

## 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.

#### **Detailed offshore design parameters**

2.—(1) Subject to sub-paragraph (2), wind turbine generators forming part of the authorised project must not—

- (a) exceed a height of 282 metres when measured from LAT to the tip of the vertical blade;
- (b) exceed a height of 175 metres to the height of the centreline of the generator shaft forming part of the hub when measured from LAT;
- (c) exceed a rotor diameter of 250 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 1,200 metres from the nearest wind turbine generator in either direction which is in line with the approximate prevailing wind direction (downwind); and
- (e) have an air clearance height of less than 24 metres from MHWS.

(2) References to the location of a wind turbine generator in sub-paragraph (1) above are references to the centre point of that turbine.

3.—(1) The total number of offshore electrical platforms forming part of the authorised project must not exceed four.

(2) The total number of construction, operation and maintenance platforms must not exceed one.

(3) The total number of meteorological masts must not exceed one.

(4) The dimensions of any offshore electrical platform forming part of the authorised project (excluding towers, helipads, masts and cranes) must not exceed 50 metres in height when measured from LAT, 70 metres in length and 50 metres in width.

(5) The dimensions of any construction, operation and maintenance platform forming part of the authorised project (excluding towers, helipads, masts and cranes) must not exceed 50 metres in height when measured from LAT, 70 metres in length and 50 metres in width.

(6) The meteorological mast must not exceed a height of 175 metres above LAT.

4.—(1) The total length of the inter-array cables comprised within Work No. 1(c) must not exceed 200 kilometres.

(2) The total length of the platform link cables comprised within Work No. 4 must not exceed 75 kilometres.

(3) The total length of the export cables comprised within Work Nos. 5 and 6 must not exceed 152 kilometres.

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**5.—(1)** In relation to a wind turbine generator, each gravity base foundation must not have a diameter at the level of the seabed which is more than 60 metres.

(2) In relation to a wind turbine generator, each suction caisson foundation must not have a diameter at the level of the seabed which is more than 35 metres.

(3) In relation to a wind turbine generator, each jacket foundation must not have—

(a) a pile diameter which is more than 4.6 metres in the case of pin piles or a suction caisson diameter which is more than 16 metres;

(b) more than four piles or more than four suction caissons; and

(c) more than four legs.

(4) In relation to a wind turbine generator, each monopile foundation must not have a diameter which is more than 15 metres.

**6.—(1)** In relation to a meteorological mast, each gravity base foundation must not have a footprint at the seabed which is more than 315 m<sup>2</sup>.

(2) In relation to a meteorological mast, each suction caisson foundation must not have a footprint at the seabed which is more than 177 m<sup>2</sup>.

(3) In relation to a meteorological mast, each jacket foundation must not have a footprint at the seabed which is more than 651 m<sup>2</sup>.

(4) In relation to a meteorological mast, each monopile foundation must not have a footprint at the seabed which is more than 51 m<sup>2</sup>.

**7.—(1)** In relation to each offshore electrical platform, the gravity base foundations must not have a total footprint at the seabed which is more than 4,800 m<sup>2</sup>.

(2) In relation to each offshore electrical platform, the jacket foundations must not have a total footprint at the seabed which is more than 5,676 m<sup>2</sup>.

(3) In relation to each offshore electrical platform, the monopile foundations must not have a total footprint at the seabed which is more than 177 m<sup>2</sup>.

**8.—(1)** In relation to a construction, operation and maintenance platform, the gravity base foundations must not have a total footprint of more than 4,800 m<sup>2</sup>.

(2) In relation to a construction, operation and maintenance platform, the jacket foundations must not have a total footprint at the seabed which is more than 5,676 m<sup>2</sup>.

(3) In relation to any construction, operation and maintenance platform, the monopile foundation must not have a total footprint at the seabed which is more than 177 m<sup>2</sup>.

**9.** The total amount of scour protection for the wind turbine generators, construction, operation and maintenance platform, meteorological mast and offshore electrical platform forming part of the authorised project must not exceed 1,428,854 m<sup>2</sup>.

### **Offshore decommissioning**

**10.** 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<sup>(1)</sup> has been submitted to the Secretary of State for approval.

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(1) Section 105(2) was substituted by section 69(3) of the Energy Act 2008 (c. 32).

### **Stages of authorised development onshore**

11.—(1) The transmission works may not be commenced until a written scheme setting out the stages of the transmission works has been submitted to, and approved by, the relevant planning authority.

(2) The grid connection works may not be commenced until a written scheme setting out the stages of the grid connection works has been submitted to, and approved by, the relevant planning authority.

(3) Any amendments to the approved written schemes must be submitted to, and approved by, the relevant planning authority.

(4) The written schemes specified in sub-paragraphs (1) and (2) must be implemented as approved. The approved details shall be taken to include any amendments that may subsequently be approved in accordance with sub-paragraph (3).

### **Detailed design parameters onshore**

12.—(1) No stage of Work No. 30 may commence until details of the layout, scale and external appearance of the onshore substation have been submitted to and approved by the relevant planning authority in consultation with Suffolk County Council. Work No. 30 must be carried out in accordance with the approved details.

(2) No stage of Work No. 30 may commence until written details of the specification of plant, and any noise mitigation proposed in respect of Work No. 30 together with updated modelling, have been submitted to and approved in writing by the relevant planning authority in consultation with Suffolk County Council. Work No. 30 must thereafter be implemented in accordance with the approved details.

(3) No stage of the national grid substation comprised within Work No. 41 may commence until details of the layout, scale and external appearance of the national grid substation have been submitted to and approved by the relevant planning authority in consultation with Suffolk County Council. Work No. 41 must be carried out in accordance with the approved details.

(4) No stage of the cable sealing end compounds comprised within Work No. 38 may commence until details of the layout, scale and external appearance of the cable sealing end compounds have been submitted to and approved by the relevant planning authority in consultation with Suffolk County Council. Work No. 38 must be carried out in accordance with the approved details.

(5) Any details provided by the undertaker pursuant to sub-paragraphs (1), (2), (3) and (4) must accord with the substations design principles statement and be within the Order limits.

(6) To the extent comprised within the onshore substation—

- (a) buildings must not exceed a height of 14 metres above finished ground level;
- (b) external electrical equipment, with the exception of lightning protection masts, must not exceed a height of 14 metres above finished ground level;
- (c) lightning protection masts must not exceed a height of 20 metres above finished ground level; and
- (d) the maximum number of lightning protection masts must not exceed six.

(7) Buildings comprised within the national grid substation must not exceed—

- (a) where AIS substation arrangement is used, a height of 6 metres above finished ground level; and
- (b) where GIS substation arrangement is used, a height of 16 metres above finished ground level.

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(8) External electrical equipment comprised within the national grid substation must not exceed a height of 16 metres above finished ground level.

(9) To the extent comprised within the cable sealing end compounds comprised within Work No. 38—

- (a) the overhead line gantries must not exceed a height of 16 metres above finished ground level; and
- (b) electrical equipment (excluding the overhead line gantries) must not exceed a height of 14.5 metres above finished ground level.

(10) For the purposes of paragraphs (6) to (9), ‘finished ground level’ will be defined in accordance with the substations design principles statement .

(11) The maximum number of new additional overhead line pylons comprised within Work No. 39 must not exceed one and the maximum number of permanently relocated and/or reconstructed overhead line pylons comprised within Work No. 39 must not exceed three.

(12) The maximum height of any additional, relocated or reconstructed overhead line pylons must not exceed 59.2 metres.

(13) The width of the new permanent access road comprised within Work No. 34 must not exceed 7 metres.

(14) The fenced compound area (excluding its accesses) for the onshore substation must not exceed 32,300 m<sup>2</sup>.

(15) The fenced compound area (excluding its accesses) for the national grid substation must not exceed—

- (a) where AIS substation arrangement is used, 44,950 m<sup>2</sup>; and
- (b) where GIS substation arrangement is used, 16,800 m<sup>2</sup>.

(16) The fenced compound area (excluding its accesses) for the cable sealing end compounds comprised within Work No. 38 must not exceed—

- (a) 5,000m<sup>2</sup> where the cable sealing end compound includes circuit breakers; and
- (b) 2,500m<sup>2</sup> where the cable sealing end compound does not include circuit breakers.

(17) The total footprint of the construction consolidation sites comprised within the following works must not exceed the following—

<i>Work</i>	<i>Total footprint of construction consolidation sites</i>
Work Nos. 7 and 8 (combined)	7,040 m <sup>2</sup>
Work No. 11	7,040 m <sup>2</sup>
Work No. 16	7,040 m <sup>2</sup>
Work No. 18	3,000 m <sup>2</sup>
Work No. 22	3,000 m <sup>2</sup>
Work No. 27	16,500 m <sup>2</sup>
Work No. 31	17,100 m <sup>2</sup>
Work No. 42	23,350 m <sup>2</sup>

(18) The working width of the onshore cable route must not exceed 32 metres, save in respect of the following—

- (a) where the cables cross the Sandlings SPA the working width of the onshore cable route must not exceed—
  - (i) 16.1 metres, in the event that open cut trenching is used;
  - (ii) 90 metres, in the event that a trenchless technique is used;
- (b) where the cables cross the Hundred River the working width of the onshore cable route must not exceed 34 metres for a distance of 40 metres from the banks of the river;
- (c) where the cables cross the woodland to the west of Aldeburgh Road the working width of the onshore cable route must not exceed 16.1 metres;
- (d) where the cables cross an important hedgerow specified in Part 2 of Schedule 11 (important hedgerows that will be crossed using a reduced working width) the working width of the onshore cable route must not exceed 16.1 metres;
- (e) where the cables are within 418 metres of a transition bay forming part of Work No. 8, the working width of the onshore cable route must not exceed 113 metres; and
- (f) where the cables cross the woodland to the east of Aldeburgh Road the working width of the onshore cable route must not exceed 16.1 metres between Aldeburgh Road and the point 40 metres from the western bank of the Hundred River.

(19) Jointing bays must not be installed within 55 metres of a building used as a dwelling-house.

(20) Where open cut trenching is used to cross the Sandlings SPA, Work Nos. 11 and 13 must not include trenchless technique compounds.

(21) The ducts and cables comprised within Work No. 6 must be installed using horizontal directional drilling.

### **Landfall construction method statement and monitoring plan**

13.—(1) No part of Work Nos. 6 or 8 may commence until the following have been submitted to and approved by the relevant planning authority in consultation with the relevant statutory nature conservation body and, in respect of sub-paragraph (a) and to the extent that it relates to works seaward of mean high water springs, the marine management organisation—

- (a) a landfall construction method statement for the construction of that part of Work No. 6 or Work No. 8 (which accords with the outline landfall construction method statement); and
- (b) a landfall monitoring plan (which accords with the outline landfall monitoring plan contained within appendix 2 of the outline landfall construction method statement).

(2) The landfall construction method statement and the landfall monitoring plan must be implemented as approved.

(3) In the event that inspections carried out in accordance with the landfall monitoring plan indicate that, as a result of the rate and extent of landfall erosion, Work Nos. 6 or 8 could become exposed during the operation of the authorised project the undertaker must, as soon as practicable, submit proposals in writing for remedial works or mitigation measures to protect Work Nos. 6 or 8 from coastal retreat, together with a timetable for their implementation, to the relevant planning authority for approval in consultation with the relevant statutory nature conservation body and the remedial works or mitigation measures must be implemented as approved.

### **Provision of landscaping**

14.—(1) No stage of the onshore works may commence until for that stage a written landscape management plan and associated work programme (which accords with the outline landscape and

ecological management strategy and includes details of the ongoing maintenance and management of the landscaping works) has been submitted to and approved by the relevant planning authority.

(2) The written landscape management plan(s) and associated work programme(s) must be implemented as approved.

### **Implementation and maintenance of landscaping**

**15.**—(1) All landscaping works must be carried out and maintained in accordance with the landscape management plan(s) approved under requirement 14 (provision of landscaping), and in accordance with the relevant recommendations of appropriate British Standards.

(2) Any tree or shrub planted as part of an approved landscape management plan that, within a period of five years (save in relation to Work Nos. 19, 24, 29 and 33, for which the relevant period is 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 alternative timing or a different specimen is otherwise approved by the relevant planning authority.

### **Highway accesses**

**16.**—(1) Construction of any access must not begin until written details (which accord with the outline access management plan) of the siting, design, layout and any access management measures for any new, permanent or temporary means of access 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, has been submitted to and approved by the relevant highway authority in consultation with the relevant planning authority.

(2) The highway accesses 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.

### **Fencing and other means of enclosure**

**17.**—(1) No stage of the onshore works may commence until for that stage written details of all proposed permanent and temporary fences, walls or other means of enclosure of the onshore works have been submitted to and approved by the relevant planning authority.

(2) All fencing and other means of enclosure of the onshore works must be in accordance with the approved details.

(3) Any temporary fencing must be removed on completion of the relevant stage of the onshore works unless otherwise approved by the relevant planning authority.

(4) Any approved permanent fencing in relation to the onshore substation comprised within Work No. 30, the national grid substation comprised within Work No. 41 and the sealing end compounds comprised within Work No. 38 must be completed before the respective substation or sealing end compound is brought into use and must be maintained for the operational lifetime of the work to which it relates.

### **Contaminated land and groundwater**

**18.**—(1) No stage of the onshore works shall commence until a written scheme applicable to that stage, to mitigate the potential for release of contaminants within the Order limits has, after consultation with the Environment Agency, been submitted to and approved by the relevant planning authority.

(2) The scheme must include an investigation and assessment report, prepared by a specialist consultant approved by the relevant planning authority, to identify the extent of any contamination within the Order limits comprised in that stage and mitigation measures to be undertaken to limit impacts arising from the potential release of contaminants.

(3) The written scheme referred to in sub-paragraph (1) must be implemented as approved.

### **Pre-commencement archaeology execution plan**

**19.**—(1) No intrusive onshore preparation works (including pre-commencement archaeological surveys, archaeological investigations or site preparation works in respect of such surveys or investigations) may be carried out until a pre-commencement archaeology execution plan (which accords with the outline pre-commencement archaeology execution plan and the outline written scheme of investigation (onshore archaeology)) in respect of those works has been submitted to and approved by Suffolk County Council in consultation with the relevant planning authority.

(2) Intrusive onshore preparation works must be carried out in accordance with the approved plan.

### **Archaeology**

**20.**—(1) No stage of the onshore works may commence until for that stage a written scheme of archaeological investigation (which accords with the outline written scheme of investigation (onshore archaeology) and is informed by the pre-commencement archaeological surveys) has, after consultation with Historic England, been submitted to and approved by Suffolk County Council in consultation with the relevant planning authority.

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

- (a) an assessment of significance and research questions;
- (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 works or watching brief must be carried out in accordance with the approved written scheme of archaeological investigation for that stage.

(4) In the event that site investigation is required, the site investigation and post investigation assessment must be completed for that stage in accordance with the programme set out in the written scheme of archaeological investigation and provision made for analysis, publication and dissemination of results and archive deposition secured for that stage.

### **Ecological management plan**

**21.**—(1) No stage of the onshore works may commence until for that stage a written ecological management plan (which accords with the outline landscape and ecological management strategy) reflecting pre-construction survey results, and the ecological mitigation measures included in the environmental statement and including—

- (a) a breeding bird protection plan;

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- (b) an arboricultural method statement;
- (c) an invasive species method statement;
- (d) where appropriate, a special protection area crossing method statement (which accords with the outline SPA crossing method statement); and
- (e) precautionary method of dealing of working for reptiles

has been submitted to and approved by the relevant planning authority in consultation with the relevant statutory nature conservation body.

(2) Onshore preparation works may not be carried out until a written ecological management plan (which accords with the outline landscape and ecological management strategy) for those works reflecting survey results and the ecological mitigation measures included in the environmental statement has been submitted to and approved by the relevant planning authority in consultation with the relevant statutory nature conservation body.

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

### **Code of construction practice**

**22.**—(1) No stage of the onshore works may commence until for that stage a code of construction practice (which must accord with the outline code of construction practice) has been submitted to and approved by the relevant discharging authority.

(2) The code of construction practice must include—

- (a) a surface water and drainage management plan;
- (b) a flood management plan;
- (c) a construction phase noise and vibration management plan;
- (d) a site waste management plan;
- (e) a soil management plan including method statements for soil handling;
- (f) an air quality management plan;
- (g) a materials management plan;
- (h) a pollution prevention and response plan including a groundwater protection method statement and construction method statements for the protection of onshore water;
- (i) a stakeholder communications plan;
- (j) an artificial light emissions management plan;
- (k) a watercourse crossing method statement (which accords with the outline watercourse crossing method statement); and
- (l) a Sizewell Gap construction method statement (which accords with the outline Sizewell Gap construction method statement).

(3) The relevant discharging authority is the relevant planning authority, except in relation to any surface water and drainage management plan prepared under requirements 22(2)(a) or flood management plan prepared under requirement 22(2)(b), where it is the relevant lead local flood authority.

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

(5) In approving the code of construction practice the relevant discharging authority must consult with the relevant planning authority in relation to the following plans—

- (a) the surface water and drainage management plan; and



(b) the flood management plan.

(6) In approving the code of construction practice the relevant discharging authority must consult with the relevant statutory nature conservation body in relation to the watercourse crossing method statement and in relation to the following plans to the extent that they relate to the Works Nos. specified—

- (a) the surface water and drainage management plan in respect of Work Nos. 7 to 14 and Work No. 19;
- (b) the construction phase noise and vibration management plan in respect of Work Nos. 7 to 14;
- (c) the soil management plan in respect of Work No. 12 and Work No. 12A;
- (d) the pollution prevention and response plan in respect of Work Nos. 7 to 14 and Work No. 19; and
- (e) the artificial light emissions management plan in respect of Work Nos. 7 to 14.

#### **Construction hours for the transmission works**

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

(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, dewatering, cable pulling, cable jointing and drilling during the operation of a trenchless technique;
- (b) internal fitting out works associated with the onshore substation;
- (c) delivery to the transmission works of abnormal loads that may cause congestion on the local road network;
- (d) the testing or commissioning of any electrical plant or cables installed as part of the authorised development; and
- (e) activity necessary in the instance of an emergency where there is a risk to persons, delivery of electricity or property.

(3) With the exception of activities undertaken in accordance with sub-paragraph (2)(e), the timing and duration of construction work undertaken in accordance with sub-paragraph (2) and, where works do not fall within sub-paragraphs (2)(a) to (2)(e), whether such works are essential, must be approved by the relevant planning authority in writing in advance, and must be carried out within the approved time.

#### **Construction hours for the grid connection works**

**24.**—(1) Construction work for the grid connection works must only take place between 0700 hours and 1900 hours Monday to Friday and 0700 hours and 1300 hours on Saturdays, with no activity on Sundays or bank holidays, except as specified in sub-paragraph (2).

(2) Outside the hours specified in sub-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 and the installation and removal of conductors, pilot wires and associated protective netting across highways or public footpaths;
- (b) internal fitting out works associated with the national grid substation;

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- (c) the completion of construction activities commenced during the approved working hours which cannot safely be stopped;
- (d) the testing or commissioning of any electrical plant installed as part of the authorised development; and
- (e) activity necessary in the instance of an emergency where there is a risk to persons or property.

(3) With the exception of activities undertaken in accordance with sub-paragraph (2)(e), the timing and duration of construction work undertaken in accordance with sub-paragraph (2) and, where works do not fall within sub-paragraphs (2)(a) to (2)(e), whether such works are essential, must be approved by the relevant planning authority in writing in advance, and must be carried out within the approved time.

### **Control of artificial light emissions during operational phase**

**25.**—(1) Work No. 30 must not begin operation until an operational artificial light emissions management plan providing details of artificial light emissions during the operation of Work No. 30, including measures to minimise lighting pollution and the hours of lighting, has been submitted to and approved by the relevant planning authority.

(2) The approved operational artificial light emissions management plan must be implemented upon, and maintained during, the operation of Work No. 30.

(3) Work No. 41 must not begin operation until an operational artificial light emissions management plan providing details of artificial light emissions during the operation of Work No. 41, including measures to minimise lighting pollution and the hours of lighting, has been submitted to and approved by the relevant planning authority.

(4) The approved operational artificial light emissions management plan must be implemented upon, and maintained during, the operation of Work No. 41.

(5) Work No. 38 must not begin operation until an operational artificial light emissions management plan providing details of artificial light emissions during the operation of Work No. 38, including measures to minimise lighting pollution and the hours of lighting, has been submitted to and approved by the relevant planning authority.

(6) The approved operational artificial light emissions management plan must be implemented upon, and maintained during, the operation of Work No. 38.

### **Onshore preparation works management plan**

**26.**—(1) Prior to carrying out specified onshore preparation works, an onshore preparation works management plan in respect of those works (which accords with appendix 1 of the outline code of construction practice) must be submitted to and approved by the relevant planning authority in consultation with Suffolk County Council.

(2) The specified onshore preparation works must be carried out in accordance with the approved onshore preparation works management plan.

(3) For the purposes of this requirement, “specified onshore preparation works” means operations consisting of site clearance, demolition work, early planting of landscaping works, intrusive ecological mitigation, investigations for the purpose of assessing ground conditions, remedial work in respect of any contamination or other adverse ground conditions, diversion and laying of services, erection of temporary means of enclosure, creation of site accesses, footpath creation and erection of welfare facilities.

### **Control of noise during operational phase**

27.—(1) The combined noise rating level for the standard operation of Work No. 30 cumulatively with the standard operation of the new national grid substation and the East Anglia TWO onshore substation must not exceed—

- (a) 32dB LAeq (15 min) at any time at a free field location immediately adjacent to the following noise sensitive locations—
  - (i) 1 Woodside Cottages, Grove Road (641837, 261172);
  - (ii) Woodside Barn Cottages, Church Road (641237, 260645);
- (b) 31dB LAeq (15 min) at any time at a free field location immediately adjacent to the noise sensitive location—
  - Little Moor Farm, Knodishall (641228, 261676).

(2) Work No. 30 must not operate at the same time as the new national grid substation or the East Anglia TWO onshore substation until a scheme for monitoring compliance with the noise rating levels set out in sub-paragraph (1) above has been submitted to and approved by the relevant planning authority. The scheme must be based on principles set out in BS 4142:2014+A1:2019. The reference method set out in Annex D to BS 4142:2014+A1:2019 shall be used in the assessment of whether tonal penalties apply. The scheme must identify—

- (a) the required meteorological and other conditions under which the measurements will be taken, acknowledging that data obtained during emergency operation or testing of certain plant and equipment is not to be taken in to account;
- (b) suitable monitoring locations (and alternative surrogate locations if appropriate); and
- (c) times when the monitoring is to take place

to demonstrate that the noise levels have been achieved after—

- (d) initial commencement of—
  - (i) Work No. 30, the new national grid substation and the East Anglia TWO onshore substation all operating at the same time; and
  - (ii) where Work No. 30 begins operation before the East Anglia TWO onshore substation, Work No. 30 and the new national grid substation operating at the same time; and
- (e) six months after—
  - (i) Work No. 30, the new national grid substation and the East Anglia TWO onshore substation have all been operating cumulatively at full capacity; and
  - (ii) where Work No. 30 begins operation at least six months before the East Anglia TWO onshore substation, both Work No. 30 and the new national grid substation have been operating cumulatively at full capacity.

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

(4) For the purposes of this requirement—

- (a) “East Anglia TWO onshore substation” means the onshore substation comprised within Work No. 30 of the East Anglia TWO Order;
- (b) “new national grid substation” means the national grid substation comprised within Work No. 41 of this Order and Work No. 41 of the East Anglia TWO Order; and
- (c) “standard operation” means the ordinary operation of the substations excluding emergency operation and the testing of plant and equipment associated with emergency operation.

## **Traffic**

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

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

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

## **Restoration of land used temporarily for construction**

**29.** Any land landward of mean low water springs within the Order limits which is used temporarily for construction of the onshore works and not ultimately incorporated in permanent works or approved landscaping must be reinstated, in accordance with such details as the relevant planning authority in consultation with the relevant highway authority may approve, within twelve months of completion of the relevant stage of the onshore works or such other period as the relevant planning authority may approve.

## **Onshore decommissioning**

**30.**—(1) The undertaker must notify the relevant planning authority of the permanent cessation of commercial operation of the transmission works within 14 days following the date of permanent cessation.

(2) Within six months following the permanent cessation of commercial operation of the transmission works an onshore decommissioning plan in respect of the transmission works must be submitted to and approved by the relevant planning authority in consultation with the relevant highway authority and the relevant statutory nature conservation body.

(3) The undertaker must notify the relevant planning authority of the permanent cessation of commercial operation of the grid connection works within 14 days following the date of permanent cessation.

(4) Within six months following the permanent cessation of commercial operation of the grid connection works an onshore decommissioning plan in respect of the grid connection works must be submitted to and approved by the relevant planning authority in consultation with the relevant highway authority and the relevant statutory nature conservation body.

(5) The decommissioning plans must be implemented as approved.

## **Aviation Lighting**

**31.**—(1) The undertaker must exhibit such lights, with such shape, colour and character as are required in writing by Air Navigation Order 2016<sup>(2)</sup> and determined necessary for aviation safety in consultation with the Defence Infrastructure Organisation Safeguarding and as directed by the Civil Aviation Authority.

(2) Such lights will be operated at the lowest permissible lighting intensity level.

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

### **Public rights of way**

**32.**—(1) No stage of the authorised development or onshore preparation works that would affect a public right of way specified in Schedule 3 (public rights of way to be temporarily stopped up) or Schedule 4 (footpaths to be stopped up) is to be undertaken until a public rights of way strategy in respect of that stage and in accordance with the outline public rights of way strategy, including the specification for the making up of an alternative right of way (where appropriate) has been submitted to and approved by the relevant highway authority in consultation with the relevant planning authority.

(2) Any alternative public rights of way must be implemented in accordance with the approved public rights of way strategy.

### **Emergency planning arrangements**

**33.**—(1) No part of the relevant works shall commence until the Suffolk Resilience Forum Radiation Emergency Plan has been reviewed to account for the relevant works or part thereof and reissued in accordance with the relevant Radiation Emergency Preparedness Regulations.

(2) Emergency planning arrangements specified within the Suffolk Resilience Forum Radiation Emergency Plan in respect of the relevant works shall be implemented in relation to the relevant part of the relevant works, unless otherwise agreed with Suffolk County Council after consultation with the Sizewell Emergency Planning Consultative Committee or Suffolk Resilience Forum as appropriate.

(3) For the purposes of this requirement—

(a) “the relevant works” means—

(i) the onshore preparation works;

(ii) the onshore works; and

(iii) to the extent that they are within the Sizewell B Detailed Emergency Planning Zone, the offshore works.

(b) “the relevant Radiation Emergency Preparedness Regulations” means the Radiation (Emergency Preparedness and Public Information) Regulations 2019(3) as amended from time to time; and

(c) “the relevant Sizewell B Detailed Emergency Planning Zone” means the Sizewell Detailed Emergency Planning Zone detailed within the Suffolk Resilience Forum Radiation Emergency Plan.

### **Ministry of Defence surveillance operations**

**34.**—(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 Trimingham and the Ministry of Defence’s air surveillance and control operations;

(b) “approved mitigation” means the detailed Radar Mitigation Scheme that will set out the appropriate measures and timescales for implementation as agreed with the Ministry of

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(3) [S.I. 2019/703](#).

*Status: This is the original version (as it was originally made).*

Defence at the time the Secretary of State confirms satisfaction in writing in accordance with paragraph (1);

- (c) “Ministry of Defence” means the Ministry of Defence as represented by Defence Infrastructure Organisation – Safeguarding, Kingston Road, Sutton Coldfield, B75 7RL 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.

### **Cromer Primary Surveillance Radar**

**35.**—(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 required period 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 the obligations contained within the approved mitigation for the required period.

(3) For the purposes of this requirement—

- (a) “appropriate mitigation” means measures to mitigate any adverse effects which the operation of the authorised development will have on the primary surveillance radar at Cromer and NATS’ associated air traffic (surveillance and control) services/operations during the required period;
- (b) “approved mitigation” means the detailed Primary Radar Mitigation Scheme setting out the appropriate mitigation approved by the Secretary of State and confirmed in writing in accordance with sub-paragraph (1);
- (c) “NATS” means NATS (En-Route) Plc (company number 04129273) or any successor body;
- (d) “the required period” means the shorter of—
  - (i) the operational life of the authorised development; and
  - (ii) the period ending on the date notified to the Secretary of State by the undertaker and confirmed in writing by NATS being the date on which NATS no longer requires the appropriate mitigation to be in place.

### **Port traffic**

**36.**—(1) No part of Work No. 1 may commence until—

- (a) a port construction traffic management plan (which accords with the outline port construction traffic management and travel plan) for the onshore port-related traffic to and from the construction port or ports and relating to that part of the authorised development, has been submitted to and approved by the relevant highway authority in consultation with the relevant planning authority; or
- (b) the relevant highway authority has confirmed, after consultation with the relevant planning authority, that no port construction traffic management plan is required for that part of the authorised development.

(2) No part of Work No. 1 may begin operating until—

- (a) a port travel plan (which accords with the outline port construction traffic management and travel plan) for the onshore port-related traffic to and from the operation port or ports and

- relating to that part of the authorised development, has been submitted to and approved by the relevant highway authority in consultation with the relevant planning authority; or
- (b) the relevant highway authority has confirmed, after consultation with the relevant planning authority, that no port travel plan is required for that part of the authorised development.
- (3) The port construction traffic management plan must be implemented as approved at all times specified within the port construction traffic management plan during the construction of the authorised project.
- (4) The port travel plan must be implemented as approved at all times specified within the port travel plan during the operation of the authorised project.
- (5) For the purposes of this requirement—
- “relevant planning authority” and “relevant highway authority” mean—
- (a) in respect of sub-paragraph (1), the planning or highway authority or authorities in whose area the relevant construction port is located; and
- (b) in respect of sub-paragraph (2), the planning or highway authority or authorities in whose area the relevant operation port is located;
- “construction port” or “ports” means a port or ports situated in England and/or Wales and used for construction of the authorised project; and
- “operation port” or “ports” means a port or ports situated in England and/or Wales and used by management personnel for the ongoing operational management of the authorised project.

### **Decommissioning of relevant landfall works**

- 37.**—(1) After a period of 24 years but before the expiration of a period of 25 years following completion of construction of the relevant landfall works, the undertaker must submit a report to the relevant planning authority detailing the following—
- (a) the extent of coastal retreat experienced following completion of construction;
- (b) whether any remedial works or mitigation measures to protect the relevant landfall works from coastal retreat have been required during this period, what these works comprised and an assessment of their impacts on coastal processes;
- (c) the length of the anticipated remaining operational lifespan of the authorised project;
- (d) the extent of the likely coastal retreat during the timeframe of the anticipated remaining operational lifespan of the authorised project and the likely need for, and nature of, any proposed remedial works or mitigation measures to protect the relevant landfall works from coastal retreat and an analysis of their predicted impact on coastal processes; and
- (e) any proposed remedial works or mitigation measures identified under sub-paragraph (d).
- (2) If it cannot be demonstrated to the reasonable satisfaction of the relevant planning authority that, taking into account any proposals for such remedial works or mitigation measures, the relevant landfall works will not have a significant impact on coastal processes then the relevant landfall works must be decommissioned in accordance with Requirement 30 (onshore decommissioning).
- (3) For the purposes of this requirement—
- “the relevant landfall works” means Work No. 6, to the extent that the works are landward of mean low water springs, and Work No. 8.

### **Restriction on carrying out grid connection works where consented in another order**

**38.**—(1) Where any part of the grid connection works are being or have been constructed under another development consent order, that part of the grid connection works must not be constructed under this Order.

(2) Work No. 34 must not—

- (a) be constructed more than once under this Order;
- (b) be constructed under this Order if it is being or has been constructed under another development consent order.

### **Requirement for written approval**

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

### **Amendments to approved details**

**40.**—(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 or another person, the approved details must be carried out as approved unless an amendment or variation is previously approved in writing by the relevant planning authority or that other person in accordance with subparagraph (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 immaterial changes where it has been demonstrated to the satisfaction of the relevant planning authority or that other person 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 person.

### **Operational drainage management plan**

**41.**—(1) No part of Work Nos. 30, 34, 38 or 41 may commence until an operational drainage management plan in respect of that part (which accords with the outline operational drainage management plan) and includes provision for the maintenance of any measures identified, has been submitted to and approved by the relevant lead local flood authority, in consultation with the relevant planning authority and the Environment Agency.

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

### **Installation of cable ducts**

**42.**—(1) In the event that the cables comprised within the East Anglia TWO cable works are installed prior to the cables comprised within the East Anglia ONE North cable works, the East Anglia ONE North cable works may not subsequently be installed unless the cable ducts forming part of the East Anglia ONE North cable works have been installed concurrently with the installation of the cables comprised within the East Anglia TWO cable works.

(2) For the purposes of this requirement—

- (a) “the East Anglia TWO cable works” mean Work Nos. 6, 8, 9, 11, 12, 13, 16 to 23 and 26 of the East Anglia TWO Order; and



- (b) “the East Anglia ONE North cable works” mean Work Nos. 6, 8, 9, 11, 12, 13, 16 to 23 and 26 of this Order.

#### **Restriction on carrying out grid connection works**

- 43.** No part of the grid connection works may commence under this Order until either—
- (a) the offshore works have commenced; or
  - (b) the undertaker has provided appropriate evidence to the Secretary of State demonstrating its commitment to commence the authorised development described within paragraph 1 of Schedule 1, Part 1 and the Secretary of State has confirmed that the grid connection works may commence.

#### **Control of development during operational phase**

**44.** During the operation of and within operational land related to Work No. 30 and Work No. 41, any development in addition to that authorised in this Order that is permitted under Schedule 2 Part 15 Class B (d), (e) or (f) of the General Permitted Development Order 2015 (“electricity undertakings permitted development”) or any equivalent successor provision is subject to the following conditions—

- (a) In respect of operational drainage—
  - (i) No electricity undertakings permitted development may commence until an amendment to the operational drainage management plan approved pursuant to requirement 41 that includes provision for the replacement of any existing drainage measures to be removed and maintenance of any new drainage measures to be provided as part of the permitted development, has been submitted to and approved by the relevant lead local flood authority, in consultation with the relevant planning authority and the Environment Agency; and
  - (ii) The measures in the amendment to the operational drainage management plan in respect of the permitted development must be implemented as approved.
- (b) In respect of the provision, implementation and maintenance of landscaping—
  - (i) No electricity undertakings permitted development may commence until an amendment to the written landscape management plan and associated work programme approved pursuant to requirement 14 that includes provision for the replacement of any existing landscape measures to be removed and maintenance of any new landscape measures to be provided as part of the permitted development, has been submitted to and approved by the relevant planning authority; and
  - (ii) The measures in the amendment to the written landscape management plan and associated work programme plan in respect of the permitted development must be implemented as approved.