

# SCHEDULES

## SCHEDULE 2

### REQUIREMENTS

#### PART 1

#### REQUIREMENTS

##### **Landscaping**

5.—(1) No part of the authorised development is to commence until a landscaping scheme applicable to that part has been submitted to and approved in writing by the Secretary of State, following consultation with—

- (a) the relevant planning authority on matters related to its functions; and
- (b) where that part of the authorised development is comprised in the Airport safeguarding zone, Birmingham Airport Limited on matters relevant to the safety of aircraft taking off or landing, or flying in the vicinity of, Birmingham Airport.

(2) The landscaping scheme must reflect the mitigation measures set out in the REAC and must be based on the proposed landscape planting strategy (figure 8.3) and the illustrative environmental masterplan (figure 8.8) annexed to the environmental statement (application document TR010027/APP/6.1).

- (3) The landscaping scheme prepared under sub-paragraph (1) must include details of—
- (a) location, number, species mix, size and planting density of any proposed planting;
  - (b) cultivation, importing of materials and other operations to ensure plant establishment;
  - (c) existing trees to be retained, with measures for their protection during the construction period;
  - (d) proposed finished ground levels; and
  - (e) implementation timetables for all landscaping works.

(4) All landscaping works must be carried out to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards.

(5) Any tree or shrub planted as part of the 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 the Secretary of State, following consultation with the relevant planning authority on matters related to its function, gives consent to a variation.

##### **Commencement Information**

**II** Sch. 2 para. 5 in force at 11.6.2020, see [art. 1](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The M42 Junction 6 Development Consent Order 2020, Paragraph 5.