

SCHEDULES

SCHEDULE 3

Articles 2 and 3

REQUIREMENTS

Time limits

1. The authorised development must be commenced within five years of the date that this Order is made.

Detailed design approval

2.—(1) The authorised development must be carried out in accordance with the approved plans, inclusive of any limits of deviation, bearing the references listed below and any other plans, drawings, documents, details, schemes, statements or strategies which are approved by the relevant planning authority pursuant to any requirement (as the same may be amended by approval of the relevant planning authority pursuant to requirement 15(1))—

Table 2

works plan	Submission document reference number 2.3
access rights of way plan	Submission document reference number 2.4

(2) The authorised development must not exceed the maximum parameters specified in Table 3 below (as the same may be amended by approval of the relevant planning authority under requirement 15(1))—

Table 3

(1) <i>Element of authorised development</i>	(2) <i>Maximum height (metres) above a site level of 30 metres AOD</i>	(3) <i>Maximum width (metres)</i>	(4) <i>Maximum length (metres)</i>	(5) <i>Other parameters</i>
Gas turbine building (part of numbered work 1A)	25 metres	45 metres	60 metres	
Each Heat Recovery Steam Generator Building (part of	35 metres	13 metres	25 metres	

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numbered work 1A)				
Each exhaust gas emission flue stack (part of numbered work 1A)	50 metres			Maximum diameter 6.5 metres
Steam turbine building (part of numbered work 1A)	21 metres	26 metres	45 metres	
Air cooled condenser (part of numbered work 1A)	26 metres	48 metres	48 metres	
Switchgear room (part of numbered work 1D)	5 metres	10 metres	15 metres	
Raw/fire water storage tank (part of numbered work 1C)	20 metres			Maximum diameter 15 metres
Each water storage tank (part of numbered work 1C)	20 metres			Maximum diameter 5 metres
Water treatment system (part of numbered work 1C)	10 metres	25 metres	20 metres	
Workshop (part of numbered work 1B)	10 metres	20 metres	30 metres	
Natural gas pressure regulating installation (PRI) (part of numbered work 1B)	5 metres	25 metres	35 metres	
Administration/control building	10 metres	10 metres	20 metres	

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(numbered work 1E)				
Heat network interface building (numbered work 1F)	15 metres	25 metres	45 metres	
The first transformer compound (part of numbered work 1D)	6 metres	15 metres	15 metres	
The second and third transformer compounds (part of numbered work 1D)	6 metres	10 metres	15 metres	
132kV switchyard (part of work numbered 1D)	10 metres	42 metres	73 metres	
Perimeter fencing (part of numbered work 1G)	2.5 metres			

(3) To the extent that design objectives relating to any numbered work are set out in the design objectives statement, that numbered work must be designed substantially in accordance with the relevant design objective set out therein.

(4) Numbered work 1 and, in respect of the security kiosk and weighbridge only, numbered work 2B may not commence until written details of the following have been submitted to and approved by the relevant planning authority—

- (a) the siting, design, external appearance, dimensions and floor levels of all permanent buildings and structures; and
- (b) the colour, materials and surface finishes of all permanent buildings and structures.

(5) The details to be submitted for approval under sub-paragraph (4) must include appropriately scaled plans and sectional drawings.

Provision of and implementation and maintenance of landscaping and ecological mitigation

3.—(1) No authorised development may commence until a written landscaping and ecological mitigation scheme has been submitted to and approved by the relevant planning authority. The landscaping and ecological mitigation scheme must be substantially in accordance with the illustrative landscape and ecological mitigation master plan and must include details of all proposed hard and soft landscaping and ecological mitigation works, including—

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- (a) location, number, species, size and planting density of any proposed planting;
 - (b) site restoration cultivation, importing of materials including topsoil and subsoil handling and storage in accordance with BS 3882:2015 and other landscape reinstatement operations in accordance with BS 4428:1989 Code of Practice for general Landscape Operations, and the earthworks specification to ensure plant establishment;
 - (c) proposed finished ground levels;
 - (d) an arboricultural method statement including details of existing trees and tree groups identified for retention, management and reinforcement with the type and extent of protection to be in accordance with BS 5837: 2012;
 - (e) implementation timetables for all landscaping works;
 - (f) surface water attenuation ponds;
 - (g) the locations of low fertility (where applicable) for invertebrates;
 - (h) butterfly habitat planting; and
 - (i) the ecological monitoring and management included in the environmental statement.
- (2) The relevant planning authority must consult NRW before determining the landscaping and ecological mitigation scheme under sub-paragraph (1). The procedure set out in paragraph 1 of Schedule 10 (procedure for discharge of requirements) shall apply.
- (3) The landscaping and ecological mitigation works must be carried out in accordance with the approved landscaping and ecological mitigation scheme.
- (4) The landscaping and ecological mitigation works must be carried out in accordance with implementation timetables approved under sub-paragraph (1).
- (5) Any tree or shrub planted as part of the approved landscaping scheme that, within a period of five years after planting, is removed, dies or becomes, in the opinion of the relevant planning authority, seriously damaged or diseased, must be replaced in the first available planting season with a specimen of the same species and size as that originally planted, unless otherwise approved by the relevant planning authority.
- (6) The landscaping and ecological mitigation works must be managed and maintained throughout the life of the authorised development to ensure the long term adequacy of the approved landscaping and ecological mitigation scheme.

Construction and Environment Management Plan

4.—(1) No authorised development may commence until a construction and environment management plan has been submitted to and approved by the relevant planning authority. The construction and environment management plan must be substantially in accordance with the draft construction and environment management plan forming part of the environmental statement insofar as it relates to the relevant numbered work and must include the following—

- (a) the mechanism for ensuring that all relevant environmental controls and mitigation are incorporated into a construction method statement;
- (b) confirmation that no explosive blasting will be carried out during any demolition;
- (c) environmental objectives and targets;
- (d) environmental monitoring;
- (e) roles and responsibilities;
- (f) means of communication, record keeping, reporting, auditing and review;
- (g) complaints procedures;

- (h) nuisance management including measures to avoid or minimise the impacts of construction works (covering dust, lighting, noise and vibration);
- (i) details of construction lighting to protect potential foraging/commuting features;
- (j) habitats protection measures, including fencing, protection zones for retained trees and bat roosts and means of escape for badgers and other small mammals;
- (k) measures to minimise the spread of invasive species;
- (l) a site waste management plan;
- (m) surface and ground water protection measures (including bunding potential contaminate sources);
- (n) a construction drainage strategy;
- (o) a methodology for using harvested water where possible;
- (p) ecology, landscape and visual impact mitigation to include details of any trees or hedgerows to be removed during construction; and
- (q) a protocol in the event that unexpected contaminated land is identified during ground investigation or construction.

(2) The relevant planning authority must consult NRW before determining the construction environment management plan under sub-paragraph (1). The procedure set out in paragraph 1 of Schedule 10 (procedure for discharge of requirements) shall apply.

(3) The construction works must be undertaken in accordance with the approved construction environment management plan.

(4) The undertaker may submit for approval by the relevant planning authority a construction and environment management plan for each of numbered work 1, numbered work 2, numbered work 3, numbered work 4, and numbered work 5 individually, and, in such a case, only those parts of the authorised development forming the numbered work the subject of the construction and environment management plan may be commenced following the approval of such a construction and environment management plan.

Ground investigation

5.—(1) Each of numbered works 1 to 5 must not be commenced until, for that numbered work, a scheme (which may be included in the construction environment management plan) to deal with the contamination of any land, including groundwater, which is likely to cause significant harm to persons or significant pollution of controlled waters or the environment has been submitted to and approved in writing by the relevant planning authority.

(2) The relevant planning authority must consult NRW before determining the scheme under sub-paragraph (1). The procedure set out in paragraph 1 of Schedule 10 (procedure for discharge of requirements) shall apply.

(3) The scheme must include an assessment report, prepared by a specialist consultant, to identify the likely extent of any contamination and any remedial measures that may be required to be taken to render the land fit for its intended purpose, together with a management plan which sets out long-term measures with respect to any contaminants remaining on the site.

(4) Any required remediation must be carried out in accordance with the approved scheme.

Piling

6.—(1) No piling may commence until a piling strategy has been submitted to and approved by the relevant planning authority, such strategy to include a piling risk assessment, the results of such assessment and the piling techniques to be used in carrying out the authorised development.

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- (2) Piling must be carried out in accordance with the approved strategy.

Fencing and other means of enclosure

7.—(1) No authorised development may commence until details of the proposed fencing and other means of enclosure for the authorised development have been submitted to and approved by the relevant planning authority.

(2) Fencing and other means of enclosure must be carried out in accordance with the approved details.

(3) Any construction sites must remain securely fenced at all times during construction of the authorised development.

(4) The undertaker may submit for approval by the relevant planning authority details of the proposed means of enclosure for each of numbered work 1G, numbered work 2A and numbered work 2B individually and, in such a case, only those parts of the authorised development forming the numbered work the subject of the details of the proposed means of enclosure may be commenced following the approval of such details.

Archaeology

8.—(1) No authorised development may commence until a written scheme setting out the methodology for the investigation of areas of archaeological interest has been submitted to and approved by the relevant planning authority.

(2) The scheme must provide for—

- (a) the carrying out of a geophysical survey of greenfield areas within the Order land;
- (b) a targeted archaeological investigation of any anomalies that may be identified by the geophysical surveys;
- (c) the identification of areas where a watching brief is required; and
- (d) the measures to be taken to protect, record or preserve any significant archaeological remains that may be found.

(3) The scheme approved under sub-paragraph (1) must be carried out by a suitably qualified person or body.

(4) Any watching brief must be carried out in accordance with the approved scheme.

(5) The undertaker may submit for approval by the relevant planning authority a scheme for each of numbered work 1, numbered work 2, numbered work 3, numbered work 4, and numbered work 5 individually, and, in such a case, only those parts of the authorised development forming the numbered work the subject of the scheme may be commenced following the approval of such a scheme.

Construction traffic management plan

9.—(1) No authorised development may commence until a construction traffic management plan has been submitted to and approved by the relevant planning authority in consultation with the relevant highway authority. The construction traffic management plan must be substantially in accordance with the draft construction traffic management plan forming part of the environmental statement insofar as it relates to the relevant numbered work and must include the following—

- (a) details of a plan to encourage car sharing between construction workers travelling to the site, including details encouraging the use of the routes as set out in the construction vehicle routing plans referred to in sub-paragraph (b);
- (b) construction vehicle routing plans;

- (c) details of a HGV vehicle booking management system;
 - (d) site access plans and 24 hour access arrangements;
 - (e) proposals for the management of junctions to and crossings of highways and other public rights of way;
 - (f) proposals for the scheduling and timing of movements of delivery vehicles including details of abnormal indivisible loads together with the staggering of construction workers start and finish times;
 - (g) pre-notification of deliveries involving abnormal indivisible loads and details of where an appropriately authorised vehicle escort would be required;
 - (h) proposals for temporary warning signs and banksmen and appropriate escort details (including for horse riders, cyclists and users of the road network and public rights of way);
 - (i) measures to ensure the protection of users of any footpath within the Order limits which may be affected by the construction of the authorised development (including details of any proposed temporary closures and diversions and notification thereof where necessary);
 - (j) details of the on-site parking arrangements for construction plant and vehicles; and
 - (k) proposals for traffic management controls (such as temporary signals), diversion routes and signage required during construction of the authorised development.
- (2) The construction traffic management plan must be implemented as approved.
- (3) The undertaker may submit for approval by the relevant planning authority a construction traffic management plan for each of numbered work 1, numbered work 2, numbered work 3, numbered work 4, and numbered work 5 individually, and, in such a case, only those parts of the authorised development forming the numbered work the subject of the construction traffic management plan may be commenced following the approval of such a construction traffic management plan.
- (4) During the operation of the generating station no abnormal indivisible loads may be transported into or out of the site without the prior written approval of the relevant planning authority in consultation the relevant highways authority.
- (5) In this requirement “abnormal indivisible load” has the same meaning as in the Road Vehicles (Authorisation of Special Types) (General) Order 2003(1).

Travel plan during operational phase

- 10.**—(1) Prior to the date of final commissioning a written operational travel plan must be submitted to and approved by the relevant planning authority. Such operational travel plan to include—
- (a) objectives and targets; and
 - (b) measures and initiatives to promote sustainable travel.
- (2) The operational travel plan must be carried out as approved.

Construction hours

- 11.**—(1) Construction work for the authorised development must not take place outside the hours of—
- (a) 07:00 to 19:00 on Monday to Friday; and
 - (b) 07:00 to 13:00 on Saturdays and public holidays.

(1) [S.I. 2003/1998](#).

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(2) Sub-paragraph (1) does not prevent construction works being carried out on any Sunday or outside the hours set out in sub-paragraph (1) with the prior written approval of the relevant planning authority.

(3) Nothing in sub-paragraph (1) precludes a start-up period from 06:30 to 07:00 and a shut-down period from 19:00 to 19:30 on weekdays (excluding public holidays) and a start-up period from 06:30 to 07:00 and a shut-down period from 13:00 to 13:30 on Saturdays and public holidays.

Foul and surface water drainage

12.—(1) Numbered works 1, 2 and 3 must not commence until written details of the surface water drainage system and separate written details of the foul water drainage system for the operation of the authorised development have been submitted to and approved by the relevant planning authority. The submitted details must be substantially in accordance with the illustrative foul and surface water drainage strategy.

(2) The relevant planning authority must consult NRW and Dŵr Cymru Welsh Water before determining the details of the surface water drainage system and the foul water drainage system under sub-paragraph (1). The procedure set out in paragraph 1 of Schedule 10 (procedure for discharge of requirements) applies.

(3) The surface water drainage system and the foul water drainage system for the authorised development must be constructed and maintained in accordance with the approved details.

Artificial lighting

13.—(1) No generation of electricity on a commercial basis is to take place until written details of the control of artificial lighting during maintenance and operation of the authorised development have been submitted to and approved by the relevant planning authority, such details to include the timetable for implementation of the artificial lighting and measures to keep external lighting to the minimum necessary for operational safety and security reasons, incorporating cut-offs to reduce light pollution.

(2) The relevant planning authority must consult NRW before determining the details of artificial lighting under sub-paragraph (1). The procedure set out in paragraph 1 of Schedule 10 (procedure for discharge of requirements) shall apply.

(3) The artificial lighting for the authorised development must be implemented in accordance with the approved details.

(4) The undertaker may submit for approval by the relevant planning authority written details of the artificial lighting during maintenance and operation of the authorised development for each of numbered work 1G and numbered work 2B individually forming the numbered work the subject of the written details of the control of artificial lighting and, in such a case, only those parts of the authorised development may be commenced following the approval of such details.

Local economic benefit

14.—(1) No part of the authorised development must commence until a scheme for the promotion of local economic benefit from the authorised development in the County Borough of Wrexham has been submitted to and approved by the relevant planning authority. Such scheme must include—

- (a) a commitment on the undertaker to invite to tender companies with addresses in the County Borough of Wrexham as the relevant planning authority may notify to the undertaker in writing;
- (b) a methodology for the use of local people and local businesses, where appropriate, in relation to the construction of the authorised development; and

- (c) a strategy for the provision of training opportunities for local companies (who are successful under sub-paragraph (a)) or local people who are employed to work on the authorised development under sub-paragraph (b).
- (2) The authorised development must be carried out in accordance with the scheme approved under sub-paragraph (1).

Amendments to approved details

15.—(1) Subject to sub-paragraph (2), the undertaker may submit to the relevant planning authority for approval any amendments to any plans, drawings, documents, details, schemes, statements or strategies which require approval by the relevant planning authority pursuant to any requirement (the “Approved Plans, Details or Schemes”). Following any such approval by the relevant planning authority the Approved Plans, Details or Schemes are to be taken to include the amendments approved pursuant to this sub-paragraph (1).

(2) Sub-paragraph (1) does not apply to the works plan or the access rights of way plan.

(3) Approval under sub-paragraph (1) and requirement 2(2) must not be given except where it has been demonstrated to the satisfaction of the relevant planning authority that the subject-matter of the approval sought is unlikely to give rise to any materially new or materially different environmental effects in comparison with the authorised development as approved (as identified in the environmental statement).

Combined heat and power

16.—(1) Prior to the date of final commissioning, a review of potential opportunities for the use of heat from the authorised development must be submitted to and approved by the relevant planning authority.

(2) The review must provide for the on-going monitoring and full exploration of potential opportunities to use heat from the authorised development and for the provision of subsequent reviews of such opportunities as necessary.

(3) Where viable opportunities for the use of heat are identified, a scheme for the provision of the necessary plant and pipework to the boundary of numbered work 1 must be submitted to and approved by the relevant planning authority; any plant and pipework installed up to the boundary of numbered work 1 to enable the use of heat must be installed in accordance with the agreed details.

(4) The undertaker must carry out the on-going monitoring, exploration of potential opportunities to use heat from the authorised development and any subsequent reviews in accordance with the review of potential opportunities approved under sub-paragraph (1).

Decommissioning strategy

17.—(1) Subject to obtaining the necessary consents and unless otherwise agreed with the relevant planning authority, within twenty four months of the Order land ceasing to be used for the purposes of electricity generation (either actively generating electricity or being available to generate electricity on a standby basis), a scheme for the demolition and removal of numbered work 1 must be submitted to the relevant planning authority.

(2) The scheme submitted to the relevant planning authority for approval under sub-paragraph (1) must be substantially in accordance with the construction and environment management plan approved under paragraph 4(1) of this Schedule 3.

(3) The demolition and removal of numbered work 1 must be implemented in accordance with the approved scheme.

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(4) On the one year anniversary of the Order land ceasing to be used for the purposes of electricity generation (either actively generating electricity or being available to generate electricity on a standby basis) the undertaker must notify the relevant planning authority of the same.

Requirements for written approval, etc.

18.—(1) Where under any of the above requirements the approval or agreement of the relevant planning authority or any other party is required, that approval or agreement must be provided in writing and must not be unreasonably withheld or delayed.

(2) Where under any of the above requirements a written scheme is required it must be accompanied by such illustrations as are necessary and appropriate in the circumstances.

Date of final commissioning and cessation

19.—(1) The undertaker must notify the relevant planning authority of the date of final commissioning as soon as reasonably practicable and in any event within three months after the occurrence of that date.

(2) The undertaker must notify the relevant planning authority of the date the authorised development permanently ceases to generate power on a commercial basis as soon as reasonably practicable and in any event within three months after the occurrence of that date.