

## SCHEDULE 1

### Authorised Project

## PART 3

### Requirements

#### Time limits

1. The authorised project must commence no later than the expiration of five years beginning with the date this Order comes into force.

#### Commencement Information

**I1** Sch. 1 Pt. 3 para. 1 in force at 1.1.2022, see art. 1

#### Detailed offshore design parameters

2. Subject to paragraph (2), any wind turbine generator forming part of the authorised project must not—

- (a) exceed a height of 350 metres when measured from HAT to the tip of the vertical blade;
- (b) exceed a height of 198.5 metres to the height of the centreline of the generator shaft forming part of the hub when measured from HAT;
- (c) exceed a rotor diameter of 303 metres;
- (d) be less than 800 metres from the nearest wind turbine generator in either direction perpendicular to the approximate prevailing wind direction (crosswind) or be less than 800 metres from the nearest wind turbine generator in either direction which is in line with the approximate prevailing wind direction (downwind); or
- (e) have a draught height which is less than the minimum draught height specified for the relevant wind turbine generator capacity in the table below—

<i>Wind Turbine Generator Capacity</i>	<i>Minimum draught height</i>
Up to and including 14.6MW	35m from MHWS
14.7 MW and above	30m from MHWS

(2) References to the location of a wind turbine generator in paragraph (2) above are references to the centre point of that turbine.

#### Commencement Information

**I2** Sch. 1 Pt. 3 para. 2 in force at 1.1.2022, see art. 1

3.—(1) The total number of wind turbine generators forming part of the authorised project must not exceed [F1137].

(2) The total number of offshore electrical platforms forming part of the authorised project must not exceed two.

**Changes to legislation:** There are currently no known outstanding effects for the The Norfolk Boreas Offshore Wind Farm Order 2021, PART 3. (See end of Document for details)

- (3) The total number of offshore service platforms must not exceed one.
- (4) The total number of meteorological masts must not exceed two.
- (5) The total number of LIDAR measurement buoys must not exceed two and the total number of wave measurement buoys must not exceed two.

**F1** Word in Sch. 1 Pt. 3 para. 3(1) substituted (21.9.2022) by [The Norfolk Boreas Offshore Wind Farm \(Amendment\) Order 2022 \(S.I. 2022/968\)](#), arts. 1, **4(a)**

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**Commencement Information**

**I3** Sch. 1 Pt. 3 para. 3 in force at 1.1.2022, see [art. 1](#)

- 4.—**(1) The dimensions of any offshore electrical platforms forming part of the authorised project (excluding towers, helipads, masts and cranes) must not exceed 100 metres in height when measured from HAT, 120 metres in length and 80 metres in width.
- (2) The dimensions of any offshore service platform forming part of the authorised project (excluding helipads) must not exceed 100 metres in height when measured from HAT, 90 metres in length and 60 metres in width.
- (3) Each meteorological mast must not exceed a height of 200 metres above HAT.
- (4) Each meteorological mast must not have more than one supporting foundation.

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**Commencement Information**

**I4** Sch. 1 Pt. 3 para. 4 in force at 1.1.2022, see [art. 1](#)

- 5.—**(1) The total length of cables must not exceed 1,190 kilometres and the total length of cable trench within which the cables will be placed must not exceed 910 kilometres;
- (2) The total volume of cable protection must not exceed 308,236m<sup>3</sup>
- (3) The total area occupied by cable protection must not exceed 586,086m<sup>2</sup>; and
- (4) The length of cables and volume and area of cable protection must not exceed the individual distributions set out in Table 2 of the outline scour protection and cable protection plan and must not exceed the following parameters in respect of the corresponding Work Nos.—

<i>Work</i>	<i>Length</i>	<i>Cable protection (m<sup>3</sup>)</i>	<i>Cable protection (m<sup>2</sup>)</i>
Work No. 1(e and f) (array)	600 kilometres	198,500 m <sup>3</sup>	389,000 m <sup>2</sup>
Work No. 3A (interconnector link)	90 kilometres	17,000 m <sup>3</sup>	34,000 m <sup>2</sup>
Work No. 3B (project interconnector)	180 kilometres	41,000 m <sup>3</sup>	74,000 m <sup>2</sup>
Work No. 4A and 4B (export cable)	500 kilometres	69,236m <sup>3</sup>	124,086m <sup>2</sup>

- (5) In the event of scenario 1, the undertaker may commence either Work No. 3A or Work No. 3B and, for the avoidance of doubt, must not commence both of Work No. 3A and Work No. 3B.

**Commencement Information**

**I5** Sch. 1 Pt. 3 para. 5 in force at 1.1.2022, see [art. 1](#)

6.—(1) In relation to a wind turbine generator, each foundation using piles must not have—

- (a) more than four driven piles;
- (b) in the case of single pile structures, a pile diameter which is more than 15 metres; or
- (c) in the case of two or more pile structures, have a pile diameter which is more than five metres.

(2) In relation to a wind turbine generator, each foundation must not have a seabed footprint area (excluding scour protection) of greater than 1,963m<sup>2</sup>.

**Commencement Information**

**I6** Sch. 1 Pt. 3 para. 6 in force at 1.1.2022, see [art. 1](#)

7.—(1) In relation to a meteorological mast, each foundation using piles must not have—

- (a) more than four driven piles;
- (b) in the case of single pile structures, a pile diameter which is more than 10 metres; or
- (c) in the case of two or more pile structures, have a pile diameter which is more than three metres.

(2) In relation to a meteorological mast, each foundation must not have a seabed footprint area (excluding scour protection) of greater than 314 m<sup>2</sup>.

**Commencement Information**

**I7** Sch. 1 Pt. 3 para. 7 in force at 1.1.2022, see [art. 1](#)

8.—(1) In relation to an offshore electrical platform, each foundation using piles must not have—

- (a) more than 18 driven piles; or
- (b) in the case of two or more pile structures, have a pile diameter which is more than five metres.

(2) In relation to the offshore electrical platform(s), the foundations must not have a combined seabed footprint area (excluding scour protection) of greater than 15,000 m<sup>2</sup>.

**Commencement Information**

**I8** Sch. 1 Pt. 3 para. 8 in force at 1.1.2022, see [art. 1](#)

9.—(1) In relation to any offshore service platform, each foundation using piles must not have—

- (a) more than six driven piles; or
- (b) in the case of two or more pile structures, have a pile diameter which is more than three metres.

**Changes to legislation:** There are currently no known outstanding effects for the The Norfolk Boreas Offshore Wind Farm Order 2021, PART 3. (See end of Document for details)

(2) In relation to an offshore service platform, each foundation must not have a seabed footprint area (excluding scour protection) of greater than 7,500 m<sup>2</sup>.

**Commencement Information**

**I9** Sch. 1 Pt. 3 para. 9 in force at 1.1.2022, see [art. 1](#)

**10.**—(1) In relation to any LIDAR measurement buoys, each foundation using piles must not have a pile diameter of greater than 10 metres.

(2) In relation to any LIDAR measurement buoys, each foundation must not have a seabed footprint area (excluding scour protection) of greater than 78.5m<sup>2</sup> per buoy and 157m<sup>2</sup> in total.

(3) In relation to any wave measurement buoys, each foundation must not have a seabed footprint area (excluding scour protection) of greater than 150m<sup>2</sup> per buoy and 300 m<sup>2</sup> in total.

**Commencement Information**

**I10** Sch. 1 Pt. 3 para. 10 in force at 1.1.2022, see [art. 1](#)

**11.** The total amount of scour protection for the wind turbine generators, offshore service platform, meteorological masts, offshore electrical platforms and LIDAR measurement buoys forming part of the authorised project must not exceed 25,934,269 m<sup>3</sup> or 5,186,854 m<sup>2</sup> and must not exceed the distributed quantities of scour protection set out in Table 1 of the outline scour protection and cable protection plan.

**Commencement Information**

**I11** Sch. 1 Pt. 3 para. 11 in force at 1.1.2022, see [art. 1](#)

**F1** Word in [Sch. 1 Pt. 3 para. 3\(1\)](#) substituted (21.9.2022) by [The Norfolk Boreas Offshore Wind Farm \(Amendment\) Order 2022 \(S.I. 2022/968\)](#), arts. 1, [4\(a\)](#)

**Commencement Information**

**I2** [Sch. 1 Pt. 3 para. 2](#) in force at 1.1.2022, see [art. 1](#)

**I3** Sch. 1 Pt. 3 para. 3 in force at 1.1.2022, see [art. 1](#)

**I4** Sch. 1 Pt. 3 para. 4 in force at 1.1.2022, see [art. 1](#)

**I5** Sch. 1 Pt. 3 para. 5 in force at 1.1.2022, see [art. 1](#)

**I6** Sch. 1 Pt. 3 para. 6 in force at 1.1.2022, see [art. 1](#)

**I7** Sch. 1 Pt. 3 para. 7 in force at 1.1.2022, see [art. 1](#)

**I8** Sch. 1 Pt. 3 para. 8 in force at 1.1.2022, see [art. 1](#)

**I9** Sch. 1 Pt. 3 para. 9 in force at 1.1.2022, see [art. 1](#)

**I10** Sch. 1 Pt. 3 para. 10 in force at 1.1.2022, see [art. 1](#)

**I11** Sch. 1 Pt. 3 para. 11 in force at 1.1.2022, see [art. 1](#)

**Aviation safety**

**12.**—(1) The undertaker must exhibit such lights, with such shape, colour and character and at such times as are required in writing by Air Navigation Order 2016(1) and/or determined necessary

(1) [S.I.2016/765](#).

for aviation safety in consultation with the Defence Infrastructure Organisation Safeguarding and as directed by the CAA. Lighting installed specifically to meet Ministry of Defence aviation safety requirements must remain operational for the life of the authorised development unless otherwise agreed in writing with the Ministry of Defence.

(2) The undertaker must notify the Defence Infrastructure Organisation Safeguarding, at least 14 days prior to the commencement of the offshore works, in writing of the following information—

- (a) the date of the commencement of construction of the offshore works;
- (b) the date any wind turbine generators are brought into use;
- (c) the maximum height of any construction equipment to be used;
- (d) the maximum heights of any wind turbine generator, meteorological mast, offshore electrical platform and offshore service platform to be constructed; and
- (e) the latitude and longitude of each wind turbine generator, meteorological mast, offshore electrical platform and offshore service platform to be constructed,

and the Defence Infrastructure Organisation Safeguarding must be notified of any changes to the information supplied under this paragraph and of the completion of the construction of the offshore works.

#### Commencement Information

**I12** Sch. 1 Pt. 3 para. 12 in force at 1.1.2022, see [art. 1](#)

#### Ministry of Defence surveillance operations

**13.**—(1) No wind turbine generator forming part of the authorised development is permitted to rotate its rotor blades on its horizontal axis until the Secretary of State having consulted with the Ministry of Defence confirms satisfaction in writing that appropriate mitigation will be implemented and maintained for the life of the authorised development and that arrangements have been put in place with the Ministry of Defence to ensure that the approved mitigation is implemented.

(2) For the purposes of this requirement—

- (a) “appropriate mitigation” means measures to prevent or remove any adverse effects which the authorised development will have on the air defence radar at Remote Radar Head (RRH) [<sup>F2</sup>Neatishead] and the Ministry of Defence’s air surveillance and control operations;
- (b) “approved mitigation” means the detailed Radar Mitigation Scheme (RMS) that will set out the appropriate measures and timescales for implementation as agreed with the Ministry of Defence at the time the Secretary of State confirms satisfaction in writing in accordance with paragraph (1); and
- (c) “Ministry of Defence” means the Ministry of Defence as represented by Defence Infrastructure Organisation – Safeguarding, [<sup>F3</sup>St George’s House, DIO Head Office, DMS Whittington, Lichfield, Staffordshire WS14 9PY] or any successor body.

(3) The undertaker must thereafter comply with all other obligations contained within the approved mitigation for the life of the authorised development.

**F2** Word in Sch. 1 Pt. 3 para. 13(2)(a) substituted (21.9.2022) by [The Norfolk Boreas Offshore Wind Farm \(Amendment\) Order 2022 \(S.I. 2022/968\)](#), arts. 1, [4\(b\)](#)

**F3** Words in Sch. 1 Pt. 3 para. 13(2)(c) substituted by virtue of (21.9.2022) by [The Norfolk Boreas Offshore Wind Farm \(Amendment\) Order 2022 \(S.I. 2022/968\)](#), arts. 1, [4\(c\)](#)

#### Commencement Information

**I13** Sch. 1 Pt. 3 para. 13 in force at 1.1.2022, see [art. 1](#)

#### Offshore decommissioning

**14.**—(1) No offshore works may commence until a written decommissioning programme in compliance with any notice served upon the undertaker by the Secretary of State pursuant to section 105(2) of the 2004 Act has been submitted to the Secretary of State for approval.

(2) The obligations under paragraphs (3) and (4) shall only apply in respect of cable protection, apart from at cable crossing locations with existing cables and pipelines, which is installed as part of the authorised project within the Haisborough, Hammond and Winterton Special Area of Conservation as at the date of the grant of the Order.

(3) No later than 4 months prior to each deployment of cable protection in the Haisborough, Hammond and Winterton Special Area of Conservation, except where otherwise stated or unless otherwise agreed in writing by the Secretary of State, the undertaker must submit the following documents for approval by the Secretary of State:

- (a) a decommissioning feasibility study on the proposed cable protection to be updated at intervals of not more than every ten years throughout the operational phase of the project;
- (b) a method statement for recovery of cable protection; and
- (c) a monitoring plan to include appropriate surveys following decommissioning to monitor the recovery of the area of the Haisborough, Hammond and Winterton Special Area of Conservation impacted by cable protection.

(4) No cable protection can be deployed in the Haisborough, Hammond and Winterton Special Area of Conservation until the Secretary of State, in consultation with the MMO and the Statutory Nature Conservation Body approves in writing the documents pursuant to paragraph (3) above.

#### Commencement Information

**I14** Sch. 1 Pt. 3 para. 14 in force at 1.1.2022, see [art. 1](#)

#### Scenarios, stages, and phases of authorised development onshore

**15.**—(1) Subject to paragraph (2), the undertaker may commence, or exercise powers of compulsory acquisition under Part 5 of this Order in relation to, only:

- (a) scenario 1; or
- (b) scenario 2.

(2) In the event that the Norfolk Vanguard Offshore Wind Farm is commenced, the undertaker may only commence scenario 1 and, for the avoidance of doubt, must not commence scenario 2.

(3) The onshore transmission works must not commence, nor powers of compulsory acquisition under Part 5 of this Order be exercised, until notification has been submitted to the relevant planning authority:

- (a) as to whether the undertaker intends to commence scenario 1 or scenario 2; and
- (b) detailing whether the onshore transmission works will be constructed in a single onshore phase or in two onshore phases.

(4) The onshore transmission works must not commence until a written scheme setting out the stages of the onshore transmission works for the relevant onshore phase has been submitted to the

relevant planning authority, which scheme may subsequently be amended from time to time as notified to the relevant planning authority.

(5) The written scheme must be implemented as notified under paragraph (4).

(6) In paragraph (2) of this requirement, “commenced” in relation to the Norfolk Vanguard Offshore Wind Farm has the same meaning as provided for in any development consent order that may be made by the Secretary of State in relation to the Norfolk Vanguard Offshore Wind Farm..

#### **Commencement Information**

**I15** Sch. 1 Pt. 3 para. 15 in force at 1.1.2022, see [art. 1](#)

#### **Detailed design parameters onshore**

**16.**—(1) The total number of converter buildings for the onshore project substation must not exceed two.

(2) Construction works for the converter buildings referred to in paragraph (1) must not commence until details of the layout, scale and external appearance of the same have been submitted to and approved by the relevant planning authority.

(3) The onshore project substation must be constructed in accordance with the details approved by the relevant planning authority.

(4) Any details provided by the undertaker pursuant to paragraph (2) must:

- (a) accord with the design and access statement;
- (b) in the event of Scenario 1, be supported by a statement illustrating how the details submitted accord with the principles of the OPS Masterplan and have been informed by a strategic approach to mitigate cumulative impacts arising from the onshore project substation and the Norfolk Vanguard Onshore Project Substation;
- (c) have been subject to an early independent design review which must consider whether the requirements of sub-paragraphs (a) and (b) have been satisfied and make recommendations for design improvements if not; and
- (d) be within the Order limits.

(5) Buildings (including the converter buildings) comprised in Work No. 8A must not exceed a height of 19 metres above existing ground level and external electrical equipment comprised in Work No. 8A must not exceed a height of 25 metres above existing ground level.

(6) The total footprint of each converter building must not exceed 110 metres by 70 metres.

(7) The fenced compound area (excluding its accesses) for the onshore project substation comprised in Work No. 8A must not exceed 250 metres by 300 metres.

(8) For the purposes of paragraph (5) of this requirement,

(a) In the event of scenario 1, ‘existing ground level’ means 73 metres above ordnance datum; and

(b) In the event of scenario 2, ‘existing ground level’ means 72 metres above ordnance datum.

(9) The external electrical equipment comprised in Work No. 10A must not exceed a height of 15 metres above existing ground level.

(10) For the purposes of paragraph (9) of this requirement, ‘existing ground level’ means 69 metres above ordnance datum.

(11) The fenced compound area (excluding its accesses) for the extension to the Necton National Grid substation comprised in Work No. 10A must not exceed 135 metres by 150 metres in the event of scenario 1, or exceed 200 metres by 150 metres in the event of scenario 2.

(12) In the event of scenario 2:

- (a) construction works for the permanent replacement overhead pylons comprised in Work No. 11A must not commence until details of the same have been submitted to and approved by the relevant planning authority;
- (b) the permanent replacement overhead line pylon works comprised in Work No. 11A must be constructed in accordance with the details approved by the relevant planning authority;
- (c) the permanent replacement overhead line pylons comprised in Work No. 11A must not exceed a height of 55 metres above existing ground level, and for the purposes of this subparagraph ‘existing ground level’ means between 66 and 69 metres above ordnance datum in respect of the eastern pylon identified on work plan 41b of 42 with the letter ‘E’ and between 68 and 70 metres above ordnance datum in respect of the western pylon identified on work plan 41b of 42 with the letter ‘W’; and
- (d) the total footprint of each permanent replacement overhead line pylon comprised in Work No. 11A must not exceed 25 metres by 25 metres.

(13) In the event of scenario 2, trenchless installation techniques must be used for the purposes of passing under—

- (a) the River Wensum (Work No. 7);
- (b) King’s Beck (Work No. 5);
- (c) Wendling Beck (Work No. 7);
- (d) River Bure (Work No. 6);
- (e) North Walsham and Dilham Canal (Work No. 5);
- (f) the Witton Hall Plantation along Old Hall Road (Work No. 5);
- (g) the Wendling Carr County Wildlife Site (Work No. 7);
- (h) Little Wood County Wildlife Site (Work No. 7);
- (i) land south of the Dillington Carr County Wildlife Site (Work No. 7);
- (j) Kerdiston proposed County Wildlife Site (Work No. 6);
- (k) Marriott’s Way County Wildlife Site/ Public Right of Way (Work No. 6);
- (l) Paston Way and Knapton Cutting County Wildlife Site (Work No. 5);
- (m) Norfolk Coast Path (Work No. 4C);
- (n) Norwich to Cromer railway line at north Walsham (Work No. 5);
- (o) Wymondham to North Elmham Railway line at Dereham (Work No. 7);
- (p) A47 Road (Work No. 7);
- (q) A140 Road (Work No. 6);
- (r) A149 Road (Work No. 5);
- (s) A1067 Road (Work No. 7); and
- (t) B1149 (Work No. 6).

(14) The number of underground cable ducts to be installed at the landfall must not exceed two.

(15) The footprint of temporary works areas must not exceed the following parameters:

<i>Temporary Work Area</i>	<i>Maximum footprint (m<sup>2</sup>)</i>
Mobilisation areas	10,000 m <sup>2</sup> for each mobilisation area
Trenchless crossing compounds (Scenario 2 only)	7,500m <sup>2</sup> at each drill entry site and 5,000m <sup>2</sup> at each drill exit site
Temporary landfall compounds at Work No. 4C (up to two)	3,000 m <sup>2</sup> for each compound
Temporary construction compound associated with Work No. 8A and 8B.	20,000 m <sup>2</sup>

#### **Commencement Information**

**I16** Sch. 1 Pt. 3 para. 16 in force at 1.1.2022, see [art. 1](#)

#### **Landfall method statement**

17.—(1) Work Nos. 4A, 4B or 4C must not commence until a method statement for the construction of Work Nos. 4A, 4B and 4C has been submitted to and approved in writing by North Norfolk District Council in consultation with the relevant statutory nature conservation body.

(2) The method statement referred to in sub-paragraph (1) must include measures for long horizontal directional drilling below the coastal shore platform and cliff base at the landfall as well as measures for ongoing inspection of Work No. 4C and reporting of results to North Norfolk District Council during the operation of the authorised project.

(3) In the event that inspections indicate that as a result of the rate and extent of landfall erosion Work No. 4C could become exposed during the operation of the authorised project the undertaker must, as soon as practicable, submit proposals in writing for remedial measures to protect Work No. 4C, together with a timetable for their implementation, to North Norfolk District Council for their approval in consultation with the relevant statutory nature conservation body.

(4) The method statement and any proposals for remedial measures must be implemented as approved.

#### **Commencement Information**

**I17** Sch. 1 Pt. 3 para. 17 in force at 1.1.2022, see [art. 1](#)

#### **Provision of landscaping**

18.—(1) No stage of the onshore transmission works may commence until for that stage a written landscaping management scheme and associated work programme (which accords with the outline landscape and ecological management strategy) has been submitted to and approved by the relevant planning authority in consultation with the relevant statutory nature conservation body.

(2) The landscaping management scheme must include details of proposed hard and soft landscaping works appropriate for the relevant stage, including—

- (a) location, number, species, size and planting density of any proposed planting, including any trees;
- (b) cultivation, importing of materials and other operations to ensure plant establishment;
- (c) hard surfacing materials;

- (d) details of existing trees to be removed, and details of existing trees and hedgerows to be retained with measures for their protection during the construction period;
  - (e) retained historic landscape features and proposals for restoration, where relevant;
  - (f) implementation timetables for all landscaping works;
  - (g) proposed finished heights, form and gradient of earthworks;
  - (h) maintenance of the landscaping;
  - (i) sustainable drainage measures integrated into the details of hard and soft landscaping works at the onshore project substation (Work No. 8B); and
  - (j) guidance on the use of materials and colours relating to the design of the onshore project substation (Work No. 8A).
- (3) The landscaping management scheme must be implemented as approved.

#### Commencement Information

**I18** Sch. 1 Pt. 3 para. 18 in force at 1.1.2022, see [art. 1](#)

#### Implementation and maintenance of landscaping

**19.**—(1) All landscaping works must be carried out in accordance with the landscaping management schemes approved under requirement 18 (provision of landscaping), and in accordance with the relevant recommendations of appropriate British Standards.

(2) Any tree, hedge, or shrub planted within the district of North Norfolk as part of an approved landscaping management scheme that, within a period of ten 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 a different species is otherwise approved by the relevant planning authority.

(3) Any tree, hedge or shrub planted as part of an approved landscaping management scheme with the intention of screening the onshore project substation (and/or the Norfolk Vanguard Onshore Project substation in the event of Scenario 1) that, within a period of twenty-five 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 a different species is otherwise approved by the relevant planning authority.

(4) Any other tree, hedge or shrub planted as part of an approved landscaping management scheme that, within a period of five 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 a different species is otherwise approved by the relevant planning authority.

#### Commencement Information

**I19** Sch. 1 Pt. 3 para. 19 in force at 1.1.2022, see [art. 1](#)

#### Code of construction practice

**20.**—(1) No stage of the onshore transmission works may commence until for that stage a code of construction practice has been submitted to and approved by the relevant planning authority,

in consultation with Norfolk County Council, the Environment Agency and the relevant statutory nature conservation body.

(2) The code of construction practice must accord with the outline code of construction practice and include details, as appropriate to the relevant stage, on—

- (a) relevant health, safety and environmental legislation and compliance;
- (b) local community liaison responsibilities;
- (c) artificial light emissions;
- (d) contaminated land and groundwater;
- (e) construction noise and vibration;
- (f) soil management;
- (g) construction method statements;
- (h) site and excavated waste management;
- (i) construction surface water and drainage;
- (j) materials management;
- (k) screening, fencing and site security;
- (l) air quality
- (m) invasive species management; and
- (n) proposals for managing public rights of way.

(3) The code of construction practice approved in relation to the relevant stage of the onshore transmission works must be followed in relation to that stage of the onshore transmission works.

(4) Pre-commencement screening, fencing and site security works must only take place in accordance with a specific plan for such pre-commencement works which must accord with the relevant details for screening, fencing and site security set out in the outline code of construction practice, and which has been submitted to and approved by the relevant planning authority.

#### **Commencement Information**

**I20** Sch. 1 Pt. 3 para. 20 in force at 1.1.2022, see [art. 1](#)

#### **Traffic**

**21.—**(1) No stage of the onshore transmission works may commence until for that stage the following plans, as appropriate for the relevant stage, have for that stage been submitted to and approved by the relevant planning authority in consultation with the highway authority—

- (a) a traffic management plan which must be in accordance with the outline traffic management plan;
- (b) a travel plan which must be in accordance with the outline travel plan; and
- (c) an access management plan which must be in accordance with the outline access management plan.

(2) The plans approved under paragraph (1) must be implemented upon commencement of the relevant stage of the onshore transmission works.

(3) If any of the accesses identified in the outline access management plan are required for pre-commencement archaeological investigations, a specific plan for such accesses which must accord with the relevant details set out in the outline access management plan must be submitted to and approved by the relevant planning authority, in consultation with the highway authority, prior to

the construction and use of such accesses. The accesses identified must be constructed and used in accordance with the details contained in the specific plan so approved.

(4) Following the making of the Hornsea Three Offshore Wind Farm Development Consent Order, and notwithstanding the requirement of sub-paragraph (a) of paragraph (1) above, the traffic management plan shall include, in respect of Link 34 as referred to in the Environmental Statement, revised details of a scheme of traffic mitigation, which shall be submitted to, and approved in writing by the relevant planning authority in consultation with the highway authority.

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**Commencement Information**

**I21** Sch. 1 Pt. 3 para. 21 in force at 1.1.2022, see [art. 1](#)

**Highway accesses**

**22.**—(1) The access management plan submitted for approval under Requirement 21(1)(c) must include details of the siting, design, layout and any access management measures for any new, permanent or temporary means of access (including, where relevant, details of reinstatement measures) to a highway to be used by vehicular traffic, or any alteration to an existing means of access to a highway used by vehicular traffic.

(2) The highway accesses for each stage of the onshore transmission works must be constructed or altered and the works described in paragraph (1) above in relation to access management measures must be carried out, as the case may be, in accordance with the approved details before they are brought into use for the purposes of the authorised project.

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**Commencement Information**

**I22** Sch. 1 Pt. 3 para. 22 in force at 1.1.2022, see [art. 1](#)

**Archaeological written scheme of investigation**

**23.**—(1) No stage of the onshore transmission works may commence until for that stage an archaeological written scheme of investigation (which accords with the outline written scheme of investigation (onshore)) has, after consultation with Norfolk County Council and Historic England, been submitted to and approved by the relevant planning authority.

(2) In the event that archaeological site investigation is required, the scheme must include details of the following—

- (a) an assessment of significance and research questions; and
- (b) the programme and methodology of site investigation and recording;
- (c) the programme for post investigation assessment;
- (d) provision to be made for analysis of the site investigation and recording;
- (e) provision to be made for publication and dissemination of the analysis and records of the site investigation;
- (f) provision to be made for archive deposition of the analysis and records of the site investigation; and
- (g) nomination of a competent person or persons/organisation to undertake the works set out within the written scheme of investigation.

(3) Any archaeological site investigation, archaeological works or watching brief must be carried out in accordance with the approved scheme.

(4) Pre-commencement surveys, site preparation works and archaeological investigations must only take place in accordance with a specific written scheme of investigation which is in accordance with the details set out in the outline written scheme of investigation (onshore), and which has been submitted to and approved by the relevant planning authority.

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**Commencement Information**

**I23** Sch. 1 Pt. 3 para. 23 in force at 1.1.2022, see [art. 1](#)

### **Ecological management plan**

**24.**—(1) No stage of the onshore transmission works may commence until for that stage a written ecological management plan (which accords with the outline landscape and ecological management strategy as appropriate for the relevant stage) has been submitted to and approved by the relevant planning authority in consultation with the relevant statutory nature conservation body. The ecological management plan must be informed by post consent ecological surveying of previously un-surveyed areas for the relevant stage.

(2) The ecological management plan must include an implementation timetable and must be carried out as approved.

(3) Pre-commencement site clearance works must only take place in accordance with a specific ecological management plan for site clearance works which is in accordance with the relevant details for site clearance works set out in the outline landscape and ecological management strategy, and which has been submitted to and approved by the relevant planning authority. The plan for site clearance works must be informed by post consent ecological surveying of previously un-surveyed areas for the relevant stage referred to in the plan.

(4) Construction works within 5km of the Broadland Special Protection Area and Ramsar site must be carried out in accordance with the mitigation relating to onshore ornithology contained in section 10.3.1 to 10.3.2 of the outline landscape and ecological management strategy, which must be incorporated into the ecological management plan.

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**Commencement Information**

**I24** Sch. 1 Pt. 3 para. 24 in force at 1.1.2022, see [art. 1](#)

### **Watercourse crossings**

**25.**—(1) No stage of the onshore transmission works involving the crossing, diversion and subsequent reinstatement of any designated main river or ordinary watercourse may commence until a scheme and programme for any such crossing, diversion and reinstatement in that stage has been submitted to and, approved by the relevant planning authority in consultation with Norfolk County Council, the Environment Agency, relevant drainage authorities and the relevant statutory nature conservation body.

(2) The designated main river or ordinary watercourse must be crossed, diverted and subsequently reinstated in accordance with the approved scheme and programme.

(3) Unless otherwise permitted under paragraph (1), throughout the period of construction of the onshore transmission works, all ditches, watercourses, field drainage systems and culverts must be maintained such that the flow of water is not impaired or the drainage onto and from adjoining land is not rendered less effective.

**Commencement Information**

**I25** Sch. 1 Pt. 3 para. 25 in force at 1.1.2022, see [art. 1](#)

**Construction hours**

**26.**—(1) Construction work for the onshore transmission works must only take place between 0700 hours and 1900 hours Monday to Friday, and 0700 hours to 1300 hours on Saturdays, with no activity on Sundays or bank holidays, except as specified in paragraphs (2) to (4).

(2) Outside the hours specified in paragraph (1), construction work may be undertaken for essential activities including but not limited to—

- (a) continuous periods of operation that are required as assessed in the environmental statement, such as concrete pouring, drilling, and pulling cables (including fibre optic cables) through ducts;
- (b) delivery to the onshore transmission works of abnormal loads that may otherwise cause congestion on the local road network;
- (c) works required that may necessitate the temporary closure of roads;
- (d) onshore transmission works requiring trenchless installation techniques;
- (e) onshore transmission works at the landfall;
- (f) commissioning or outage works associated with the extension to the Necton National Grid substation comprised within Work No. 10A;
- (g) commissioning or outage works associated with the overhead line modification works comprised within Work No. 11A and Work No. 11B;
- (h) electrical installation; and
- (i) emergency works.

(3) Outside the hours specified in paragraph (1), construction work may be undertaken for non-intrusive activities including but not limited to—

- (a) fitting out works within the onshore project substation buildings comprised within Work No. 8A; and
- (b) daily start up or shut down.

(4) Save for emergency works, full details, including but not limited to type of activity, vehicle movements and type, timing and duration and any proposed mitigation, of all essential construction activities under paragraph (2) and undertaken outside of the hours specified in paragraph (1) must be agreed with the relevant planning authority in writing in advance, and must be carried out within the agreed time.

(5) No crushing or screening works must take place at any time on any of the mobilisation areas, without the prior written consent of the relevant planning authority.

**Commencement Information**

**I26** Sch. 1 Pt. 3 para. 26 in force at 1.1.2022, see [art. 1](#)

## Control of noise during operational phase and during maintenance

27.—(1) The noise rating level for the use of Work No. 8A and during maintenance must not exceed 35dB  $L_{Aeq(5 \text{ minutes})}$  at any time at a free field location immediately adjacent to any noise sensitive location.

(2) The noise rating level for the use of Work No. 8A and during maintenance must not exceed 32 dB  $L_{Leq(15 \text{ minutes})}$  in the 100Hz third octave band at any time at a free field location immediately adjacent to any noise sensitive location.

(3) Work No. 8A must not commence operation until a scheme for monitoring compliance with the noise rating levels set out in paragraphs (1) and (2) above has been submitted to and approved by the relevant planning authority. The scheme must include identification of suitable monitoring locations (and alternative surrogate locations if appropriate) and times when the monitoring is to take place to demonstrate that the noise levels have been achieved after both initial commencement of operations and six months after Work No. 8A is at full operational capacity. Such measurements must be submitted to the relevant planning authority no later than 28 days following completion to confirm the rating level of operational noise emissions do not exceed the levels specified in subparagraphs (1) and (2), including details of any remedial works and a programme of implementation should the emissions exceed the stated levels.

(4) The monitoring scheme must be implemented as approved.

### Commencement Information

I27 Sch. 1 Pt. 3 para. 27 in force at 1.1.2022, see [art. 1](#)

## European protected species onshore

28.—(1) No stage of the onshore transmission works may commence until final pre-construction survey work has been carried out to establish whether a European protected species is present on any of the land affected, or likely to be affected, by that stage of the onshore transmission works or in any of the trees to be lopped or felled as part of that stage of the onshore transmission works.

(2) Where a European protected species is shown to be present, the relevant part(s) of the onshore transmission works must not begin until, after consultation with the relevant statutory nature conservation body and the relevant planning authority, a scheme of protection and mitigation measures has been submitted to and approved by the relevant planning authority. The onshore transmission works must be carried out in accordance with the approved scheme.

(3) “European protected species” has the same meaning as in regulations 42 and 46 of the Conservation of Habitats and Species Regulations 2017(2).

### Commencement Information

I28 Sch. 1 Pt. 3 para. 28 in force at 1.1.2022, see [art. 1](#)

## Onshore decommissioning

29.—(1) Within six months of the permanent cessation of commercial operation of the onshore transmission works an onshore decommissioning plan must be submitted to the relevant planning authority for approval.

(2) The onshore decommissioning plan must be implemented as approved.

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(2) [S.I. 2017/1012](#).

(3) The undertaker must notify the relevant planning authority in writing of the permanent cessation of commercial operation of the onshore transmission works within 28 days of such permanent cessation.

**Commencement Information**

**I29** Sch. 1 Pt. 3 para. 29 in force at 1.1.2022, see [art. 1](#)

**Requirement for written approval**

**30.** Where under any of the above requirements the approval or agreement of the Secretary of State, the relevant planning authority or any other relevant discharging authority is required, that approval or agreement must be given in writing.

**Commencement Information**

**I30** Sch. 1 Pt. 3 para. 30 in force at 1.1.2022, see [art. 1](#)

**Amendments to approved details**

**31.—(1)** With respect to any requirement which requires the authorised project to be carried out in accordance with the details approved by the relevant planning authority <sup>F4</sup>... or any other relevant discharging authority, the approved details must be carried out as approved unless an amendment or variation is previously agreed in writing by the relevant planning authority or any other relevant discharging authority in accordance with paragraph (2).

(2) Any amendments to or variations from the approved details must be in accordance with the principles and assessments set out in the environmental statement. Such agreement may only be given in relation to changes where it has been demonstrated to the satisfaction of the relevant planning authority or that other relevant discharging authority that 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.

(3) The approved details must be taken to include any amendments that may subsequently be approved in writing by the relevant planning authority or that other relevant discharging authority.

**F4** Word in [Sch. 1 Pt. 3 para. 31\(1\)](#) omitted (12.8.2022) by virtue of [The Norfolk Boreas Offshore Wind Farm \(Corrections\) Order 2022 \(S.I. 2022/901\)](#), [art. 1\(2\)](#), [Sch.](#)

**Commencement Information**

**I31** Sch. 1 Pt. 3 para. 31 in force at 1.1.2022, see [art. 1](#)

**Operational drainage plan**

**32.—(1)** Each of Work Nos. 8A, 8B, 10A, 10B and 10C must not commence until a written plan for drainage during operation of the relevant work, has been submitted to and approved by the relevant planning authority, following consultation with Norfolk County Council and the Environment Agency.

(2) The operational drainage plan must accord with the principles for the relevant work set out in the outline operational drainage plan, and must include a timetable for implementation.

(3) The operational drainage plan must be implemented as approved.

**Commencement Information**

**I32** Sch. 1 Pt. 3 para. 32 in force at 1.1.2022, see [art. 1](#)

**Skills and employment strategy**

**33.**—(1) No stage of the onshore transmission works may commence until a skills and employment strategy (which accords with the outline skills and employment strategy) has been submitted to and approved in writing by Norfolk County Council.

(2) Prior to submission of the skills and employment strategy for approval in accordance with paragraph (1), the undertaker must consult North Norfolk District Council, Broadland District Council, Breckland District Council, Norfolk County Council and the New Anglia Local Enterprise Partnership on the content of the strategy.

(3) The skills and employment strategy must be implemented as approved.

**Commencement Information**

**I33** Sch. 1 Pt. 3 para. 33 in force at 1.1.2022, see [art. 1](#)

**Cromer Primary Surveillance Radar**

**34.**—(1) No erection of any wind turbine generator forming part of the authorised development may commence until the Secretary of State having consulted with NATS has confirmed satisfaction in writing that appropriate mitigation will be implemented and maintained for the lifetime of the authorised development and that arrangements have been put in place with NATS to ensure that the approved mitigation is implemented and in operation prior to erection of the wind turbine generators.

(2) The undertaker must thereafter comply with all other obligations contained within the approved mitigation for the lifetime of the authorised development.

(3) For the purposes of this requirement—

“appropriate mitigation” means measures to prevent or remove any adverse effects which the operation of the authorised development will have on NATS’ ability to provide safe and efficient air traffic (surveillance and control) services/operations during the lifetime of the authorised development in respect of which all necessary stakeholder consultation has been completed by NATS and all necessary approvals and regulatory consents have been obtained;

“approved mitigation” means the detailed Primary Surveillance Radar Mitigation Scheme setting out the appropriate mitigation approved by the Secretary of State and confirmed in writing in accordance with paragraph (1);

“NATS” means NATS (En-Route) Plc or any successor body; and

“lifetime of the authorised development” means the period ending when the wind turbine generators are finally decommissioned and removed.

**Commencement Information**

**I34** Sch. 1 Pt. 3 para. 34 in force at 1.1.2022, see [art. 1](#)

### Reuse of temporary works in the event of scenario 1

**35.**—(1) In the event that any temporary works which have been constructed pursuant to any development consent order that may be made by the Secretary of State in relation to the Norfolk Vanguard Offshore Wind Farm are proposed to be reused by the undertaker in connection with the authorised project, such reuse may not commence until a scheme which accords with paragraph (2) has been submitted to and approved by the relevant planning authority.

(2) The scheme to be submitted for approval under paragraph (1) must include details of the temporary works to be reused and a timetable for their reuse;

(3) The scheme must be implemented as approved.

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#### Commencement Information

**I35** Sch. 1 Pt. 3 para. 35 in force at 1.1.2022, see [art. 1](#)

### Base port(s) travel plans

**36.**—(1) No stage of the offshore works may commence until a travel plan for the onshore port-related traffic to and from the selected base port(s) relating to the construction of the offshore works, has been submitted to and approved in writing by the relevant planning authority in consultation with the relevant highway authority. The travel plan must be implemented as approved at all times specified within the travel plan during the construction of the offshore works.

(2) For the purposes of this Requirement— “selected base port” means the port situated in England used by management personnel for construction of the offshore works; and “relevant planning authority” and “relevant highway authority” mean the planning or highway authority or authorities in whose area the selected base port is located.

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#### Commencement Information

**I36** Sch. 1 Pt. 3 para. 36 in force at 1.1.2022, see [art. 1](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Norfolk Boreas Offshore Wind Farm Order 2021, PART 3.