried out in relation to the authorised development must be carried out in accordance with the approved method statement.