

## SCHEDULE 1

### Authorised project

## PART 3

### Requirements

#### Time limits

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

#### Commencement Information

II Sch. 1 Pt. 3 para. 1 in force at 6.8.2014, see [art. 1](#)

#### Detailed offshore design parameters

2.—(1) Subject to paragraph (2), no wind turbine generator forming part of the authorised development shall—

- (a) exceed a height of 210 metres when measured from LAT to the tip of the vertical blade;
- (b) exceed a height of 124 metres when measured from LAT to the height of the centreline of the generator shaft forming part of the hub;
- (c) exceed a rotor diameter of 172 metres;
- (d) be less than 600 metres from the nearest WTG in either direction perpendicular to the approximate prevailing wind direction (crosswind) or be less than 600 metres from the nearest WTG in either direction which is in line with the approximate prevailing wind direction (downwind);
- (e) have a distance of less than 22 metres between the lowest point of the rotating blade of the wind turbine and MHWS.

(2) References to the location of a wind turbine generator are references to the centre point of the tower of that WTG.

(3) The layout of all wind turbine generators and offshore substations within the Order limits shall comprise an overall contiguous arrangement of offshore structures; within such overall contiguous arrangement there shall be no more than three contiguous groupings each comprising wind turbine generators of a similar size and each such grouping shall be laid out in a regular pattern such that along each row axis within the grouping there is an approximately equal distance between wind turbine generators.

(4) For the purposes of this requirement, “similar size” means a wind turbine with a difference in rotor diameter of less than 15%.

(5) No wind turbine generator or offshore substation forming part of the authorised development shall be erected within the area hatched black on the works plan (the “exclusion zone for wind turbine generators and offshore substations”), whose coordinates are specified below—

Point	Latitude (DMS)	Longitude (DMS)
3	50° 40' 39.19 N	000° 04' 26.23 W

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<i>Point</i>	<i>Latitude (DMS)</i>	<i>Longitude (DMS)</i>
4	50° 39' 31.72 N	000° 01' 28.06 W
5	50° 38' 34.92 N	000° 09' 02.89 W
19	50° 41' 23.11 N	000° 20' 37.74 W

#### Commencement Information

**I2** Sch. 1 Pt. 3 para. 2 in force at 6.8.2014, see [art. 1](#)

**3.—**(1) The total number of offshore substations forming part of the authorised development shall not exceed two.

(2) The dimensions of any offshore substation forming part of the authorised development (excluding masts) shall not exceed 45 metres in height when measured from LAT, 45 metres in length and 45 metres in width.

(3) Each offshore substation shall have no more than one supporting foundation.

#### Commencement Information

**I3** Sch. 1 para. 3 in force at 6.8.2014, see [art. 1](#)

**4.—**(1) The total length of the cables comprising Work No. 3A shall not exceed 92 kilometres.

(2) The total length of the cables comprising Work No. 1(b) shall not exceed 230 kilometres.

(3) The total amount of cable protection for the cables comprising Work No. 3A shall not exceed 0.092km<sup>3</sup>.

(4) The total amount of cable protection for the cables comprising Work No. 1(b) shall not exceed 0.23km<sup>3</sup>.

(5) No export cables forming part of the authorised development shall be located within the area hatched green on the works plan (the “exclusion zone for export cables”), whose coordinates are specified below—

<i>Point</i>	<i>Latitude (DMS)</i>	<i>Longitude (DMS)</i>
17	50° 45' 11.46 N	000° 14' 39.33 W
22	50° 47' 40.20 N	000° 17' 22.86 W
23	50° 43' 59.56 N	000° 17' 23.22 W
24	50° 43' 59.47 N	000° 13' 03.88 W

#### Commencement Information

**I4** Sch. 1 para. 4 in force at 6.8.2014, see [art. 1](#)

**5.—**(1) Each monopile foundation forming part of the authorised development shall not have a diameter greater than 6.5 metres.

(2) Each gravity base foundation forming part of the authorised development shall not have—

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- (a) a diameter at the level of the seabed which is greater than 34 metres;
  - (b) a base height, where there is a flat base, which is greater than 10 metres above the level of the seabed.
- (3) Each jacket foundation forming part of the authorised development shall not have—
- (a) a width spacing between each leg at the level of the seabed which is greater than 32 metres;
  - (b) a leg diameter which is greater than 2.6 metres;
  - (c) a pile diameter which is more than 2.6 metres;
  - (d) more than one pile per leg;
  - (e) more than four legs.
- (4) Each tripod foundation forming part of the authorised development shall not have—
- (a) a pile diameter which is greater than 2.8 metres;
  - (b) more than one pile per leg;
  - (c) more than three legs;
  - (d) a column diameter which is greater than 4.5 metres.
- (5) Each suction caisson foundation forming part of the authorised development shall not have—
- (a) a diameter at the level of the seabed which is more than 35 metres;
  - (b) a column diameter which is more than 6.5 metres.
- (6) Each IBGS foundation forming part of the authorised development shall not have—
- (a) a width spacing between each leg at the level of the seabed which is greater than 26 metres;
  - (b) a central pile diameter which is greater than 2.8 metres; and
  - (c) a raking pile diameter which is greater than 1.5 metres.
- (7) No more than 156 monopile foundations shall be installed as part of the authorised development.
- (8) No more than 124 jacket foundations shall be installed as part of the authorised development.
- (9) No more than 124 IBGS foundations shall be installed as part of the authorised development.
- (10) No more than 165 tripod foundations shall be installed as part of the authorised development.
- (11) No more than 80 gravity base foundations shall be installed as part of the authorised development.
- (12) No more than 118 suction caisson foundations shall be installed as part of the authorised development.
- (13) The total amount of scour protection for the WTGs and offshore substations forming part of the authorised development shall not exceed 831,400m<sup>3</sup>.

**Commencement Information**

**I5** Sch. 1 para. 5 in force at 6.8.2014, see [art. 1](#)

**Commencement Information**

**I2** Sch. 1 Pt. 3 para. 2 in force at 6.8.2014, see [art. 1](#)

**I3** Sch. 1 para. 3 in force at 6.8.2014, see [art. 1](#)

**I4** Sch. 1 para. 4 in force at 6.8.2014, see [art. 1](#)

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**15** Sch. 1 para. 5 in force at 6.8.2014, see [art. 1](#)

### Base port travel plan

6.—(1) For the purposes of this requirement only—

“local planning authority” and “local highway authority” mean the planning or highway authority or authorities in England or Wales in whose area the relevant port is located;

“selected base port” means a port situated in England or Wales and used by management personnel for construction of the authorised development.

(2) Save for any horizontal directional drilling works, Work Nos. 1, 2 or 3A shall not be commenced until a travel plan for the onshore port-related traffic to and from the selected base port and relating to the authorised development, has been submitted to and approved in writing by the local planning authority in consultation with the local highway authority.

(3) The travel plan must be implemented as approved at all times specified within the travel plan during the construction of the authorised development.

#### Commencement Information

**16** Sch. 1 para. 6 in force at 6.8.2014, see [art. 1](#)

### Lighting

7. The undertaker shall exhibit such lights, with such shape, colour and character as are required by Air Navigation Order 2009(1), or as directed by the Civil Aviation Authority.

#### Commencement Information

**17** Sch. 1 para. 7 in force at 6.8.2014, see [art. 1](#)

### Offshore decommissioning

8. No authorised development shall 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.

#### Commencement Information

**18** Sch. 1 para. 8 in force at 6.8.2014, see [art. 1](#)

### Stages of authorised development onshore

9.—(1) The connection works shall not commence until a written scheme setting out the stages of the connection works has been submitted to and approved by West Sussex County Council.

(2) The scheme shall be implemented as approved.

(1) [S.I. 2009/3015](#), to which there are amendments not relevant to this Order.

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#### Commencement Information

**I9** Sch. 1 para. 9 in force at 6.8.2014, see [art. 1](#)

#### Design approval onshore

**10.**—(1) No part of Work No. 25 shall commence until details of its layout, design, scale and external appearance (which shall accord with the principles of the onshore substation design and access statement) have been submitted to and approved in writing by West Sussex County Council.

(2) No building comprised in Work No. 25 shall exceed 6 metres in height above existing ground level and nor shall it exceed a footprint of 560m<sup>2</sup>.

(3) No external equipment comprised in Work No. 25 shall exceed 10.5 metres in height above existing ground level.

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#### Commencement Information

**I10** Sch. 1 para. 10 in force at 6.8.2014, see [art. 1](#)

#### Provision of landscaping

**11.**—(1) The works comprising Work No. 25 shall not commence until a written landscaping scheme and associated work programme (which accords with the principles set out in figure 26.6 of the environmental statement) has been submitted to and approved in writing by West Sussex County Council.

(2) The landscaping scheme shall include details of all proposed hard and soft landscaping works, 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) existing ground levels and proposed finished ground levels;
- (d) hard surfacing materials;
- (e) vehicular and pedestrian access, parking and circulation areas;
- (f) minor structures, such as furniture, refuse or other storage units, signs and lighting;
- (g) proposed and existing functional services above and below, ground, including drainage, power and communications cables and pipelines, manholes and supports;
- (h) details of existing trees and hedgerows to be removed and justification for their removal, including evidence to show that their removal is the only practicable course of action;
- (i) details of existing trees and hedgerows to be retained with measures for their protection during the construction period;
- (j) retained historic landscape features and proposals for restoration, where relevant;
- (k) implementation timetables for all landscaping works; and
- (l) proposed finished heights, form and gradient of earthworks.

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**Commencement Information**

**I11** Sch. 1 para. 11 in force at 6.8.2014, see [art. 1](#)

**Implementation and maintenance of landscaping**

**12.**—(1) All landscaping works in relation to Work No. 25 shall be carried out in accordance with the landscaping scheme approved under requirement 11 (provision of landscaping) and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards.

(2) Any tree or shrub planted as part of an approved landscaping scheme in relation to any land landward of MLWS within the Order limits that, within a period of ten years after planting, is removed, dies or becomes, in the opinion of West Sussex County Council or South Downs National Park Authority within the South Downs National Park, seriously damaged or diseased, shall be replaced in the first available planting season with a specimen of the same species and size as that originally planted.

**Commencement Information**

**I12** Sch. 1 para. 12 in force at 6.8.2014, see [art. 1](#)

**Highway accesses**

**13.**—(1) No stage of the connection works shall commence until written details of the siting, design, degree of permanence and layout of—

- (a) any new permanent means of access to a highway outside the South Downs National Park to be used by vehicular traffic for that stage; or
- (b) any new temporary means of access to a highway to be used by vehicular traffic for that stage; or
- (c) any alteration to an existing means of access to a highway used by vehicular traffic for that stage,

has been submitted to and approved by West Sussex County Council or, where such access is directly to or from a trunk road, the Secretary of State for Transport.

(2) The highway accesses shall be constructed in accordance with the approved details.

**Commencement Information**

**I13** Sch. 1 para. 13 in force at 6.8.2014, see [art. 1](#)

**Permanent highway accesses in the South Downs National Park**

**14.**—(1) No stage of the connection works within the South Downs National Park shall commence until written details of the siting, design and layout of any new permanent means of access to a highway to be used by vehicular traffic for that stage has, in consultation with the relevant highway authority, been submitted to and approved by South Downs National Park Authority.

(2) The highway accesses shall be constructed in accordance with the approved details.

#### Commencement Information

**I14** Sch. 1 para. 14 in force at 6.8.2014, see [art. 1](#)

### Public rights of way

**15.**—(1) No stage of the connection works shall commence until, for that stage, the undertaker has provided to the relevant highway authority for its approval a public rights of way diversion and closure scheme (which accords with the public rights of way strategy) which shall include—

- (a) a programme for the temporary closure and re-opening of the public rights of way specified at Schedule 4 (public rights of way to be temporarily stopped up), save for the National Trail in the South Downs National Park, comprising—
  - (i) a plan for the sequencing of construction of the connection works;
  - (ii) any alternative routes during the temporary closure, including routes within the working width; and
  - (iii) the re-opening of the public rights of way upon the cessation of that part of the authorised development requiring the temporary closure of those rights of way;
- (b) the specification for the new footpath forming part of Footpath 8T specified in Schedule 3 (footpath to be permanently stopped up).

(2) The authorised development shall thereafter be carried out in accordance with the approved scheme.

(3) Prior to the commencement of the connection works the undertaker shall provide to the relevant highways authority in consultation with the South Downs National Park Authority a rights of way and access land communication management plan, which shall include—

- (a) proposals for informing the public of the start and duration of the connection works where public rights of way or the access land described in Schedule 6 (temporary suspension of public access to access land) are affected, including signage; and
- (b) details of the proposed diversions and temporary closures to minimise impacts on public rights of way during construction of the connection works.

#### Commencement Information

**I15** Sch. 1 para. 15 in force at 6.8.2014, see [art. 1](#)

### National Trail in the South Downs National Park

**16.**—(1) No stage of the connection works within the South Downs National Park shall commence until the undertaker has provided to the South Downs National Park Authority for its approval a National Trail diversion and closure scheme (which accords with the public rights of way strategy) which shall include a programme for the temporary closure and re-opening of the National Trail, comprising—

- (a) a plan for the sequencing of construction of the connection works;
- (b) any alternative routes during the temporary closure, including routes within the working width; and
- (c) the re-opening of the National Trail upon the cessation of that part of the authorised development requiring the temporary closure of the National Trail.

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(2) The authorised development shall thereafter be carried out in accordance with the approved scheme.

**Commencement Information**

**I16** Sch. 1 para. 16 in force at 6.8.2014, see [art. 1](#)

**Fencing and means of enclosure**

**17.**—(1) Work No. 25 shall not commence operation until written details of all proposed permanent fences, walls or other means of enclosure for that work have been submitted to and approved by West Sussex County Council.

(2) The permanent fencing, walls or other means of enclosure at Work No. 25 shall be installed as approved.

**Commencement Information**

**I17** Sch. 1 para. 17 in force at 6.8.2014, see [art. 1](#)

**Temporary fencing in the South Downs National Park**

**18.**—(1) No stage of the connection works within the South Downs National Park shall commence until written details of all proposed temporary fencing or other means of enclosure for that stage that will be in situ for longer than six months have been submitted to and approved by South Downs National Park Authority.

(2) The temporary fencing or other means of enclosure shall be installed as approved.

(3) Any temporary fencing or other means of enclosure shall be removed on completion of the relevant stage of the connection works.

**Commencement Information**

**I18** Sch. 1 para. 18 in force at 6.8.2014, see [art. 1](#)

**Surface and foul water drainage**

**19.**—(1) The works comprising Work No. 25 shall not commence until written details of the surface and (if any) foul water drainage system (including means of pollution control) have, after consultation with the relevant sewerage and drainage authorities and the Environment Agency, been submitted to and approved by West Sussex County Council.

(2) The surface and foul water drainage system for Work No. 25 shall be constructed in accordance with the approved details.

**Commencement Information**

**I19** Sch. 1 para. 19 in force at 6.8.2014, see [art. 1](#)



## Contaminated land and groundwater

**20.** If during the construction of the connection works further contamination not previously identified is found to be present at the site then no further work shall be carried out on that part of the site until a risk assessment has been carried out and the results of the risk assessment have been provided to West Sussex County Council.

### Commencement Information

**I20** Sch. 1 para. 20 in force at 6.8.2014, see [art. 1](#)

## Landfill site

**21.—(1)** No relevant stage of the connection works shall commence until—

- (a) a scheme for the site investigation and risk assessment at the former landfill site at Brooklands Pleasure Park, the location of which is identified on figure 22.4 in the environmental statement, is submitted to and approved by West Sussex County Council in consultation with the Environment Agency and Worthing Borough Council; and
- (b) a landfill management plan to address potential risks identified by the approved scheme in (a) above is submitted to and approved by West Sussex County Council in consultation with the Environment Agency and Worthing Borough Council.

(2) The approved landfill management plan shall thereafter be fully implemented and adhered to throughout the period of the construction of the connection works.

### Commencement Information

**I21** Sch. 1 para. 21 in force at 6.8.2014, see [art. 1](#)

## Flood risk

**22.—(1)** No stage of the connection works may commence until there has been submitted to and approved in writing by West Sussex County Council in consultation with the Environment Agency a scheme for mitigation of flood risk during the construction and operation of the authorised development.

(2) The scheme shall contain in particular—

- (a) provision for stockpiles of excavated materials to be located outside the flood plain where possible, or back from the edges of the watercourse to reduce the risk of silt run-off;
- (b) provision for gaps at intervals in the stockpiles to ensure that floodwater movement is not hindered;
- (c) details regarding offsite disposal of surplus excavated materials;
- (d) details regarding storage of fuel or other hazardous substances outside the flood plain; and
- (e) details regarding reinstatement of the flood plain area to minimise the risk of unprotected topsoil being lost by scour.

(3) The plan approved shall thereafter be fully implemented and adhered to throughout the period of the construction and operation of the authorised development.

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**Commencement Information**

**I22** Sch. 1 para. 22 in force at 6.8.2014, see [art. 1](#)

**Archaeology**

**23.**—(1) No stage of the connection works, including any trial trenching, shall commence outside the South Downs National Park until in relation to the relevant stage of the connection works a written scheme of archaeological investigation (which accords with the outline onshore written scheme of archaeological investigation) has been submitted to and approved in writing by West Sussex County Council.

(2) The written scheme of archaeological investigation shall identify areas where field work and/or a watching brief are required, and the measures to be taken to protect, record or preserve any significant archaeological remains that may be found.

(3) Any archaeological works or watching brief carried out under the scheme shall be by a suitably qualified person or body approved by West Sussex County Council.

(4) Any archaeological works or watching brief shall be carried out in accordance with the approved scheme.

**Commencement Information**

**I23** Sch. 1 para. 23 in force at 6.8.2014, see [art. 1](#)

**Archaeology in the South Downs National Park**

**24.**—(1) No stage of the connection works, including any trial trenching, shall commence within the South Downs National Park until in relation to the relevant stage of the connection works a written scheme of archaeological investigation (which accords with the outline onshore written scheme of archaeological investigation) has been submitted to and approved in writing by South Downs National Park Authority.

(2) The written scheme of archaeological investigation shall identify areas where field work and/or a watching brief are required, and the measures to be taken to protect, record or preserve any significant archaeological remains that may be found.

(3) Any archaeological works or watching brief carried out under the scheme shall be by a suitably qualified person or body approved by South Downs National Park Authority.

(4) Any archaeological works or watching brief shall be carried out in accordance with the approved scheme.

**Commencement Information**

**I24** Sch. 1 para. 24 in force at 6.8.2014, see [art. 1](#)

**Scheduled monument at Tottington Mount**

**25.**—(1) No relevant stage of the connection works shall commence until a methodology for those works that affect the Bronze Age cross-dyke scheduled monument at Tottington Mount (the “scheduled monument”) has been submitted and approved in writing by English Heritage.

(2) The methodology approved under paragraph (1) shall form part of the written scheme of archaeological investigation provided pursuant to requirement 24 (archaeology in the South Downs National Park), and the relevant stage of the works at the scheduled monument shall be carried out in accordance with the approved methodology.

(3) The methodology referred to in paragraph (1) shall include provisions to ensure that equipment and machinery are not used or operated on the scheduled monument in such conditions or in such manner that is likely to result in damage to the monument or to ground disturbance in the vicinity of the scheduled monument, other than is necessary for the construction and installation of that part of the authorised development that affects the scheduled monument.

(4) The undertaker shall provide at least 4 weeks' notice (or such shorter period as may be agreed with English Heritage) of the commencement of the works at the scheduled monument.

(5) The undertaker shall provide access to the works at the scheduled monument to facilitate any inspection that English Heritage considers necessary to inspect the works to ensure compliance with the methodology approved under paragraph (1) above.

(6) The undertaker shall ensure that all agents and contractors involved in the construction works at the scheduled monument are informed of the following—

- (a) the land is designated as a scheduled monument under the Ancient Monuments and Archaeological Areas Act 1979(2); and
- (b) the extent of the land designated as a scheduled monument, as set out in the scheduled monument description and map on the National Heritage List for England.

#### Commencement Information

**I25** Sch. 1 para. 25 in force at 6.8.2014, see [art. 1](#)

### Construction environmental management plan

**26.**—(1) No stage of the connection works shall commence until a construction environmental management plan, drafted in accordance with the principles set out in the outline construction environmental management plan has been submitted to and approved by West Sussex County Council in consultation with the Environment Agency and, in relation to the soil management plan referred to in paragraph (2)(a) below, Natural England.

(2) The plan shall contain in particular—

- (a) a soil management plan which shall include measures for the handling, placing, compaction and management of soil;
- (b) a construction air quality management plan which shall include measures to control fugitive emissions from construction activities and the suppression of dirt and dust;
- (c) an invasive species management plan which shall include the control and removal of invasive weed species;
- (d) a site waste management plan to control the storage, use and disposal of materials during construction;
- (e) measures to monitor and minimise vibration during construction of the connection works;
- (f) proposals for environmental management during operation of Work No. 25; and
- (g) a written scheme to deal with contamination of land including groundwater within the Order limits.

(2) [1979 c. 46](#). The Act was amended by section 33 of, and Schedule 4 to, the National Heritage Act [1983 \(c. 47\)](#), and by section 36 of, and Schedule 2 to, the Planning Act 2008. There are other amendments to this Act which are not relevant.

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(3) All remediation, construction and commissioning works shall be undertaken in accordance with the approved plan.

**Commencement Information**

**I26** Sch. 1 para. 26 in force at 6.8.2014, see [art. 1](#)

**Watercourse crossings**

**27.**—(1) No stage of the connection works involving the crossing, diversion and subsequent reinstatement of any designated main river or ordinary watercourse shall commence until a scheme and programme (including a timescale) for that crossing, diversion and reinstatement has been submitted to and, after consultation with the Environment Agency, approved in writing by West Sussex County Council.

(2) The designated main river or ordinary watercourse shall 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 connection works, all ditches, watercourses, field drainage systems and culverts shall be maintained such that the flow of water is not impaired or the drainage onto and from adjoining land rendered less effective.

**Commencement Information**

**I27** Sch. 1 para. 27 in force at 6.8.2014, see [art. 1](#)

**Ecological and landscape management plan**

**28.**—(1) No stage of the connection works outside the South Downs National Park shall commence until a written ecological and landscape management plan for the connection works outside the South Downs National Park (which accords with the outline ecological and landscape management plan) reflecting the survey results and ecological mitigation and enhancement measures, and taking into account landscape reinstatement, included in the environmental statement has been submitted to and approved in writing by West Sussex County Council in consultation with Natural England.

(2) The ecological and landscape management plan shall contain in particular—

- (a) a hedgerows management plan, which shall include proposals for replacement of any hedgerows or important hedgerows to be removed pursuant to article 37(4) (felling or lopping of trees and removal of hedgerows) and shall accord with the principles set out in the outline hedgerows management plan; and
- (b) an arboricultural method statement which shall include proposals for replacement of any tree to be felled pursuant to article 37(1) (felling or lopping of trees and removal of hedgerows) or article 38(1) (trees subject to tree preservation orders) and shall accord with the principles set out in the outline arboricultural method statement.

(3) The plan shall include an implementation timetable and shall be carried out as approved.

**Commencement Information**

**I28** Sch. 1 para. 28 in force at 6.8.2014, see [art. 1](#)

## **Ecological and landscape management plan for the South Downs National Park**

**29.**—(1) No stage of the connection works within the South Downs National Park shall commence until a written ecological and landscape management plan for the connection works within the South Downs National Park (which accords with the outline ecological and landscape management plan) reflecting the survey results and ecological mitigation and enhancement measures, and taking into account landscape reinstatement, included in the environmental statement has been submitted to and approved in writing by the South Downs National Park Authority in consultation with Natural England.

(2) The ecological and landscape management plan for the South Downs National Park shall contain in particular—

- (a) a hedgerows management plan, which shall include proposals for replacement of any hedgerows or important hedgerows to be removed pursuant to article 37(4) (felling or lopping of trees and removal of hedgerows) and shall accord with the principles set out in the outline hedgerows management plan; and
  - (b) an arboricultural method statement which shall include proposals for replacement of any tree to be felled pursuant to article 37(1) (felling or lopping of trees and removal of hedgerows) or article 38(1) (trees subject to tree preservation orders) and shall accord with the principles set out in the outline arboricultural method statement.
- (3) The plan shall include an implementation timetable and shall be carried out as approved.

### **Commencement Information**

**I29** Sch. 1 para. 29 in force at 6.8.2014, see [art. 1](#)

## **Construction health, safety and environmental plan**

**30.**—(1) No stage of the connection works shall commence until a construction health, safety and environmental plan (which may include the construction environmental management plan) which sets out the working methods of contractors and site staff and the standards expected, has been submitted to and approved in writing by West Sussex County Council in relation to the connection works.

(2) The plan shall contain details of—

- (a) reference to relevant health, safety and environmental legislation and compliance;
- (b) project organisation and management;
- (c) method statements and risk assessments;
- (d) construction site management;
- (e) communication and emergency response plan;
- (f) working hours;
- (g) site security;
- (h) welfare facilities;
- (i) local community liaison responsibilities, including communications plan;
- (j) minimum training requirements for site staff;
- (k) temporary fences, walls or other means of enclosure outside the South Downs National Park;
- (l) environmental management; and
- (m) construction laydown areas.

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(3) The plan approved in relation to the connection works shall be followed in relation to those works.

**Commencement Information**

**I30** Sch. 1 para. 30 in force at 6.8.2014, see [art. 1](#)

**Construction traffic management plan**

**31.—(1)** No stage of the connection works shall commence until a construction traffic management plan (which accords with the outline construction traffic management plan) has been submitted to and approved by West Sussex County Council in consultation with the Secretary of State for Transport.

(2) The construction traffic management plan shall accord with the principles set out in the environmental statement and shall include proposals for—

- (a) construction vehicle routing;
- (b) site accesses;
- (c) the management of junctions to and crossings of the public highway and other public rights of way;
- (d) the scheduling and timing of movements, in particular the details of abnormal load movements;
- (e) temporary warning signs;
- (f) a workforce travel plan; and
- (g) access routes along the highway network to construction compounds and construction laydown areas.

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

(4) The access marked AC6 on the access to works plan at Lambley's Lane/A27 trunk road shall not be brought into use as a construction access for the authorised development until the undertaker has demonstrated to the reasonable satisfaction of the Secretary of State for Transport that the access and the junction with the A27 trunk road can be used or altered in a way that maintains the safety and operation of the A27 trunk road.

**Commencement Information**

**I31** Sch. 1 para. 31 in force at 6.8.2014, see [art. 1](#)

**Construction hours**

**32.—(1)** Construction work for the connection works and any construction-related traffic movements to or from any site of the connection works shall not take place other than between 0700 hours and 1900 hours Monday to Friday and between 0800 hours and 1300 hours on Saturday, with no activity on Sundays, public holidays or bank holidays, save—

- (a) where continuous periods of construction work are required, such as concrete pouring or directional drilling and West Sussex County Council and the South Downs National Park Authority within the South Downs National Park has been notified prior to such works 72 hours in advance;

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- (b) for the delivery of abnormal loads to the connection works, which may cause congestion on the local road network, where the relevant highway authority has been notified prior to such works 72 hours in advance;
- (c) where works are being carried out on the foreshore;
- (d) as otherwise agreed in writing with West Sussex County Council and the South Downs National Park Authority within the South Downs National Park.

(2) All construction operations which are to be undertaken outside the hours specified in paragraph (1) shall be agreed with West Sussex County Council and, for works within the South Downs National Park, the South Downs National Park Authority, in writing in advance, and shall be carried out within the agreed times.

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**Commencement Information**

**I32** Sch. 1 para. 32 in force at 6.8.2014, see [art. 1](#)

**External lighting and control of artificial light emissions**

**33.**—(1) No stage of the connection works outside the South Downs National Park where artificial lighting is required shall commence until written details of any external lighting to be installed in connection with that stage, including measures to prevent light spillage has been submitted to and approved by West Sussex County Council; any approved means of lighting shall subsequently be installed as approved.

(2) Work No. 25 shall not be commenced until a written scheme for the management and mitigation of artificial light emissions during the operation of Work No. 25 has been submitted to and approved in writing by West Sussex County Council.

(3) The approved scheme for the management and mitigation of artificial light emissions shall be implemented before and maintained during the operation of Work No. 25.

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**Commencement Information**

**I33** Sch. 1 para. 33 in force at 6.8.2014, see [art. 1](#)

**External lighting in the South Downs National Park**

**34.**—(1) No stage of the connection works within the South Downs National Park where artificial lighting is required shall commence until written details of any external lighting to be installed in connection with that stage, including measures to prevent light spillage, has been submitted to and approved by the South Downs National Park Authority.

(2) Any approved means of lighting shall subsequently be installed as approved.

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**Commencement Information**

**I34** Sch. 1 para. 34 in force at 6.8.2014, see [art. 1](#)

**Control of noise during construction**

**35.**—(1) No stage of the connection works shall commence until a written scheme for noise management during construction of those works (which accords with the outline construction noise management plan) has been submitted to and approved by West Sussex County Council.



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- (2) The scheme shall set out the particulars of—
- (a) the works, and the method by which they are to be carried out;
  - (b) the noise attenuation measures to be taken to minimise noise resulting from the works, including any noise limits;
  - (c) in the case of Work No. 25 and any horizontal directional drilling works, a scheme for monitoring noise to ensure compliance with the noise limits and the effectiveness of the attenuation measures;
  - (d) in the case of Work No. 25, restrictions on certain construction activities to within the hours of 0800 and 1800 Monday to Friday and between 0800 hours and 1300 hours on Saturday, with no activity on Sundays, public holidays or bank holidays; and
  - (e) provision of notifications regarding exceptional hours of working.

(3) The approved noise management scheme shall be implemented before and maintained during construction of the connection works.

(4) The construction of the connection works shall be undertaken in accordance with the approved noise management scheme.

**Commencement Information**

**I35** Sch. 1 para. 35 in force at 6.8.2014, see [art. 1](#)

**Control of noise during operational phase**

**36.**—(1) Work No. 25 shall not commence operation until a written scheme for noise management including monitoring and attenuation for the use of Work No. 25 has been submitted to and approved by West Sussex County Council.

(2) The noise management scheme shall be implemented as approved and maintained for the duration of use of the authorised development.

**Commencement Information**

**I36** Sch. 1 para. 36 in force at 6.8.2014, see [art. 1](#)

**European protected species onshore**

**37.**—(1) No stage of the connection works shall 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 connection works or in any of the trees to be lopped or felled as part of that stage of the connection works.

(2) Where a European protected species is shown to be present, the relevant part(s) of the connection works outside the South Downs National Park shall not commence until, after consultation with Natural England, a scheme of protection and mitigation measures has been submitted to and approved in writing by West Sussex County Council.

(3) The connection works shall be carried out in accordance with the approved scheme.

**Commencement Information**

**I37** Sch. 1 para. 37 in force at 6.8.2014, see [art. 1](#)



### European protected species within the South Downs National Park

**38.**—(1) Where a European protected species is shown to be present within the South Downs National Park pursuant to requirement 37 (European protected species onshore), the relevant part(s) of the connection works within the South Downs National Park shall not commence until, after consultation with Natural England, a scheme of protection and mitigation measures has been submitted to and approved in writing by South Downs National Park Authority.

(2) The connection works shall be carried out in accordance with the approved scheme.

#### Commencement Information

**I38** Sch. 1 para. 38 in force at 6.8.2014, see [art. 1](#)

### Restoration of land used temporarily for construction

**39.**—(1) Any land landward of MLWS within the Order limits and outside the South Downs National Park which is used temporarily for construction of the connection works and not ultimately incorporated in permanent works or approved landscaping, shall be reinstated to its former condition, or such condition as West Sussex County Council may approve, within 12 months of completion of commissioning of the connection works (or prior to this, if reasonably practicable).

(2) For the purposes of this requirement, “completion of commissioning” means the date when the circuits have been fully tested and verified that they are able to transmit their rated power capacity to the grid connection point.

#### Commencement Information

**I39** Sch. 1 para. 39 in force at 6.8.2014, see [art. 1](#)

### Restoration of land within the South Downs National Park used temporarily for construction

**40.**—(1) Any land within the South Downs National Park which is used temporarily for construction of the connection works and not ultimately incorporated in permanent works or approved landscaping, shall be reinstated to its former condition, or such condition as the South Downs National Park Authority may approve, within 12 months of completion of commissioning of the connection works (or prior to this, if reasonably practicable).

(2) For the purposes of this requirement, “completion of commissioning” means the date when the circuits have been fully tested and verified that they are able to transmit their rated power capacity to the grid connection point.

(3) No connection works within South Downs National Park shall commence until a method statement for the restoration of the chalk grasslands following construction of those works (which accords with the outline Tottington Mount management plan certified by the Secretary of State for the purposes of this Order) has been submitted to and approved by the South Downs National Park Authority.

(4) The restoration works shall be carried out in accordance with the approved scheme.

#### Commencement Information

**I40** Sch. 1 para. 40 in force at 6.8.2014, see [art. 1](#)

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## Onshore decommissioning

**41.**—(1) Upon the cessation of commercial operation of the onshore substation works (described in Schedule 1 to the Order and identified in the Works Plan as Work No. 25), a scheme for the demolition and removal of the relevant works and restoration of the substation site to its previous land use and condition as agricultural land, including a proposed timetable, shall be submitted to Mid Sussex District Council for its approval following consultation with Natural England.

(2) Following its approval the scheme shall be carried out in accordance with the approved details and timetable unless otherwise agreed in writing by Mid Sussex District Council.

### Commencement Information

**I41** Sch. 1 para. 41 in force at 6.8.2014, see [art. 1](#)

## Amendments to approved details

**42.**—(1) With respect to any requirement which requires the authorised development to be carried out in accordance with the details approved by the relevant planning authority or another approval authority (as specified), the approved details shall be carried out as approved unless an amendment or variation is agreed in advance in writing by the relevant planning authority or that other approval authority as specified in the relevant requirement in accordance with paragraph (2) and in consultation with any body specified in the relevant requirement or by requirement 43 (consultation with local planning authority).

(2) Any amendments to or variations from the approved details shall be in accordance with the principles and assessments set out in the environmental statement.

(3) The approved details shall be taken to include any amendments approved in writing by the relevant planning authority or that other approval authority.

### Commencement Information

**I42** Sch. 1 para. 42 in force at 6.8.2014, see [art. 1](#)

## Consultation with local planning authority

**43.**—(1) For the purposes of this requirement, “local planning authority” means the planning authority for the area in which the land to which the relevant provision of this Order applies is situated.

(2) Where an application is made to West Sussex County Council for any consent, agreement or approval under the requirements, details shall be approved by West Sussex County Council in consultation with the local planning authority.

### Commencement Information

**I43** Sch. 1 para. 43 in force at 6.8.2014, see [art. 1](#)

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**Changes and effects yet to be applied to :**

- Sch. 1 Pt. 3 words substituted by [S.I. 2015/1319 Sch.](#)

**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):

- Sch. 1 Pt. 3 para. 15(1) substituted by [S.I. 2021/535 art. 5\(a\)](#)
- Sch. 1 Pt. 3 para. 15(2) substituted by [S.I. 2021/535 art. 5\(b\)](#)