

## Appendix C - Conditions

### CC/CHL/85/21

1. The development hereby permitted shall be begun before the expiry of 5 years from the date of this permission. Written notification of the date of commencement shall be sent to the County Planning Authority within 7 days of such commencement.

Reason: To comply with section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the details of the application dated 06/10/2021, together with the following drawings:

Drawing No	Description	Date
CNEB-JAC-GEN-P1_000-DR-Z-0100 Rev P00	Site Location Plan	Aug 2021
CNEB-JAC-GEN-XXX-DR-Z-0002 Rev P00	General Arrangement Key Plan	Aug 2021
CNEB-JAC-GEN-XXX-DR-Z-0001 Rev P05	General Arrangement Notes and Key	Aug 2021
CNEB-JAC-GEN-P1_000-DR-Z-0001 Rev P05	General Arrangement Phase 1 Sheet 1 of 4	27/08/2021
CNEB-JAC-GEN-P1_000-DR-Z-0002 Rev P05	General Arrangement Phase 1 Sheet 2 of 4	27/08/2021
CNEB-JAC-GEN-P1_000-DR-Z-0003 Rev P05	General Arrangement Phase 1 Sheet 3 of 4	27/08/2021
CNEB-JAC-GEN-P1_000-DR-Z-0004 Rev P05	General Arrangement Phase 1 Sheet 4 of 4	27/08/2021
CNEB-JAC-GEN-P1_000-SK-W-0003 Rev P00	Phase 1 Construction Phasing	Aug 2021
CNEB-JAC-HGN-P1_S1A-DR-C-0001 Rev P04	Plan and Profile Phase 1 Section 1A Sheet 1 of 2	27/08/2021
CNEB-JAC-HGN-P1_S1A-DR-C-0002 Rev P04	Plan and Profile Phase 1 Section 1A Sheet 2 of 2	27/08/2021
CNEB-JAC-HGN-P1_S1B-DR-C-0001 Rev P04	Plan and Profile Phase 1 Section 1B Sheet 1 of 3	27/08/2021
CNEB-JAC-HGN-P1_S1B-DR-C-0002 Rev P04	Plan and Profile Phase 1 Section 1B Sheet 2 of 3	27/08/2021
CNEB-JAC-HGN-P1_S1B-DR-C-0003 Rev P04	Plan and Profile Phase 1 Section 1B Sheet 3 of 3	27/08/2021
CNEB-JAC-HGN-P1_S2-DR-C-0001 Rev P04	Plan and Profile Phase 1 Section 2 Sheet 1 of 1	27/08/2021
CNEB-JAC-HSR-P1_S1A-DR-C-0001 Rev P01	Plan And Profile Phase 1 Side Roads Conveyor Bridge Crossing	27/08/2021
CNEB-JAC-HSR-P1_SR-DR-C-0001 Rev P01	Plan and Profile Leighs Road Sheet 1 of 1	27/08/2021

CNEB-JAC-HSR-P1_SR-DR-C-0002 Rev P01	Plan and Profile Cranham Road/Drakes Lane Sheet 1 of 3	27/08/2021
CNEB-JAC-HSR-P1_SR-DR-C-0003 Rev P01	Plan and Profile Cranham Road/Drakes Lane Sheet 2 of 3	27/08/2021
CNEB-JAC-HSR-P1_SR-DR-C-0004 Rev P00	Plan and Profile Cranham Road/Drakes Lane Sheet 2 of 3	August 2021
CNEB-JAC-HGN-P1_S1A-DR-C-5001 Rev P04	Typical Cross Sections Phase 1 Section 1A	27/08/2021
CNEB-JAC-HGN-P1_S1B-DR-C-5001 Rev P04	Typical Cross Sections Phase 1 Section 1B	27/08/2021
CNEB-JAC-HGN-P1_S2-DR-C-5001 Rev P04	Typical Cross Sections Phase 1 Section 2	27/08/2021
CNEB-JAC-LSI-P1_000-DR-Z-0010 Rev P00	Public Rights of Way Phase 1 Sheet 1 of 2	August 2021
CNEB-JAC-LSI-P1_000-DR-Z-0011 Rev P01	Public Rights of Way Phase 1 Sheet 2 of 2	06/01/2022
CNEB-JAC-SBR-XXX-DR-S-0016 Rev P01	Leighs Road Bridge General Arrangement	08/09/2021
CNEB-JAC-SBR-XXX-DR-S-0015 Rev P01	Cranham Road/Drakes Lane Bridge General Arrangement	08/09/2021
CNEB-JAC-SBR-XXX-DR-S-0008 Rev P01	Walkers Cyclists And Horse Riders Bridge General Arrangement	08/09/2021
CNEB-JAC-SRW-XXX-DR-S-0012 Rev P01	Whitbreads Farm Lane General Retaining Wall Arrangement	08/09/2021
CNEB-JAC-SBR-XXX-DR-S-0004 Rev P01	Typical Culvert General Arrangement	08/09/2021
CNEB-JAC-SBR-XXX-DR-S-0014 Rev P01	Bulls Lodge Quarry Conveyor Bridge General Arrangement	09/08/2021
CNEB-JAC-LSI-P1_000-SK-Z-0001 Rev P01	Proposed Mitigation Bunding and Environmental Barrier Sheet 1 of 2	27/08/2021
CNEB-JAC-LSI-P1_000-SK-Z-0002 Rev P01	Proposed Mitigation Bunding and Environmental Barrier Sheet 2 of 2	27/08/2021
CNEB-JAC-HDG-P1_000-DR-D-0060 Rev P00	Drainage Layout Plan Phase 1 Sheet 1 of 4	Sept 2021
CNEB-JAC-HDG-P1_000-DR-D-0061 Rev P00	Drainage Layout Plan Phase 1 Sheet 2 of 4	Sept 2021
CNEB-JAC-HDG-P1_000-DR-D-0062 Rev P00	Drainage Layout Plan Phase 1 Sheet 3 of 4	Sept 2021
CNEB-JAC-HDG-P1_000-DR-D-0063 Rev P00	Drainage Layout Plan Phase 1 Sheet 4 of 4	Sept 2021

CNEB-JAC-GEN-P1_000-SK-W-0001 Rev P02	Phase 1 Compounds And Haul Routes Scheme Wide	July 2019
CNEB-JAC-HLG-XXX-DR-EO-0001 Rev P00	Lighting Layout Plan Notes and Key	Jan 2022
CNEB-JAC-HLG-P1_000-DR-EO-0001 Rev P00	Lighting Layout Plan Sheet 1 of 4	Jan 2022
CNEB-JAC-HLG-P1_000-DR-EO-0002 Rev P00	Lighting Layout Plan Sheet 2 of 4	Jan 2022
CNEB-JAC-HLG-P1_000-DR-EO-0003 Rev P00	Lighting Layout Plan Sheet 3 of 4	Jan 2022
CNEB-JAC-HLG-P1_000-DR-EO-0004 Rev P00	Lighting Layout Plan Sheet 4 of 4	Jan 2022

and in accordance with any non-material amendment(s) as may be subsequently approved in writing by the County Planning Authority, except as varied by the following conditions.

Reason: For the avoidance of doubt as to the nature of the development hereby permitted, to ensure development is carried out in accordance with the approved application details, to ensure that the development is carried out with the minimum harm to the local environment and in accordance with Chelmsford Local Plan adopted 2020 (CLP) policies S1, S2, S3, S4, S5, S9, S10, S11, DM8, DM13, DM14, DM15, DM16, DM17, DM24, DM29, DM30 and Minerals Local Plan adopted 2014 (MLP) policy S8

3. No development (including demolition, ground works, vegetation clearance) shall take place until a project/construction schedule has been submitted to and approved in writing by the County Planning Authority. The schedule shall include details on the proposed phasing and timetabling of the development, including reference to any specific stages in the construction period (e.g. advance works and main works contract) and the areas to which each stage includes which in turn will provide clarity and allow for partial or phased discharge of details submitted pursuant to other conditions. The development shall be implemented in accordance with the approved project/construction schedule unless a revised schedule is submitted and approved by the County Planning Authority.

Reason: For the avoidance of doubt as to the proposed construction timetable and to enable the County Planning Authority to effectively consider whether information required pursuant to other conditions is required before any development takes place or if some works may be permissible.

4. In accordance with the project/construction schedule approved pursuant to condition 3, no development shall take place until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved for that stage has been submitted to and approved in writing by the County Planning Authority. The CEMP shall specifically seek to confirm the location and layout of construction compounds, provide details on proposed hours of working, hours of deliveries, access/haul roads and routes, construction vehicle access and routing, any temporary traffic management/signage, proposed traffic management for deliveries and contractors, measures proposed to reduce the potential for increased flood risk or pollution/contamination from surface water run-off and

groundwater during construction, any temporary mitigation measures proposed during the construction phase to reduce the potential for amenity impacts, wheel and underside chassis cleaning facilities to prevent the deposition of mud or other debris onto the highway network/public areas, contractor and visitor parking, turning, loading and unloading of plant and materials, the management of excavated soils/materials, a material audit and schedule of material movements (both import and export), in addition to the other topics and information indicatively covered within the 'Outline Environmental Management Plan', document reference: CNEB-JAC-EGN-P1\_000-RP-LE-0008 | P00, dated 15/09/2021 incorporating the Register of Environmental Actions and Commitments (REAC) and the Climate mitigation and enhancements identified in Chapter 14 of the Environmental Statement Section 14.8

The REAC shall be updated to incorporate the following matters:

- NV2 to be strengthened to ensure that the proposed plan, along with noise limits proposed, will be agreed in advance of the works by County Planning Authority.
- Noise impact of traffic during construction should be reassessed once construction routes have been finalised
- Noise impact of traffic diversions routes during construction, due to full carriageway closures, should be reassessed once details are known
- Noise impact assessment should be undertaken for diversion routes for side roads ( Leighs Road, Cranham Road and Drakes Lane) during construction due to full carriageway closures required for tie in works to the two new bridges.
- Noise impact upon the Beaulieu Park development should be kept under review to take account of changes to the programme of development which may result in delay or coming forward of development in different phases/areas to those assessed as part of the EIA.
- NV25 to be updated to refer to temporary noise barrier" rather than "standard hoardings"
- The exact position and length of temporary noise barrier shall need to be confirmed once the details of construction are known to ensure they deliver the desired level of mitigation
- Use of low vibratory or non-vibratory plant when working within 100m of a vibration sensitive receptor

and in terms of environmental management, and specifically biodiversity, the plan shall also seek to cover include the following:

- a) Risk assessment of potentially damaging construction activities;
- b) Identification of biodiversity protection zones;
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- d) The location and timing of sensitive works to avoid harm to biodiversity features;
- e) The times during construction when specialist ecologists need to be present on site to oversee works;
- f) Responsible persons and lines of communication;

- g) The role and responsibilities on site of an ecological clerk of works or similarly competent person;
- h) Use of protective fences, exclusion barriers and warning signs; and the
- i) Containment, control and removal of any Invasive non-native species present on site
- j) Details of the Potential species road side verge (PSRV) protection and reinstatement

The approved CEMP shall be implemented and adhered to throughout the construction period of the development hereby approved.

Reason: In the interests of the environment, highways, amenity and biodiversity, to ensure suitable accountability for mitigation and measures proposed during the construction period and to comply with CLP policies S2, S3, S4, S10, S11, DM13, DM16, DM17, DM29 and DM30

5. In accordance with the project/construction schedule approved pursuant to condition 3, no development with respect to a stage of construction shall take place until a dust management scheme has been submitted to and approved in writing by the County Planning Authority for that stage.. The scheme shall include details of all dust suppression measures and the methods proposed to monitor emissions of dust arising from the development during the construction phase. The development shall be implemented in accordance with the approved scheme.<sup>1</sup>

Reason: To reduce the impacts of dust disturbance from the site on the local environment during the construction period and in accordance with CLP policies S4, DM29 and DM30

6. In accordance with the project/construction schedule approved pursuant to condition 3, no development with respect to a stage of construction shall take place until a written scheme and programme of archaeological investigation has been submitted to and approved in writing by the County Planning Authority for that stage. The scheme and programme of archaeological investigation and recording shall be implemented as approved, prior to the commencement of the development hereby permitted or any preliminary groundworks.

Reason: To ensure that any archaeological interest (including that within associated compounds and landscaping areas) has been adequately investigated and recorded prior to the development taking place and to preserve the historic environment in accordance with CLP policy S1, S3, SGS6 and DM15.

7. In accordance with the project/construction schedule approved pursuant to condition 3, prior to commencement of development but following completion of the archaeological work required by condition 6 in each construction stage, a mitigation strategy detailing the proposed excavation/preservation strategy for areas containing archaeological deposits shall be submitted to the County Planning Authority for review and approval in writing. No development or preliminary

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<sup>1</sup> For the avoidance of doubt, the requirements of this condition may be incorporated within the CEMP produced to satisfy condition 4 if preferable to the applicant.

groundworks shall commence in these areas until the fieldwork as detailed in the mitigation strategy has been completed. . With regard to this, request shall be made to the County Planning Authority for written confirmation that the aforementioned mitigation fieldwork has been satisfactorily completed before commencement of the development.

Reason: To ensure development of an appropriate mitigation strategy covering both excavation (preservation by record) or preservation in situ of any archaeological features or deposits identified undertaken in accordance with CLP policies S1, S3, SGS6 and DM15.

- 8.** Within six months of completion of the programme of archaeological investigation, as approved by details submitted pursuant to condition 6, a post-excavation assessment shall be submitted to the County Planning Authority for review and approval in writing. This shall include the completion of post-excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

Reason: To ensure 'preservation by record' of the archaeological sites which will be destroyed by road construction and to ensure that the results of the fieldwork are reported on and made available to the public in a timely and appropriate manner, in order to fulfil the requirements of preservation by record, and in accordance with CLP policies S1,S3,SGS6 and DM15

- 9.** The milestone 78m north of the junction of the A131 with Whitbreads Farm Lane (identified as heritage asset 61 in Chapter 7 – Cultural Heritage of the Environmental Statement) shall only be removed if necessary for its protection. Prior to its removal its location shall be recorded and the milestone shall be safely stored during construction and reinstated post construction. If removal is not required it shall be protected from damage with appropriate fencing during the construction period.

Reason: To ensure protection of heritage assets and in accordance with CLP policies S1, S3,SGS6 andDM13

- 10.** In accordance with the project/construction schedule approved pursuant to condition 3, no development with respect to a stage of construction shall take place until a detailed surface water drainage scheme for that stage, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the County Planning Authority. The scheme should include but not be limited to:
- Levels should be provided in design drawings of the proposed drainage system. Detailed engineering drawings of each component of the drainage scheme
  - A written report summarising the final strategy and highlighting any minor changes to that set out with the Planning Application and Environmental Statement.
  - And supporting information which was included in the Planning Application and Environmental Statement to support the above elements.

The approved scheme shall subsequently be implemented prior to first public use of the CNEB.

Reason: To prevent flooding, to ensure the effective operation of SuDS features over the lifetime of the development, to provide mitigation of any environmental harm which may be caused to the local water environment and to mitigate the risk of surface water flooding and to ensure the proposed development does not result in flood risk elsewhere, in accordance with CLP policies S1, S2 and SGS6.

- 11.** In accordance with the project/construction schedule approved pursuant to condition 3, no works with respect to a stage of construction shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution for that stage has been submitted to, and approved in writing by, the local planning authority. The scheme shall subsequently be implemented as approved

Reason: To minimise discharge of excess water arising from construction due to dewatering and removal of soils by ensuring the satisfactory storage of/disposal of surface water from the site. To minimise pollution to water. And in accordance with The National Planning Policy Framework paragraph 163 and paragraph 170 state that local planning authorities should ensure development does not increase flood risk elsewhere and does not contribute to water pollution and in accordance with CLP policy S2.

- 12.** Prior to the commencement of development hydraulic modelling for the development supporting the Flood Risk Assessment shall be submitted to the County Planning Authority for approval in writing. Upon approval of the hydraulic modelling the Flood Risk Assessment shall be submitted for approval by the County Planning Authority. The Flood Risk Assessment shall be implemented as approved.

Reason: To verify the hydraulic modelling that forms the basis for assessing the submitted Flood Risk Assessment and to reduce the risk of flooding to the proposed development and to prevent flooding elsewhere, to minimise the risk of flooding and in accordance with CLP policies, S1, S2 and SGS6.

- 13.** Prior to first public use of the CNEB hereby permitted, a Surface Water Drainage System Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, shall be submitted to the County Planning Authority for review and approval in writing. The development shall be maintained in accordance with the approved plan. Records of maintenance shall be made and retained and provided upon a written request of the County Planning Authority.

Reason: To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk in accordance with CLP policies S1, S2 and SGS6.

- 14.** No fixed lighting shall be erected or installed on-site until final details of the location, height, design, luminance, operation and management have been

submitted to and approved in writing by the County Planning Authority. With regard to this, the details to be submitted shall include an overview of the lighting design, the maintenance factor and lighting standard applied together with a justification as why these are considered appropriate, detailed drawings showing the lux levels on the ground, angles of tilt, colour, temperature, dimming capability and the average lux (minimum and uniformity) for all external lighting proposed. Furthermore, a contour plan shall be submitted for the site detailing the likely spill light, from the proposed lighting, in context of the adjacent site levels.

The lighting design/plan shall also consider the impact on light sensitive biodiversity and a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and b) clearly demonstrate that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

The lighting shall thereafter be erected, installed and operated in accordance with the approved details.

Reason: To minimise the nuisance and disturbances to neighbours (and the surrounding area), in the interests of highway safety, to minimise impact on light sensitive biodiversity and in accordance with CLP policies S1, S2, S3, S11 and DM29.

- 15.** The entire length of the CNEB between Dere's Bridge and Roundabout 4 on the Radial Distributor Road hereby permitted shall be provided with a Low Noise Road Surface as part of its design. For the avoidance of doubt, noting there are many Low Noise Road Surfacing products, as a minimum the product to be used for the CNEB shall have a Road Surface Influence of -3.5 dB or less for speeds exceeding 75 km/h.

Reason: In the interests of amenity, to reduce the impacts of road noise and to comply with CLP policy DM29.

- 16.** All site compounds (excluding those associated with the advanced works on the Conveyor Bridge and Silt Lagoon ) shall be surrounded with solid 2m (minimum) high temporary noise barriers.

Reason: In the interests of amenity, to reduce the impacts of construction activity and to comply with CLP policy DM29.

- 17.** Noise mitigation measures both during construction and upon operation shall be in accordance with the mitigation described in Chapter 11 of the Environmental Statement, section 11.8.

Reason: In the interests of amenity, to reduce the impacts of construction and operation of the CNEB and to comply with CLP policy DM29.



- 18.** In accordance with the project schedule approved pursuant to condition 3, no development with respect to a stage of construction shall take place until detailed designs of the footway/cycleway and walker, cyclist and horse rider (WCH) path, the at grade crossing on the CNEB, the Toucan crossing on the A131, hereby permitted as part of this development and part of the stage of construction, have been submitted to the County Planning Authority for review and approval in writing. The details shall seek to confirm the proposed legal use of the path and crossings; the proposed construction finish of the path, crossings; any lining and signage proposed; and any lighting and/or barriers/fencing proposed. The footway/cycleway/WCH and crossings shall be constructed as approved prior to first beneficial use of the CNEB hereby permitted.

Reason: To ensure that the footway/cycleway/WCH is fit for purpose, is delivered in a timely manner and to comply with CLP policies S1 and S9.

- 19.** No development that would obstruct, alter or in any other way affect the definitive lines of the PROW within the site shall be permitted to commence until such time as an Order has been confirmed securing the extinguishment and/or diversion of the existing definitive rights of way, as identified on plans CNEB\_JAC-LS1-P1\_000-DR-Z-0011 rev P01 and CNEB\_JAC-LS1-P1\_000-DR-Z-0010 rev P00, to a route to be agreed with the Local Planning Authority and the new route has been constructed to the satisfaction of the Local Planning Authority.

Reason: To ensure the continued safe passage of pedestrians on the public right of way

Reason: To ensure the continued safe passage of pedestrians on the public right of way and in accordance with CLP policies S1, S9 and SGS6.

- 20.** The public's rights and ease of passage over public rights of way shall be maintained free and unobstructed at all times.

Reason: To ensure the continued safe passage of the public on the definitive right of way and in accordance with CLP policies S1, S9 and SGS6.

- 21.** The verges on the Leighs Road and Cranham Road/Drakes Lane bridges are to be hard surfaced.

Reason: To ensure a safe route is provided for pedestrians across the bridges and in accordance with CLP policies S1 and S9.

- 22.** Cycle routes to be LTN 1/20 compliant. Details to be agreed at the detailed design stage.

Reason: To provide high quality cycle routes in the interest of highway safety and accessibility and in accordance with CLP policies S1 and S9.

- 23.** Improvements to the capacity of radial distributor road (RDR) roundabout 4 to be completed prior to the connection of the RDR to the Boreham Interchange and prior to public opening of the bypass. The improvements shall include and not be limited to: widen northbound approach to Roundabout 4; improve flare to northbound approach; re-instate western path and pedestrian approach to

crossing; and diversion of utilities.

Reason: To provide increased capacity at the roundabout to accommodate the predicted traffic movements in the interest of highway safety and in accordance with CLP policies S1, S9 and SGS6.

- 24.** A conveyor bridge for Bulls Lodge quarry to be constructed, as shown in principle on drawing CNEB-JAC-SBR-XXX-DR-S-0014 rev P01. The bridge to allow for future upgrade to accommodate a permanent bridge for the proposed Chelmsford Garden Community, including cycleway and footway provision.

Reason: To facilitate movement of materials associated with the quarry over the CNEB and to allow a future multi-modal connection for the Chelmsford Garden Community and in accordance with CLP policies S1, S9 and SGS6.

- 25.** In accordance with the project/construction schedule approved pursuant to condition 3, no development with respect to a stage of construction, shall take place until a detailed hard and soft landscaping scheme (inclusive of all boundary treatments, fencing and gates) for such stage has been submitted to the County Planning Authority for review and approval in writing. The scheme shall be based on the landscape, environmental design and related sustainability objectives and principles detailed within Chapter 2 of the Environmental Statement section 2.8 and the Outline Environmental Management Plan Document no. CNEB-JAC-EGN-P1\_000-RP-LE-0008 Rev P00 dated 21 September 2021 and the following indicative drawings:

<b>Title</b>	<b>Date</b>
Environmental Statement – Figure 2.4 - Indicative Landscape and Environmental design sheet 1 of 4	Sept 21
Environmental Statement – Figure 2.4 - Indicative Landscape and Environmental design sheet 2 of 4	Sept 21
Environmental Statement – Figure 2.4 v1 - Indicative Landscape and Environmental design sheet 3 of 4	Jan 22
Environmental Statement – Figure 2.4 - Indicative Landscape and Environmental design sheet 4 of 4	Sept 21
Environmental Statement – Figure 2.5 – Indicative Landscape Design Cross Sections Sheet 1 of 4	Sept 21
Environmental Statement – Figure 2.5 – Indicative Landscape Design Cross Sections Sheet 2 of 4	Sept 21
Environmental Statement – Figure 2.5 – Indicative Landscape Design Cross Sections Sheet 3 of 4 as amended for Section FF by Figure 2.6	Sept 21
Environmental Statement – Figure 2.5 – Indicative Landscape Design Cross Sections Sheet 4 of 4	Sept 21
Environmental Statement – Figure 2.6 – Indicative Landscape and Environmental Design Cross Section FF Year 1 and 15	Jan 22

and shall include details of areas to be planted with species, sizes, spacing, protection measures (i.e. rabbit/deer shelter guards should be non plastic and in

areas of woodland planting rabbit fencing/netting is required rather than individual shrub shelter guards.); proposed seed mix for grassed areas; and programme of preparation, implementation, materials (Soils and mulch) any management regimes (including watering schedules) to support establishment. *Sorbus aucuparia* (Rowan) should not be used as individual trees when gapping up native hedgerow (see ref. Appendix 4 – Appendix 9.10 Indicative Species Plant Mixes) but instead increase the number of *Quercus spp* (Oaks) or *Carpinus betulus* (Hornbeam). The scheme shall, for reference, also include details of all existing trees and hedgerows on site proposed to be retained for context. The scheme shall include the sensitive design of attenuation ponds to integrate these into the landscape, reduce visual intrusion and enhance visual amenity. The landscape scheme shall be implemented as approved.

Any tree or shrub forming part of a landscaping scheme approved in connection with the development that dies, is damaged, diseased or removed within the duration of 5 years during and after the completion of the development shall be replaced during the next available planting season (October to March inclusive) with a tree or shrub to be agreed in advance in writing by the County Planning Authority.

Reason: To comply with section 197 of the Town and Country Planning Act 1990 (as amended), to improve the appearance of the site in the interest of visual amenity and to mitigate impacts of the development on the natural environment and in accordance with CLP policies S1, S4, S11, DM16, DM17, DM24 and SGS6.

- 26.** In accordance with the project/construction schedule approved pursuant to condition 3, no development with respect to a stage of construction shall take place until a Landscape and Ecological Management Plan (LEMP) for such stage there has been submitted to and approved, in writing, by the County Planning Authority a Landscape and Ecological Management Plan (LEMP) for a minimum of 25 years.

The Plan shall include but not be limited to, in respect of landscaping:

1. Drawings showing the extent of the LEMP
2. Written Specification detailing:
  - a) All operation and procedures for soft landscape areas; inspection, watering, pruning, cutting, mowing, clearance and removal of arisings and litter, removal of temporary items (fencing, guards and stakes) and replacement of failed planting.
  - b) All operations and procedures for hard landscape areas; inspection, sweeping, clearing of accumulated vegetative material and litter, maintaining edges, and painted or finished surfaces.
  - c) All operations and procedures for surface water drainage system; inspection of linear drains and swales, removal of unwanted vegetative material and litter.
3. Maintenance task table which explains the maintenance duties across the site in both chronological and systematic order.

and for ecology:

- a) Description and evaluation of features to be managed, including PSRV;
- b) Ecological trends and constraints on site that might influence management;
- c) Aims and objectives of management;
- d) Appropriate management options for achieving aims and objectives;
- e) Prescriptions for management actions;
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a 25 year period).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The management plan shall as a minimum cover 25 years post first public use of the CNEB and shall be implemented in accordance with the approved details.

Reason: To ensure the longevity of the landscaping scheme and protect the visual amenity and character of the area, and to make appropriate provision for conserving and enhancing the natural environment with and in accordance with CLP policies S1, S2, S4, S11, DM16, DM17, DM24 and SGS6. In the interests of the natural environment and biodiversity and to allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species) and in accordance with CLP policies S4, S11, DM16, DM17, DM24 and SGS6.

- 27.** All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Environmental Statement Volume 2 Chapter 8 – Biodiversity & Environment Statement Volume 4: Appendix 8.1 to 8.16.

Reason: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and in accordance with CLP policies S1, S4, S11, DM16, DM17, DM24 and SGS6.

- 28.** No works shall commence that will impact the breeding/resting place of Great Crested Newt unless the County Planning Authority has been provided with either:
- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or
  - b) a GCN District Level Licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or
  - c) a statement in writing from the Natural England to the effect that it does not consider that the specified activity/development will require a licence.

Reason: To conserve protected species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s17 Crime & Disorder Act 1998 and in accordance with CLP policies S4, S11, DM16, DM17, DM24 and SGS6.

- 29.** No works shall commence that which will impact the breeding / resting place of Bats unless the local planning authority has been provided with either:
- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or
  - b) a statement in writing from the Natural England to the effect that it does not consider that the specified activity/development will require a licence.

Reason: To conserve protected species and allow the County Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s17 Crime & Disorder Act 1998 and in accordance with CLP policies S4, S11, DM16, DM17, DM24 and SGS6.

- 30.** The closure of badger setts shall not commence unless the County planning authority has been provided with either a copy of:
- a) a licence issued by Natural England pursuant Badger Protection Act 1992 authorising the specified activity/development to go ahead; or
  - b) a statement in writing from the Natural England to the effect that it does not consider that the specified activity/development will require a licence.

Reason: To conserve protected species and allow the LPA to discharge its duties under and Badger Protection Act 1992 and s17 Crime & Disorder Act 1998 and in accordance with CLP policies S4, S11, DM16, DM17, DM24 and SGS6.

- 31.** In accordance with the project schedule approved pursuant to condition 3, a Biodiversity Enhancement Strategy for protected and priority species shall be submitted to and approved in writing by the local planning authority following the recommendations made within the Environmental Statement – Chapter 8 – Biodiversity. The content of the Biodiversity Enhancement Strategy shall include the following:
- a) Purpose and conservation objectives for the proposed enhancement measures;
  - b) detailed designs to achieve stated objectives;
  - c) locations of proposed enhancement measures by appropriate maps and plans;
  - d) timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
  - e) persons responsible for implementing the enhancement measures;
  - f) details of initial aftercare and long-term maintenance (where relevant).

The Biodiversity Enhancement Strategy shall be implemented in accordance with the approved details.

Reason: To enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species) and in accordance with CLP policies S4, S11, DM16, DM17, DM24 and SGS6.

- 32.** The Bulls Lodge Quarry Conveyor Bridge as shown on drawing No. CNEB-JAC-SBR-XXX-DR-S-0014 Rev P01 shall be constructed and be available for beneficial use prior to the CNEB construction works impacting the access route to Park Farm, part of Bulls Lodge Quarry (as permitted by CHL/1890/87 or any subsequently amending permission) and/or the mineral operator requiring to start sand and gravel extraction in the Park Farm area of Bulls Lodge Quarry.

Reason: To ensure no adverse effects on the effective working of Bulls Lodge Quarry and in accordance with MLP policy S8.

- 33.** The replacement silt lagoon to be constructed east of the CNEB alignment shall be constructed and available for beneficial use prior to the proposed development adversely impacting the existing silt and water management regime at Bulls Lodge Quarry.

Reason: To ensure no adverse effects on the effective working of Bulls Lodge Quarry and in accordance with MLP policy S8.

### **Informatives**

Construction traffic to use the proposed haul routes as shown in principle on drawing CNEB-JAC-GEN-P1\_000-SK-W-0001 Rev P02. Where local routes are required to be used for construction vehicle routing Wheelers Hill and Cranham Road should be used rather than Waltham Road to minimize the number of trips through Boreham and Hatfield Peverel . Routing via Waltham Road to be limited to essential construction vehicles if access to the construction compounds from the west is temporarily closed or unsuitable.

No construction traffic to use Drakes Lane, Leighs Road north of the works area, and the protected lane section of Boreham Road between its junction with Cranham Road and Drakes Lane

Cranham Road is to be used as a construction route for the proposed Longfield Solar Far. The construction periods are likely to overlap there will therefore need to be co-ordination between the contractors for both schemes particularly if temporary closures of the construction vehicle routes are required.

The Highway Authority to consider what additional road signage is required on the following routes B1008, A120, A131, Essex Regiment Way to ensure traffic uses the CNEB, particularly to encourage traffic travelling from the M11 to A12" to use the A120, A131 and the CNEB.

Changes to existing water courses may require separate consent under the Land Drainage Act before works take place. More information about consenting can be found here <https://flood.essex.gov.uk/maintaining-or-changing-a-watercourse/>

It is the applicant's responsibility to check that they are complying with common law if the drainage scheme proposes to discharge into an off-site ditch/pipe. The applicant should seek consent where appropriate from other downstream riparian landowners.