

## SCHEDULES

### SCHEDULE 2

#### REQUIREMENTS

### **PART 1**

#### REQUIREMENTS

#### **Interpretation**

1.—(1) In this Schedule the following expressions have the following meanings—

“the archaeological written scheme of investigation” means the document of that description referenced in Schedule 15 (documents to be certified) certified by the Secretary of State as the archaeological written scheme of investigation for the purposes of this Order;

“the code of construction practice” means a code of construction practice approved under paragraph 73 of this Schedule;

“the county planning authority” means Norfolk County Council in its capacity as county planning authority for the county of Norfolk under section 1(1)(a) (local planning authorities: general) of the 1990 Act;

“the drainage strategy” means the document of that description referenced in Schedule 15 (documents to be certified) certified by the Secretary of State as the drainage strategy for the purposes of this Order;

“the IDB” means the Waveney, Lower Yare and Lothingland Internal Drainage Board;

“the lead local flood authority” means Norfolk County Council in its capacity as lead local flood authority under section 6(7) (other definitions) of the Flood and Water Management Act 2010<sup>MI</sup>;

“the outline code of construction practice” means the document of that description referenced in Schedule 15 (documents to be certified) certified by the Secretary of State as the outline code of construction practice for the purposes of this Order;

“the landscaping plans” means the plans of that description referenced in Schedule 15 (documents to be certified) certified by the Secretary of State as the landscaping plans for the purposes of this Order;

“the lighting report” means the document of that description referenced in Schedule 15 (documents to be certified) certified by the Secretary of State as the lighting report for the purposes of this Order; and

“the preliminary navigation risk assessment” means the document of that description referenced in Schedule 15 (documents to be certified) certified by the Secretary of State as the preliminary navigation risk assessment for the purposes of this Order.

**Changes to legislation:** There are currently no known outstanding effects for the The Great Yarmouth Third River Crossing Development Consent Order 2020, PART 1. (See end of Document for details)

**Commencement Information**  
**I1** Sch. 2 para. 1 in force at 15.10.2020, see [art. 1](#)

**Marginal Citations**  
**M1** 2010 c. 29.

**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.

**Commencement Information**  
**I2** Sch. 2 para. 2 in force at 15.10.2020, see [art. 1](#)

**Commencement of the authorised development**

3. Notice of commencement of the authorised development must be given to the county planning authority in writing within 7 days of the date that the authorised development is commenced.

**Commencement Information**  
**I3** Sch. 2 para. 3 in force at 15.10.2020, see [art. 1](#)

**Design of the authorised development**

4. The authorised development must be designed and implemented in general accordance with—
- (a) the general arrangement plan; and
  - (b) the approach to detailed design.

**Commencement Information**  
**I4** Sch. 2 para. 4 in force at 15.10.2020, see [art. 1](#)

**Detailed design of specified structures**

5. Construction of each part of the authorised development specified in column (1) of the table below must not commence until the details of the elements specified in relation to that part in column (2) of that table have been submitted to, and following consultation with Great Yarmouth Borough Council, approved in writing by the county planning authority.

<i>(1) Part of the authorised development</i>	<i>(2) Elements to be approved</i>
Work No. 7A(i)	The external appearance of the control tower
Work No.7B(i)	The external appearance of the plant room
Work No.8A(iv)	The finish and external materials of the bridge deck

Work No. 8B(i)	The finish and external materials of the bridge deck
Work No. 8C(iv)	The finish and external materials of the bridge deck

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**Commencement Information**

**15** Sch. 2 para. 5 in force at 15.10.2020, see [art. 1](#)

**Code of construction practice**

6.—(1) No part of the authorised development is to commence until a code of construction practice for that part of the authorised development has been submitted to and, following consultation with Great Yarmouth Borough Council, the lead local flood authority, the IDB and the Environment Agency, approved in writing by the county planning authority.

(2) Any submitted code of construction practice must include the following plans and statements—

- (a) an arboricultural method statement;
- (b) a construction traffic management plan;
- (c) a flood management plan;
- (d) a materials management plan (or equivalent);
- (e) a site waste management plan; and
- (f) a workforce travel plan.

(3) Any code of construction practice submitted under sub-paragraph (1) must be in accordance with the outline code of construction practice.

(4) Any part of the authorised development must be carried out in accordance with the relevant code of construction practice approved under sub-paragraph (1) for that part.

**Commencement Information**

**16** Sch. 2 para. 6 in force at 15.10.2020, see [art. 1](#)

**Landscaping and ecological management plan**

7.—(1) No part of the authorised development is to commence until a written landscaping and ecological management plan for that part has been submitted to and, following consultation with Great Yarmouth Borough Council and Natural England, approved in writing by the county planning authority.

(2) Any landscaping and ecological management plan prepared under sub-paragraph (1) must—

- (a) be based on the mitigation measures included in the environmental statement;
- (b) not give rise to any materially new or materially different environmental effects than those assessed in the environmental statement;
- (c) be in general accordance with the approach to detailed design;
- (d) be in general accordance with the landscaping plans; and
- (e) include the details listed in sub-paragraph (3).

**Changes to legislation:** There are currently no known outstanding effects for the The Great Yarmouth Third River Crossing Development Consent Order 2020, PART 1. (See end of Document for details)

- (3) The details referred to in sub-paragraph (2) are—
- (a) details of proposed hard and soft landscaping works, including location, species, size and planting density of any proposed planting;
  - (b) details of proposed boundary treatments;
  - (c) cultivation, importing of materials and other operations to ensure plant establishment;
  - (d) proposed finished ground levels;
  - (e) hard surfacing materials;
  - (f) any ecological mitigation areas;
  - (g) details of any existing trees, hedges and shrubs to be retained
  - (h) implementation timetables for the landscaping and ecological management works; and
  - (i) details of the maintenance regime for the landscaping and ecological management works, which must—
    - (i) provide for maintenance for a period of 15 years commencing with the date of completion of the relevant landscaping and ecological management works; and
    - (ii) include measures for the replacement in the first available planting season, of any tree or shrub planted as part of that landscaping and ecological management plan which, within the period referred to in paragraph (i), dies, becomes seriously diseased or is seriously damaged.
- (4) All landscaping works must be carried out and maintained in accordance with the relevant landscaping scheme approved under sub-paragraph (1) for that part.

**Commencement Information**

**I7** Sch. 2 para. 7 in force at 15.10.2020, see [art. 1](#)

**Existing trees and hedgerows**

**8.—(1)** All hedges and trees forming part of the boundary of the Order land or situated within it and which are shown to be retained in the landscaping scheme approved under paragraph 74 must be protected from any damage during the construction of the authorised development in accordance with British Standard BS5837 (2012) ‘Trees in relation to design, demolition and construction’.

(2) If any hedge or tree protected under sub-paragraph (1) is removed, uprooted, destroyed or damaged during the construction of the authorised development it must be replaced in the first available planting season and afterwards maintained for a period of 5 years.

(3) No felling, lopping or removal of hedges or trees (“the relevant activity”) is to take place during the bird nesting season unless a written report concerning the relevant activity by a suitably qualified ecologist has been provided to and approved by the county planning authority. The recommendations of the ecologist as set out in the report must be complied with in carrying out the relevant activity.

**Commencement Information**

**I8** Sch. 2 para. 8 in force at 15.10.2020, see [art. 1](#)

## Contamination

**9.**—(1) In the event that contaminated materials are found at any time when carrying out the authorised development which have not been identified and addressed in a code of construction practice—

- (a) work in the location affected by such contamination must immediately stop;
- (b) the contamination must be notified in writing to the county planning authority, Great Yarmouth Borough Council and the Environment Agency; and
- (c) the undertaker must complete a risk assessment of the contamination.

(2) Following a notification under sub-paragraph (1), where the county planning authority determines that remediation is necessary, a written scheme and programme for the remedial measures necessary to render the land fit for its intended purpose (including a timetable), must be submitted to and, following consultation with Great Yarmouth Borough Council and the Environment Agency, approved in writing by the county planning authority and afterwards carried out.

### Commencement Information

**19** Sch. 2 para. 9 in force at 15.10.2020, see [art. 1](#)

## Emergency Preparedness and Response Plan

**10.**—(1) No part of the authorised development is to be opened to the public until an emergency preparedness and response plan has been submitted to and, following consultation with Great Yarmouth Borough Council, the lead local flood authority, Norfolk Fire and Rescue, Norfolk Constabulary and the Environment Agency, approved in writing by the county planning authority.

(2) The submitted emergency preparedness and response plan must include provision as to the actions and measures to be taken in relation to the authorised development to prepare for and respond to the following emergencies—

- (a) a flood event;
- (b) a fire event; and
- (c) an incident involving terrorism or other substantial threat to security.

(3) Unless otherwise agreed in writing with the county planning authority following consultation with the Environment Agency, an application for the approval of the emergency preparedness and response plan must be accompanied by a summary report of an analysis of the residual tidal flood risk arising from a breach of flood defences, prepared with regard to recognised guidance.

(4) The parts of the emergency preparedness and response plan prepared to respond to a flood event must be prepared, so far as is relevant, with regard to the analysis of residual flood risk referred to in sub-paragraph (3) and be accompanied by a statement explaining the regard that has been had to the results of that analysis.

(5) The approved plan must be implemented in full.

### Commencement Information

**110** Sch. 2 para. 10 in force at 15.10.2020, see [art. 1](#)

### Surface water drainage

11.—(1) No part of the authorised development which comprises any part of a surface water drainage system is to commence until written details of that surface water drainage system, including measures for the management of flood risk, for that part has been submitted to and, following consultation with Great Yarmouth Borough Council, the lead local flood authority, Anglian Water (in respect of its sewerage undertaker functions), the Environment Agency and the IDB, approved in writing by the county planning authority.

(2) The surface water drainage system submitted for approval under sub-paragraph (1) must be in accordance with the drainage strategy and include a timetable for implementation.

(3) The surface water drainage system must be constructed in accordance with the surface water drainage system approved under sub-paragraph (1) for that part.

#### Commencement Information

**I11** Sch. 2 para. 11 in force at 15.10.2020, see [art. 1](#)

### Lighting

12.—(1) No part of the authorised development is to commence until a written scheme of the lighting to be provided for that part on opening for public use (except lighting to be provided to the interior of a building) has been submitted to and, following consultation with Great Yarmouth Borough Council, approved in writing by the county planning authority.

(2) Any written scheme of proposed lighting submitted for approval under sub-paragraph (1) must be in accordance with the lighting report and include a timetable for implementation.

(3) The part of the authorised development in question must be carried out in accordance with the scheme approved under sub-paragraph (1) for that part and the approved lighting must be maintained thereafter.

(4) Nothing in this requirement restricts lighting of the authorised development during its construction or as temporarily required for maintenance.

#### Commencement Information

**I12** Sch. 2 para. 12 in force at 15.10.2020, see [art. 1](#)

### Completion and availability of particular works

13.—(1) The highway comprised in the new bridge and the new bridge western approach must not be opened for public use until the works specified in sub-paragraph (2) have been completed and made available for use.

(2) The works are—

- (a) the vessel waiting facilities;
- (b) Work No. 11; and
- (c) Work No. 12.

#### Commencement Information

**I13** Sch. 2 para. 13 in force at 15.10.2020, see [art. 1](#)

## Archaeology

14.—(1) The authorised development must be constructed in accordance with the archaeological written scheme of investigation, including the provisions of any method statement or other document required to be prepared under the terms of the archaeological written scheme of investigation.

(2) Any archaeological remains not identified in the archaeological written scheme of investigation which are revealed when carrying out the authorised development work (“the revealed remains”) must be retained in situ (subject to sub-paragraphs (3) and (4)) and reported to the county planning authority within 3 working days.

(3) No construction operations are to take place within 10 metres of the revealed remains for a period of 14 days from the date of such notification unless otherwise agreed in writing by the county planning authority.

(4) If the county planning authority confirm to the undertaker during the 14 day period referred to in sub-paragraph (3) that the revealed remains require further investigation, then no construction operations are to take place within 10 metres of the revealed remains until the revealed remains have been investigated and recorded in accordance with a scheme, which may provide for the removal of the revealed remains (subject to any direction or determination made under article 55 (removal of human remains)), submitted to and approved in writing by the county planning authority.

### Commencement Information

I14 Sch. 2 para. 14 in force at 15.10.2020, see [art. 1](#)

## Preliminary navigation risk assessment

15. The new bridge must be designed, constructed and operated in accordance with section 7 (Additional Mitigation Measures) of the preliminary navigation risk assessment.

### Commencement Information

I15 Sch. 2 para. 15 in force at 15.10.2020, see [art. 1](#)

## Signs at vessel waiting facilities

16. Signs instructing masters of vessels utilising the vessel waiting facilities to switch off the vessel engine whilst the vessel is moored must be provided to the satisfaction of the county planning authority prior to the first use of the vessel waiting facilities and maintained thereafter.

### Commencement Information

I16 Sch. 2 para. 16 in force at 15.10.2020, see [art. 1](#)

## Amendments to approved details

17.—(1) Subject to sub-paragraph (2), where any details, plans or schemes have been approved by the county planning authority under the provisions of any requirement, the county planning authority may at any time if it thinks fit approve amendments to the approved details, plans or schemes and following any further approval by the county planning authority the approved details, plans or schemes include the amendments approved under this requirement.

**Changes to legislation:** There are currently no known outstanding effects for the The Great Yarmouth Third River Crossing Development Consent Order 2020, PART 1. (See end of Document for details)

(2) In considering any amendment to any details, plans or schemes the county planning authority must consult those persons it would have been required to consult before granting approval initially in relation to the details, plans, or schemes.

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**Commencement Information**

**I17** Sch. 2 para. 17 in force at 15.10.2020, see [art. 1](#)

**Details of consultation**

**18.** With respect to any requirement which requires details to be submitted to the county planning authority for approval under this Schedule following consultation with another party, the details submitted to the county planning authority must be accompanied by a summary report setting out—

- (a) the consultation undertaken by the undertaker pursuant to that requirement to inform the details submitted to the county planning authority for approval; and
- (b) the undertaker's response to that consultation.

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**Commencement Information**

**I18** Sch. 2 para. 18 in force at 15.10.2020, see [art. 1](#)



**Changes to legislation:**

There are currently no known outstanding effects for the The Great Yarmouth Third River Crossing Development Consent Order 2020, PART 1.