

## SCHEDULE 1

### Authorised project

## PART 3

### Requirements

#### Definitions

1. In this Part of this Schedule—

“abnormal indivisible load” has the same meaning as in the Road Vehicles (Authorisation of Special Types) (General) Order 2003;

“commencement”, in relation to the authorised development, means the date on which the authorised development begins by the carrying out of a material operation as defined in section 155 of the 2008 Act and “commence” and “commenced” shall be construed accordingly;

“ecological clerk of works” means a suitably qualified environmental professional or group of professionals;

“European protected species” means a species listed in Schedules 2 or 5 of the Conservation of Habitats and Species Regulations 2010;

“felling” means any felling or lopping undertaken pursuant to article 28 (felling or lopping of trees) of this Order;

“first export date” means the date the authorised development first exports electricity on a commercial basis;

“Noise Guidance” means the guidance in Part 4 of this Schedule;

“NRW” means Natural Resources Wales;

“site” means land within the Order limits;

“stakeholder group” means the representatives of organisations which will advise on the measures within the habitat management plan and the implementation of those measures;

“TMFGL” means Tir Mostyn and Foel Goch Limited (reg no 5264934) or the owner from time to time of the Tir Mostyn and Foel Goch Wind Farm;

“Welsh devolved function” has the meaning given by section 36 of the Public Bodies Act 2011; and

“wind turbines” means the wind turbines forming part of Work No. 1 and “wind turbine” shall be construed accordingly.

#### Commencement Information

**II** Sch. 1 Pt. 3 para. 1 in force at 2.10.2014, see [art. 1](#)

#### Submission and approval of details

2. Where, under any Requirement, details or a scheme or plan are to be submitted for the approval of the relevant planning authority then unless the Requirement provides otherwise—

(a) those details or scheme or plan and that approval must be in writing,

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- (b) the details, scheme or plan must be implemented as approved, and
- (c) the approved details, scheme or plan are to be taken to include any amendments that may subsequently be approved in writing by the relevant planning authority, provided that no amendments may be approved by the relevant planning authority where such amendments may give rise to any materially different environmental effects to those assessed in the environment statement and that where under any Requirement there is an obligation to consult with a third party prior to the submission of any details, scheme or plan for approval to the relevant planning authority then there shall be an obligation to consult with the same third party prior to the submission of any amendments to the approved details, scheme or plan to the relevant planning authority.

**Commencement Information**

**I2** Sch. 1 Pt. 3 para. 2 in force at 2.10.2014, see [art. 1](#)

**Time limits**

- 3. The authorised development must be commenced within 5 years of the date of this Order.

**Commencement Information**

**I3** Sch. 1 Pt. 3 para. 3 in force at 2.10.2014, see [art. 1](#)

**Expiry of development consent**

- 4.—(1) The development consent granted by this Order expires 25 years after the first export date.
- (2) Confirmation of the first export date must be provided by the undertaker to the relevant planning authority within one month of its occurrence.

**Commencement Information**

**I4** Sch. 1 Pt. 3 para. 4 in force at 2.10.2014, see [art. 1](#)

**Decommissioning and site restoration**

- 5.—(1) Not less than 12 months before the expiry of the development consent granted by this Order, a decommissioning and site restoration scheme must be submitted to the relevant planning authority for its approval.
- (2) The decommissioning and site restoration scheme must include provision for—
  - (a) removal of all above-ground elements of the authorised development (with the exception of Work No. 3 and Work No.4A or 4B),
  - (b) removal of turbine bases and cabling to one metre below ground level, and
  - (c) restoration of the disturbed areas.
- (3) Decommissioning and restoration must be completed in accordance with the approved decommissioning and site restoration scheme within the period set out in the approved scheme.

**Commencement Information**

**I5** Sch. 1 para. 5 in force at 2.10.2014, see [art. 1](#)

**Failure of turbines**

**6.**—(1) If any wind turbine fails to provide electricity to the grid for a continuous period of 12 months the undertaker must—

- (a) notify the relevant planning authority within one month of the expiry of that 12 month period;
- (b) if so instructed by the relevant planning authority, submit to the relevant planning authority within 2 months of that instruction a detailed scheme setting out how the wind turbine and its associated ancillary equipment, including cabling (but excluding the turbine bases and cabling more than one metre below ground level) is to be removed from the Order limits and how the disturbed areas will be restored, and
- (c) implement the approved scheme no later than 6 months from its approval unless a longer period is agreed in writing by the relevant planning authority.

(2) The agreement of the relevant planning authority in paragraph (1)(c) may only be given in relation to immaterial changes where the subject matter of the agreement sought is unlikely to give rise to any materially new or materially different environmental effects from those assessed in the environmental statement.

**Commencement Information**

**I6** Sch. 1 para. 6 in force at 2.10.2014, see [art. 1](#)

**Plans**

**7.**—(1) Subject to the power to deviate set out in article 6 (power to deviate) and any other Requirement the authorised development is to be carried out in accordance with the plans or other documents certified in accordance with article 36 (certification of plans etc).

(2) No wind turbine may be constructed—

- (a) within 50m from the highest point of existing and new forest edge, when measured from the closest part of the rotor sweep of any wind turbine; and
- (b) within 50m of any watercourse shown on Figure 8.1 of the environmental statement.

(3) Subject to the requirements of paragraph (2), no other part of the authorised development with the exception of road widening and culverting may be carried out within 30m of any watercourse shown on Figure 8.1 of the environmental statement unless shown on the plans or other documents certified in accordance with article 36 or unless approved by the relevant planning authority.

(4) The approval of the relevant planning authority in paragraph (2) may only be given in relation to immaterial changes where the subject matter of the approval sought is unlikely to give rise to any materially new or materially different environmental effects from those assessed in the environmental statement.

**Commencement Information**

**I7** Sch. 1 para. 7 in force at 2.10.2014, see [art. 1](#)

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### Construction traffic management plan

8.—(1) No authorised development may commence until, following consultation with the Department of Transport of the Welsh Government and any relevant highway authority, a construction traffic management plan has been submitted to and approved by the relevant planning authority.

(2) The construction traffic management plan in paragraph (1) must include—

- (a) construction vehicle routing plans,
- (b) site access plans,
- (c) details of the management of junctions to and crossings of the public highway and other public rights of way,
- (d) details of the scheduling and timing of movements of delivery vehicles including details of abnormal indivisible loads,
- (e) details of escorts for abnormal indivisible loads,
- (f) details of temporary warning signs and banksman and escort details,
- (g) proposals for assessing the existing condition of affected highways,
- (h) details of any temporary or permanent improvements to the public highway,
- (i) details of the implementation and management of temporary passing places along the B4501 and the unnamed road into the Site,
- (j) details for the making good of any incidental damage to highways by construction traffic associated with the authorised project including street furniture, structures, drainage features, highway verge and carriageway surfaces, and
- (k) details of the maintenance of access to TMFG wind farm from the B4501 during the construction period of any works to the B4501 in connection with the authorised development together with details of the maintenance of access to clusters B and C of the TMFG wind farm along highways PR1 and PR2 shown on the access plan during the construction of the authorised development.

(3) The construction traffic management plan must be implemented as approved.

(4) Before any wind turbine is removed or replaced a revised construction traffic management plan, dealing with that removal or replacement, must be submitted to and approved by the relevant planning authority.

#### Commencement Information

**18** Sch. 1 para. 8 in force at 2.10.2014, see [art. 1](#)

### Construction method statement

9.—(1) No authorised development may commence until, following consultation with NRW, a construction method statement has been submitted to and approved by the relevant planning authority.

(2) The construction method statement in paragraph (1) must be based on the principles set out in the Outline Construction Method Statement, included as Annex 3.1 to the environmental statement, and include the following plans as appendices—

- (a) Construction Environmental Management Plan;
- (b) Waste Management Plan;
- (c) Emergency Response Plan;

- (d) Soil and Peat Management Plan;
  - (e) Borrow Pit Design and Site Restoration Plan;
  - (f) any relevant Species Protection Plans; and
  - (g) Surface Water Management Plan.
- (3) The construction method statement in paragraph (1) must include details of—
- (a) roles and responsibilities and accountabilities for the multi-discipline team of engineering construction and environment staff,
  - (b) mitigation measures to avoid harm to relevant protected species and minimise damage to relevant habitats,
  - (c) the timing of construction works, including the timing of vegetation removal to avoid the potential for effects on protected species including reptiles and nesting birds,
  - (d) the vehicle washing facilities, including siting if required to be undertaken on site,
  - (e) the timing of works and methods of working for cable trenches, foundation works and erection of the wind turbines,
  - (f) the timing of works and construction of the substation/control buildings and anemometry mast,
  - (g) the cleaning of site accesses, site tracks and the adjacent public highway and the sheeting of all heavy goods vehicles taking spoil or construction materials to/from the site to prevent spillage or deposit of any materials on the highway,
  - (h) the pollution control and prevention measures including—
    - (i) sediment control measures,
    - (ii) measures for the bunding of fuel, oil and chemical storage areas,
    - (iii) sewage disposal measures,
    - (iv) measures for the protection of water courses and ground water and soils,
    - (v) a programme for monitoring private water supplies, water courses and water bodies before and during the authorised project, including details of the action to be taken if monitoring indicates adverse effects on private water supplies, water courses or water bodies,
  - (i) the management of waste arisings,
  - (j) the management of construction noise (including identification of access routes, locations of materials lay-down areas, details of equipment to be employed, operations to be carried out, mitigation measures and a scheme for the monitoring of noise),
  - (k) a routing strategy to ensure that construction vehicles use agreed routes,
  - (l) the handling, storage and re-use on site of excavated top soil,
  - (m) the handling, storage and management of any peat excavated,
  - (n) the design and construction methods of Works No. 3, and 4A or 4B, including drainage provisions, and the pollution prevention measures to be implemented to ensure there are no polluting discharges from tracks and disturbed areas including provision to ensure that no polluting discharge from those Works and disturbed areas enters any watercourse,
  - (o) access track construction and widening including the nature, type and quantity of materials to be imported on site for backfilling operations or construction of access tracks,
  - (p) the management of groundwater and surface water (including mitigation to protect water bodies, water courses and private water supplies),
  - (q) the management of dust generation during excavations and soil handling,

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- (r) the proposed location of temporary site compounds for storage of materials, machinery and parking within the sites clear of the highway, including the siting of the temporary buildings and all means of enclosure, oil/fuel and chemical storage and any proposals for temporary lighting, and details of proposals for restoration of the sites of the temporary compounds and works within 12 months of the first export date,
  - (s) the design and construction of any culverts upgrades or replacements,
  - (t) the method of borrow pit working including means of extraction, handling, storage and re-use of soil, drainage control and restoration,
  - (u) the protocols and programme for any required environmental monitoring to be made publicly available on an annual basis,
  - (v) the restoration of the site which will be temporarily used for construction, and
  - (w) the proposed communications protocol and the mechanism for investigating complaints, including the action to be taken where complaint investigations indicate materially adverse effects have occurred as a result of the construction of the authorised project.
- (4) Before any wind turbine is removed or replaced a revised construction method statement, dealing with that removal or replacement, shall be submitted to and approved by the relevant planning authority.
- (5) The construction method statement shall be implemented as approved.

**Commencement Information**

**I9** Sch. 1 para. 9 in force at 2.10.2014, see [art. 1](#)

**Highways**

**10.** No wind turbine parts may be delivered to the site before detailed plans and drawings in respect of Work No. 4A or 4B (whichever is decided on by the undertaker) have been submitted to and approved by the relevant planning authority and such works have been constructed in accordance with the plans and drawings so approved.

**Commencement Information**

**I10** Sch. 1 para. 10 in force at 2.10.2014, see [art. 1](#)

**11.** The authorised development may not commence until, following consultation with the Department for Transport of the Welsh Government and any relevant highway authority, details of temporary or permanent improvements to the public highway have been submitted to and approved by the relevant planning authority. The improvement works are to be implemented in accordance with the approved details.

**Commencement Information**

**I11** Sch. 1 para. 11 in force at 2.10.2014, see [art. 1](#)

**12.** The authorised development may not commence until following consultation with the Department for Transport of the Welsh Government and any relevant highway authority details of the reinstatement of the public highway and its associated street furniture following completion of the construction of the authorised development have been submitted to and approved by the relevant

planning authority. The reinstatement works are to be implemented in accordance with the approved details.

**Commencement Information**

**I12** Sch. 1 para. 12 in force at 2.10.2014, see [art. 1](#)

**Commencement Information**

**I10** Sch. 1 para. 10 in force at 2.10.2014, see [art. 1](#)

**I11** Sch. 1 para. 11 in force at 2.10.2014, see [art. 1](#)

**I12** Sch. 1 para. 12 in force at 2.10.2014, see [art. 1](#)

**Construction hours**

**13.**—(1) The hours of work during the construction phase of the authorised development and any traffic movements into and out of the site associated with the construction or maintenance of the authorised development shall be 0700 to 1900 hours on Mondays to Fridays and 0700 to 1300 hours on Saturdays other than as allowed for under paragraph (2). No work may take place outside these hours, or on public holidays, unless otherwise previously agreed by the relevant planning authority.

(2) Delivery of turbine and delivery and assembly of crane components and other critical operations may take place outside the times specified in paragraph (1), if approved by the relevant planning authority.

**Commencement Information**

**I13** Sch. 1 para. 13 in force at 2.10.2014, see [art. 1](#)

**14.** With respect to paragraph (2) of Requirement 13, such approval may only be given in relation to immaterial changes where it has been demonstrated to the satisfaction of the relevant planning authority that the approval is unlikely to give rise to any materially new or materially different effects from construction or maintenance activities taking place on the days and hours set out in those clauses.

**Commencement Information**

**I14** Sch. 1 para. 14 in force at 2.10.2014, see [art. 1](#)

**Commencement Information**

**I13** Sch. 1 para. 13 in force at 2.10.2014, see [art. 1](#)

**I14** Sch. 1 para. 14 in force at 2.10.2014, see [art. 1](#)

**Habitat management plan**

**15.**—(1) No authorised development may commence until, following consultation with NRW, a detailed habitat management plan has been submitted to and approved by the relevant planning authority.

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(2) The detailed habitat management plan in paragraph (1) is to be based on the key objectives and principles set out in the outline habitat management plan included as Annex 9.10 to the environmental statement.

(3) The habitat management plan in paragraph (1) must include measures to—

- (a) establish and manage heathland habitat,
- (b) restore and manage peatland habitat,
- (c) establish and manage suitable habitat for dormice,
- (d) contribute to grey squirrel control,
- (e) establish and manage suitable habitat for black grouse and nightjar,
- (f) monitor the effect of the authorised development and the effectiveness of habitat management upon bats, dormice, black grouse and heathland/peatland habitats. If, following consideration of monitoring results the relevant planning authority believes it is necessary to do so, management prescriptions included in the habitat management plan will be reviewed as necessary,
- (g) monitor the effect of the authorised development upon nightjars. If, following consideration of monitoring results the relevant planning authority believes it is necessary to do so, implement the mitigation measures set out in the environmental statement. The measures shall include undertaking a study of nightjar churring against weather conditions prior to construction commencing to inform detailed mitigation proposals, and
- (h) establish the membership, terms of reference and provisions for the management of the proposed stakeholder group.

(4) The habitat management plan is to be implemented as approved.

#### Commencement Information

**I15** Sch. 1 para. 15 in force at 2.10.2014, see [art. 1](#)

#### Access management plan

**16.**—(1) No authorised development shall commence until, following consultation with NRW, an access management plan has been submitted to and approved by the relevant planning authority.

(2) The access management plan must include—

- (a) details of the temporary re-routing of public rights of way during construction of the authorised development,
- (b) details of the permanent re-routing of FP19 prior to the operational phase,
- (c) details of the provision of signage and other information alerting the public to construction works,
- (d) details of any fencing or barriers to be provided during the construction period,
- (e) details as to how public rights of way, paths and roads will be inspected prior to and monitored during the construction period,
- (f) a commitment to return all public rights of way, paths and roads to the same condition as they were, or better, once the construction period has ceased,
- (g) details as to how any paths found to be impassable during surveying will be cleared,
- (h) details of temporary alternative routes for any public rights of way that need to be diverted,
- (i) details of funds for improved signage/orientation,



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- (j) details as to the provision of a new way-marked route for the life of the development,
  - (k) details of a communications campaign linked with the end of the construction period,
  - (l) details of an active management plan for crossing points for public rights of way during the construction works, and
  - (m) details of permissive routes to be provided within the public access management areas during the construction phase.
- (3) The access management plan is to be implemented as approved by the relevant planning authority.

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**Commencement Information**

**I16** Sch. 1 para. 16 in force at 2.10.2014, see [art. 1](#)

### Felling

**17.**—(1) All felling must be undertaken in accordance with the relevant guidance specified in paragraph (2) and NRW best practice (as amended from time to time).

- (2) The relevant guidance is—
- (a) The UK Forestry Standard;
  - (b) UKFS Guidelines – Forests and Water (2011);
  - (c) UKFS Guidelines – Forests and Soil (2011);
  - (d) UKFS Guidelines – Forests and Biodiversity (2011); and
  - (e) UKFS Guidelines – Forests and Historic Environment (2011).

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**Commencement Information**

**I17** Sch. 1 para. 17 in force at 2.10.2014, see [art. 1](#)

### Appearance

**18.** The wind turbines may not be erected until details of their external appearance and colour and surface finish and the design and appearance of the associated external transformer/switchgear units (if any) have been submitted to and approved by the relevant planning authority. The authorised development must be completed in accordance with the approved details.

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**Commencement Information**

**I18** Sch. 1 para. 18 in force at 2.10.2014, see [art. 1](#)

**19.** Notwithstanding any design or colour approved by the relevant planning authority pursuant to Requirement 18, all wind turbines must be of a 3 bladed configuration and of a semi-matt finish.

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**Commencement Information**

**I19** Sch. 1 para. 19 in force at 2.10.2014, see [art. 1](#)

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**20.**—(1) No wind turbine may display any name, sign, symbol or logo on any external surface, unless such name, sign, symbol or logo has been approved in writing by the relevant planning authority.

(2) Paragraph (1) of this Requirement does not apply to any name, sign, symbol or logo required by law or for health and safety reasons.

**Commencement Information**

**I20** Sch. 1 para. 20 in force at 2.10.2014, see [art. 1](#)

**21.** All wind turbines' blades are to rotate in the same direction. Without prejudice to Requirement 28 the wind turbines may not be illuminated, save for a sensor-operated access light.

**Commencement Information**

**I21** Sch. 1 para. 21 in force at 2.10.2014, see [art. 1](#)

**22.** Before construction of Work No. 5A or 5B, details of the external design, appearance and finish of the substation and any associated hard standing areas, and the electrical compound must be submitted to and approved by the relevant planning authority. The authorised development is to be completed in accordance with the approved details.

**Commencement Information**

**I22** Sch. 1 para. 22 in force at 2.10.2014, see [art. 1](#)

**Commencement Information**

**I18** Sch. 1 para. 18 in force at 2.10.2014, see [art. 1](#)

**I19** Sch. 1 para. 19 in force at 2.10.2014, see [art. 1](#)

**I20** Sch. 1 para. 20 in force at 2.10.2014, see [art. 1](#)

**I21** Sch. 1 para. 21 in force at 2.10.2014, see [art. 1](#)

**I22** Sch. 1 para. 22 in force at 2.10.2014, see [art. 1](#)

**Shadow flicker**

**23.** The authorised development may not commence until a scheme for the avoidance of any shadow flicker effect at any dwelling which lawfully existed or had planning permission at the date of this Order has been submitted to and approved by the relevant planning authority. The scheme must include a time limit for the investigation of complaints, and for the implementation of mitigation measures. The scheme is to be implemented as approved.

**Commencement Information**

**I23** Sch. 1 para. 23 in force at 2.10.2014, see [art. 1](#)

**Archaeology**

**24.**—(1) No authorised development may commence until a scheme of archaeological investigation has been submitted to and approved by the relevant planning authority.

- (2) The scheme of archaeological investigation must incorporate—
  - (a) a walkover survey before commencement of the authorised development;
  - (b) fencing to be provided around Twr yr Hill round barrow and Maen Cred standing stone during construction works;
  - (c) where presence of archaeological remains is established a watching brief will be undertaken during construction to record the surviving archaeological remains;
  - (d) a watching brief during construction of all other infrastructure to record any previously unknown archaeological remains that may be present; and
  - (e) proposed peat core sampling.
- (3) The scheme of archaeological investigation shall be implemented as approved.

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**Commencement Information**

**I24** Sch. 1 para. 24 in force at 2.10.2014, see [art. 1](#)

### **Ecological clerk of works**

**25.**—(1) No authorised development may commence until, following consultation with NRW and approval by the relevant local planning authority, an ecological clerk of works has been appointed.

(2) An ecological clerk of works is to be retained throughout the duration of civil construction works on site to advise on minimising ecological effects of the construction activities.

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**Commencement Information**

**I25** Sch. 1 para. 25 in force at 2.10.2014, see [art. 1](#)

### **Surface water drainage**

**26.**—(1) No authorised development may commence until, following consultation with NRW, details of the surface water drainage system (including means of pollution control) have been submitted to and approved by the relevant planning authority.

(2) The details of the surface water drainage system submitted under paragraph (1) must accord with the Outline Surface Water Management Plan at Annex 8.1 of the environmental statement to ensure that existing runoff regimes are maintained where possible and no increase in peak runoff is experienced within receiving watercourses as a consequence of the authorised development and shall include a mechanism to establish a baseline for the existing surface water drainage conditions.

(3) The surface water drainage system is to be constructed in accordance with the approved details.

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**Commencement Information**

**I26** Sch. 1 para. 26 in force at 2.10.2014, see [art. 1](#)

### **Accumulation and deposits**

**27.**—(1) No authorised development may commence until, following consultation with NRW, a written scheme for the management of any accumulations and deposits has been submitted to and approved by the relevant planning authority.

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(2) The approved scheme for the management of accumulations and deposits is to be implemented before and maintained during the construction, operation and decommissioning of the authorised development.

**Commencement Information**

**I27** Sch. 1 para. 27 in force at 2.10.2014, see [art. 1](#)

**Infra-red aviation lighting**

**28.** No wind turbine shall be erected until, following consultation with the Ministry of Defence, details of the installation of infra-red aviation warning lights have been submitted to and approved by the relevant planning authority. The lights must be installed in accordance with the approved details and maintained until the wind turbines are decommissioned in accordance with Requirements.

**Commencement Information**

**I28** Sch. 1 para. 28 in force at 2.10.2014, see [art. 1](#)

**Defence Geographic Centre**

**29.** No wind turbine may be erected before information on the accurate location of the wind turbines has been provided to the Defence Geographic Centre of the Ministry of Defence.

**Commencement Information**

**I29** Sch. 1 para. 29 in force at 2.10.2014, see [art. 1](#)

**Noise**

**30.—(1)** The level of noise immissions from the combined effects of the wind turbines (including the application of any tonal penalty), when calculated in accordance with the Noise Guidance, may not exceed the values set out in Table 1 below. Noise limits for dwellings which lawfully existed or had planning permission at the date of this Order and which are not listed in Table 1 are to be those of the physically closest location listed in Table 1 below, unless otherwise agreed with the relevant planning authority. The coordinate locations to be used in determining the location of each of the dwellings listed in Table 1 are those listed in Table 2.

(2) The agreement of the relevant planning authority in paragraph (1) may only be given in relation to immaterial changes where the subject matter of the agreement sought is unlikely to give rise to any materially new or materially different environmental effects from those assessed in the environmental statement.

**Table 1**

**The L<sub>A90,10min</sub> dB noise level**

Location	Standardised wind speed at 10 metre height (m/s)											
	1	2	3	4	5	6	7	8	9	10	11	12
Bron Bannog	39.1	39.1	39.1	39.1	39.1	39.1	39.1	39.1	39.1	41.7	44.3	46.6

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Location	Standardised wind speed at 10 metre height (m/s)											
	1	2	3	4	5	6	7	8	9	10	11	12
Castell y Waen	30.8	30.8	30.8	30.8	30.8	30.8	30.8	30.8	31.9	33.5	35.1	36.7
Cefn Rofft	36.7	36.7	36.7	36.7	36.7	36.7	36.7	36.7	39.0	42.3	45.6	48.8
Cefnbannog	37.5	37.5	37.5	37.5	37.5	37.5	37.5	37.5	38.3	42.1	45.8	49.3
Crud-y-Gwynt	39.3	39.3	39.3	39.3	39.3	39.3	39.3	39.9	41.0	42.3	43.8	45.4
Cruglas	39.6	39.6	39.6	39.6	39.6	39.6	39.6	39.6	39.6	39.6	41.4	44.3
Diffws	37.2	37.2	37.2	37.2	37.3	39.0	40.7	42.2	43.3	44.0	44.4	44.6
Hafod Caradoc	32.0	32.0	32.0	32.0	32.0	32.0	32.0	32.0	32.8	35.4	38.1	40.8
Hafod Ty Ddu	32.0	32.0	32.0	32.0	32.0	32.0	32.0	35.1	39.2	42.6	45.7	48.8
Hafotty Newydd	38.7	38.7	38.7	38.7	38.7	38.7	38.7	38.7	38.9	41.7	44.5	47.2
Plas Nant Glyn	28.2	28.2	28.2	28.2	28.2	28.2	28.2	28.2	28.2	28.2	28.2	28.2
Tai'n-y-Waens	39.3	39.3	39.3	39.3	39.3	39.3	39.3	39.3	40.9	44.1	47.2	50.2
Tal-y-cefn Uchaf	39.2	39.2	39.2	39.2	39.2	39.2	39.2	40.2	43.4	46.6	49.8	52.8
Trawsnant	38.4	38.4	38.4	38.4	38.4	38.4	38.4	38.4	38.4	39.4	41.9	44.9
Boced	35.1	35.1	35.1	35.1	35.1	35.1	35.1	35.1	35.1	36.1	38.6	41.5
Bod Petryal	32.7	32.7	32.7	32.7	32.7	32.7	32.7	33.7	35.7	35.7	35.7	35.7
Bryn Bach	34.2	34.2	34.2	34.2	34.2	34.2	34.2	34.2	34.2	35.2	37.7	40.7
Bryn Gaseg	34.2	34.2	34.2	34.2	34.2	34.2	34.2	34.2	36.5	39.8	43.1	46.3
Bryn-celyn	33.8	33.8	33.8	33.8	33.8	33.8	33.8	34.8	36.8	36.8	36.8	36.8
Brynhyfryd	35.3	35.3	35.3	35.3	35.3	35.3	35.3	35.3	36.1	39.9	43.6	47.1
Bryn-y-gwrgi	37.6	37.6	37.6	37.6	37.6	37.6	37.6	37.6	39.3	42.5	45.6	48.6
Bryn-yr-eryr	33.1	33.1	33.1	33.1	33.1	33.1	33.1	33.1	35.5	38.8	42.1	45.3
Capel Hiraethog	38.2	38.2	38.2	38.2	38.2	38.2	38.2	38.2	38.2	38.2	40.0	42.9
Derwydd	35.2	35.2	35.2	35.2	35.2	35.2	35.2	35.2	37.6	40.8	44.2	47.4
Drws-y-Buddel	31.7	31.7	31.7	31.7	31.7	31.7	31.7	31.7	31.7	32.7	35.2	38.2
Foel	36.1	36.1	36.1	36.1	36.1	36.1	36.1	36.1	38.5	41.7	45.1	48.3
Garreg-Iwyd	32.0	32.0	32.0	32.0	32.0	32.0	32.0	32.0	32.0	33.4	36.1	38.8
Glan-y-gors	34.7	34.7	34.7	34.7	34.7	34.7	34.7	34.7	34.7	37.3	39.9	42.2
Hafod Olygfa	32.0	32.0	32.0	32.0	32.0	32.0	32.0	34.6	38.7	42.1	45.2	48.3
Hafotty Bach	36.3	36.3	36.3	36.3	36.3	36.3	36.3	36.3	36.3	37.3	39.9	42.8
Hafotty Hendre	39.6	39.6	39.6	39.6	39.6	39.6	39.6	39.6	41.2	44.4	47.5	50.5
Isgaer-wen	38.0	38.0	38.0	38.0	38.0	38.0	38.0	38.0	38.2	41.0	43.8	46.5
Lodge Isaf	35.5	35.5	35.5	35.5	35.5	35.5	35.5	35.5	36.3	40.1	43.9	47.3
Lodge Uchaf	35.7	35.7	35.7	35.7	35.7	35.7	35.7	35.7	36.5	40.3	44.0	47.5

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<i>Location</i>	<i>Standardised wind speed at 10 metre height (m/s)</i>											
	<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>	<i>7</i>	<i>8</i>	<i>9</i>	<i>10</i>	<i>11</i>	<i>12</i>
Maes Cadarn	37.8	37.8	37.8	37.8	37.8	37.8	37.8	37.8	37.8	37.8	39.6	42.5
Nant Uchaf	38.1	38.1	38.1	38.1	38.1	38.1	38.1	38.1	38.1	39.1	41.6	44.6
Pantdedwydd	36.6	36.6	36.6	36.6	36.6	36.6	36.6	36.6	38.9	42.2	45.5	48.7
Pedair-a-dimai	31.9	31.9	31.9	31.9	31.9	31.9	31.9	31.9	34.3	37.6	40.9	44.1
Pen-Bedw	35.5	35.5	35.5	35.5	35.5	35.5	35.5	35.5	35.5	36.5	39.0	41.9
Pennant	38.3	38.3	38.3	38.3	38.3	38.3	38.3	38.3	38.3	38.3	40.1	43.0
Pennant Uchaf	32.5	32.5	32.5	32.5	32.5	32.5	32.5	32.5	32.5	34.6	37.3	40.0
Pen-y-bryn	35.2	35.2	35.2	35.2	35.2	35.2	35.2	36.2	38.2	38.2	38.2	38.2
Pen-y-Lan	37.4	37.4	37.4	37.4	37.4	37.4	37.4	37.4	37.4	38.4	40.9	43.8
Seler	38.3	38.3	38.3	38.3	38.3	38.3	38.3	38.3	38.3	39.3	41.8	44.8
Tai Ucha	38.2	38.2	38.2	38.2	38.2	38.2	38.2	38.2	38.2	39.2	41.7	44.7
Tai'n-y-graig	37.7	37.7	37.7	37.7	37.7	37.7	37.7	38.7	41.8	45.0	48.2	51.3
Tal y Cefn Isaf	38.8	38.8	38.8	38.8	38.8	38.8	38.8	38.8	40.5	43.7	46.8	49.8
Tan-y-bwlch	34.8	34.8	34.8	34.8	34.8	34.8	34.8	35.8	37.8	37.8	37.8	37.8
Ty Newydd	32.0	32.0	32.0	32.0	32.0	32.0	32.0	32.0	32.0	33.8	36.5	39.2
Ty-nant	37.7	37.7	37.7	37.7	37.7	37.7	37.7	37.7	40.1	43.4	46.7	49.9
Ty'n-y-ffordd	30.5	30.5	30.5	30.5	30.5	30.5	30.5	30.5	32.9	36.2	39.5	42.7
Ty-Uchaf	37.8	37.8	37.8	37.8	37.8	37.8	37.8	37.8	38.0	40.8	43.6	46.4
Waen Ganol	37.5	37.5	37.5	37.5	37.5	37.5	37.5	37.5	37.5	40.1	42.7	45.0
Waen Ganol2	37.2	37.2	37.2	37.2	37.2	37.2	37.2	37.2	37.2	39.8	42.4	44.7
Waen Uchaf	38.5	38.5	38.5	38.5	38.5	38.5	38.5	38.5	38.5	41.1	43.7	46.0
Wern Uchaf	27.3	27.3	27.3	27.3	27.3	27.3	27.5	29.5	31.8	34.3	37.0	39.7

**Table 2**

**Coordinate locations of the properties listed in Table 1**

<i>Property</i>	<i>Easting</i>	<i>Northing</i>
Bron Bannog	303230	352830
Castell y Waen	299803	362240
Cefn Rofft	300882	349754
Cefnbannog	302337	351034
Crud-y-Gwynt	302463	354928
Cruglas	302917	353853
Diffws	302388	357614

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<i>Property</i>	<i>Easting</i>	<i>Northing</i>
Hafod Caradoc	298722	359204
Hafod Ty Ddu	301570	359341
Hafotty Newydd	300176	354208
Plas Nant Glyn	300377	361202
Tai'n-y-Waens	299856	351666
Tal-y-cefn Uchaf	299732	352723
Trawsnant	302393	356134
Boced	302976	358286
Bod Petryal	303760	351073
Bryn Bach	302098	358784
Bryn Gaseg	300677	349373
Bryn-celyn	302053	349903
Brynhyfryd	303561	351370
Bryn-y-gwrgi	299592	350697
Bryn-yr-eryr	300984	349178
Capel Hiraethog	303741	354707
Derwydd	300348	349609
Drws-y-Buddel	302225	359813
Foel	299701	350042
Garreg-Iwyd	300264	359607
Glan-y-gors	304906	351677
Hafod Olygfa	301400	359413
Hafotty Bach	303271	357991
Hafotty Hendre	300246	351304
Isgaer-wen	299620	354471
Lodge Isaf	303100	351300
Lodge Uchaf	302715	351159
Maes Cadarn	303961	355254
Nant Uchaf	302894	355876
Pantdedwydd	301360	349728
Pedair-a-dimai	300207	349245
Pen-Bedw	303639	357401
Pennant	303922	354677

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<i>Property</i>	<i>Easting</i>	<i>Northing</i>
Pennant Uchaf	299059	359533
Pen-y-bryn	301707	349724
Pen-y-Lan	303807	356760
Seler	302815	355559
Tai Ucha	302775	356368
Tai'n-y-graig	298676	352289
Tal y Cefn Isaf	299388	352000
Tan-y-bwlch	301894	349893
Ty Newydd	299434	359360
Ty-nant	300215	350152
Ty'n-y-ffordd	299922	349210
Ty-Uchaf	299007	353971
Waen Ganol	304136	353152
Waen Ganol2	304169	352986
Waen Uchaf	303718	353376
Wern Uchaf	298304	360149

**Note to Table 2:** The geographical coordinate references are provided for the purpose of identifying the general location of dwellings to which a given set of noise limits applies.

**Commencement Information**

**I30** Sch. 1 para. 30 in force at 2.10.2014, see [art. 1](#)

**31.** Within 21 days from the receipt of a written request from the relevant planning authority and following a complaint to the relevant planning authority from the occupant of a dwelling which lawfully existed or had planning permission at the date this Order came into force, the undertaker must, at its own expense, employ an independent consultant approved by the relevant planning authority to assess the level of noise immissions from the authorised development at the complainant's property following the procedures described in the Noise Guidance in Part 4.

**Commencement Information**

**I31** Sch. 1 para. 31 in force at 2.10.2014, see [art. 1](#)

**32.** The undertaker must, if directed by the relevant planning authority, switch off any of the wind turbines in order to assess compliance with the noise limits.

**Commencement Information**

**I32** Sch. 1 para. 32 in force at 2.10.2014, see [art. 1](#)



**33.** The undertaker must provide to the relevant planning authority the independent consultant's assessment and conclusions regarding the noise complaint, including all calculations, audio recordings and the raw data upon which those assessments and conclusions are based. Such information must be provided within 3 months of the date of the written request of the relevant planning authority unless otherwise extended in writing by the relevant planning authority.

**Commencement Information**

**I33** Sch. 1 para. 33 in force at 2.10.2014, see [art. 1](#)

**34.** The undertaker must continuously log wind speed wind direction and power generation at each of the turbines on the site relating to authorised development. The undertaker must continuously log wind speed and wind direction at all anemometer masts on the site. The undertaker must provide all logged data to the relevant planning authority at its written request and in accordance with the Noise Guidance within 28 days of such request. All data is to be retained until the commencement of a decommissioning and site restoration scheme under Requirement 5.

**Commencement Information**

**I34** Sch. 1 para. 34 in force at 2.10.2014, see [art. 1](#)

**35.—(1)** No authorised development may commence until an assessment demonstrating that noise from the electrical substation on the site would not exceed a level of 30 dB  $L_{Aeq}$  at the nearest residential property has been submitted to and approved in writing by the relevant planning authority.

(2) The substation is to be constructed in accordance with the approved assessment.

**Commencement Information**

**I35** Sch. 1 para. 35 in force at 2.10.2014, see [art. 1](#)

**Commencement Information**

**I30** Sch. 1 para. 30 in force at 2.10.2014, see [art. 1](#)

**I31** Sch. 1 para. 31 in force at 2.10.2014, see [art. 1](#)

**I32** Sch. 1 para. 32 in force at 2.10.2014, see [art. 1](#)

**I33** Sch. 1 para. 33 in force at 2.10.2014, see [art. 1](#)

**I34** Sch. 1 para. 34 in force at 2.10.2014, see [art. 1](#)

**I35** Sch. 1 para. 35 in force at 2.10.2014, see [art. 1](#)

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**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- [art. 36\(1A\)](#) inserted by [S.I. 2017/1197 art. 4\(2\)](#)