

## **SCHEDULE ONE**

### **PROPOSED PLANNING CONDITIONS**

#### **Interpretation**

In the following conditions:–

“the development” means the development authorised by the Order;

“the local planning authority” means Basildon District Council, Braintree District Council, Brentwood Borough Council, Broxbourne Borough Council, Castle Point Borough Council, Chelmsford City Council, Colchester Borough Council, East Hertfordshire District Council, Epping Forest District Council, Harlow District Council, London Borough of Havering, Rochford District Council, Southend-on-Sea Borough Council, Tendring District Council, Thurrock Council, Uttlesford District Council as respects development in their respective areas;

“Network Rail” means Network Rail Infrastructure Limited;

“the Order” means the Network Rail (Essex and Others Level Crossing Reduction) Order 2011[ ]; and

“the scheduled monument” means the crop mark site south of Ardleigh in the District of Tendring, list entry number 1002146.

#### **Time limit for commencement of development**

1. The development must commence before the expiration of five years from the date that the Order comes into force.

*Reason: To set a reasonable time limit for the commencement of the development and to avoid blight.*

#### **Detailed design approval**

2. No development for a footbridge shall commence until written details of its design and external appearance, including finishing materials have been submitted in writing to and approved by the local planning authority. The development shall be carried out in accordance with the details approved by the local planning authority.

*Reason: To ensure compliance with agreed details and satisfactory external appearance for the development.*

## Ecology

3. During the bird nesting season (1 March to July31August), trees and any other suitable habitat affected by the works ~~shall~~should be searched for nesting birds and if any nesting birds are found the nest shall be protected until the young have fledged and left the nest.

4. In relation to protected species, where relevant, the development shall be carried out in accordance with the Precautionary Method of Working : Legally Protected Species December 2017) as prepared by Mott MacDonald.

~~No development shall commence until a plan describing the mitigation procedures that will apply in the event that any protected species is unexpectedly discovered during construction of the development is submitted in writing and approved by the local planning authority. The development shall proceed thereafter in accordance with the agreed details.~~

**Reason:** *To protect the ecological value of the area.*

## Archaeology

5. ~~No development shall commence until a scheme identifying:~~

~~(a) any location where a watching brief is required during construction, and~~

~~(b) appropriate measures to be taken if any significant archaeological remains are found,~~

~~is submitted in writing and approved by the local planning authority. No preliminary works or development in the Borough of Colchester in relation to crossings E51 Thornfield Wood and E52 Golden Square shall commence until either;~~

~~(a) a programme of archaeological work including a written scheme of investigation for plots 02 and 05 in the Parish of Mount Bures and plots 08 and 16 in the Parish of Wakes Colne (as shown on the attached plans) has been submitted to and approved by the local planning authority. Preliminary works and development shall take place in accordance with the approved scheme. The approved scheme shall be implemented in full including any post development requirements, such as archiving and submission of final reports; or~~

~~(b) Network Rail has submitted confirmation in writing to the local planning authority that topsoil will not be removed in plots 02 and 05 in the Parish of Mount Bures and plots 08 and 16 in the Parish of Wakes Colne (as shown on the attached plans) and the local planning authority agrees that no written scheme of investigation is necessary, or is deemed to have agreed if it fails to respond within 28 days of receipt of Network Rail's written confirmation.~~

**Reason:** *To ensure that where topsoil removal is required for working compounds archaeological artefacts and information are preserved.*

## Working hours

~~56. Except where:~~

~~(a) work is taking place on Network Rail's land, or~~

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(b) works authorised by the relevant highway authority so require it,

construction of the development ~~shall~~**will** only be carried out between the hours of 8.00 am and 6.00pm.

Reason: To preserve local amenity

#### **Approval and implementation under these conditions**

67. Where under any of these conditions the approval or agreement of the local planning authority is required, that approval or agreement must be given in writing. The development must be carried out in accordance with any such approval or agreement, or any subsequent revisions that have been submitted to, and approved by, the local planning authority.

*Reason: To provide for certainty in the approvals and implementation processes.*

#### **Scheduled Monument**

78. No physical works (including signposting) will be undertaken so as not to disturb the scheduled monument.

*Reason: To protect the scheduled monument site.*

Informative note: The highway authority should be consulted on any works affecting the highway.