

SCHEDULES

SCHEDULE 2

REQUIREMENTS

PART 1

REQUIREMENTS

Landscaping

5.—(1) Other than site clearance works carried out in terms of paragraph 16, no part of the authorised development is to commence until a landscaping scheme for that part has been submitted to and approved in writing by the Secretary of State, following consultation with the relevant planning authority on matters related to its function.

(2) The landscaping scheme must be substantially in accordance with the mitigation measures set out in the REAC and must be based on either—

- (a) the illustrative environmental masterplan and landscape mitigation design annexed to the environmental statement; and
- (b) to the extent not consistent with sub-paragraph (a)—
 - (i) subject to sub-paragraph (3), Option 1 as set out on page 27 of the Southern Green Options Report;
 - (ii) subject to sub-paragraph (4), Option 2 as set out on page 29 of the Southern Green Options Report; or
 - (iii) subject to sub-paragraph (4), Option 3 as set out on page 31 of the Southern Green Options Report.

(3) Nothing shall require the landscaping scheme to be based on Option 1 of the Southern Green Options Report unless the relevant planning authority has entered into an agreement providing for any cost associated with Option 1 that is above the cost of the illustrative environmental masterplan and landscape mitigation design annexed to the environmental statement is to be paid or otherwise secured by the relevant planning authority.

(4) Nothing shall require the landscaping scheme to be based on Option 2 or Option 3 of the Southern Green Options Report unless the relevant planning authority has—

- (a) made provision for sufficient land for the installation and maintenance of replacement woodland planting to mitigate the effects of the implementation of Option 2 or Option 3; and
 - (b) entered into an agreement providing for any cost of Option 2 or Option 3 that is above the cost of the illustrative masterplan and landscape design annexed to the environmental statement is to be paid or otherwise secured by the relevant planning authority.
- (5) 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;

Changes to legislation: There are currently no known outstanding effects for the The A1 Birtley to Coal House Development Consent Order 2021, Paragraph 5. (See end of Document for details)

- (c) existing trees to be retained, with measures for their protection during the construction period;
 - (d) proposed finished ground levels;
 - (e) implementation timetables for all landscaping works; and
 - (f) how the landscaping scheme addresses the guidance in paragraph 4.29 of the National Policy Statement for National Networks for the appearance of national network projects to demonstrate good aesthetics as far as possible.
- (6) All landscaping works must be carried out in accordance with the scheme referred to in sub-paragraph (1) to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised codes of good practice.
- (7) 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.
- (8) Planting will be undertaken at Longacre Wood to replace any trees that were intended to be retained which are felled or die as a result of construction works. The size, species and location of replacement trees will be included in the landscaping scheme required by sub-paragraph (1).

Commencement Information

II Sch. 2 para. 5 in force at 9.2.2021, see [art. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The A1 Birtley to Coal House Development Consent Order 2021, Paragraph 5.