

SCHEDULE 2

Article 2(1)

Requirements

Interpretation

1.—(1) In this Schedule and in Schedule 9—

“commencement” means the carrying out of a material operation, as defined in section 155 of the 2008 Act (which explains when development begins), comprised in or carried out for the purposes of the authorised development and the words “commence” and “commenced” are to be construed accordingly;

“stage” refers to—

- (a) the stage of the authorised development comprising works in the vicinity of the permitted substation (including underground ducting and highway access); and
- (b) the stage comprising the remainder of the authorised development in Schedule 1 unless otherwise approved by the relevant planning authority.

(2) Where any Requirement specifies: “unless otherwise approved in writing” by the relevant planning authority; or “unless otherwise agreed in writing” with the relevant planning authority; such approval or agreement must not be given except in relation to minor or immaterial changes where it has been demonstrated to the satisfaction of the relevant planning authority that the subject-matter of the approval or agreement sought is unlikely to give rise to any materially new or materially different environmental effects from those assessed in the environmental document.

Time limits

2. The authorised development must commence within 5 years of the date of this Order.

Compliance with approved details

3.—(1) The construction of the lattice towers forming part of the authorised development comprised in Work No 1 must take place in general accordance with the approved drawings listed below unless otherwise approved in writing by the relevant planning authority—

- (a) A3/MIS/21847/071 A;
- (b) BNT167/7050 D;
- (c) BNT167/7053/B;
- (d) BNT167/7056 C;
- (e) BNT167/7055 B.

For the purposes of this Requirement 3(1) in determining general accordance the towers must be constructed within the vertical limits of deviation and must be substantially the same as those shown on the drawings (including the plan views shown on those drawings) for the respective towers as follows—

<i>Pylon ID</i>	<i>Drawing No</i>	<i>Tower Type (Height metres)</i>	<i>Tower Type including LOD (metres)</i>
KL001	BNT167/7055/B	L13 DT STD (48.071)	L13 DT E3 (51.071)
KL002	BNT167/7053/B	L13 D60 E3 (53.952)	L13 D60 E6 (56.952)
KL003	BNT167/7050/D	L13 D E3 (52.950)	L13 D E6 (55.950)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>Pylon ID</i>	<i>Drawing No</i>	<i>Tower Type (Height metres)</i>	<i>Tower Type including LOD (metres)</i>
KL004	BNT167/7053/B	L13 D60 E6 (56.952)	L13 D60 E9 (59.952)
KL005	BNT167/7050/D	L13 D E6 (55.950)	L13 D E9 (58.950)
KL006	BNT167/7050/D	L13 D E6 (55.950)	L13 D E9 (58.950)
KL007	BNT167/7053/B	L13 D60 STD (50.952)	L13 D60 E3 (53.952)
KL008	BNT167/7050/D	L13 D E3 (52.950)	L13 D E6 (55.950)
New 4VV39	BNT167/7056/C	L13 DJT STD (53.460)	L13 DJT E3 (56.460)

(2) The remainder of the authorised development referred to in Schedule 1 must be carried out in general accordance with the approved drawings listed below unless otherwise agreed in writing with the relevant planning authority and must be within the Order limits—

- (a) A1/PTD/6320/080/Rev A;
- (b) A1/PTD/6320/008/Rev B;
- (c) A1/PTD/6320/009/Rev A;
- (d) A1/PTD/6320/010/Rev A;
- (e) A1/PTD/6320/011/Rev A;
- (f) A1/PTD/6320/012/Rev A;
- (g) A1/PTD/6320/013/Rev B;
- (h) A1/PTD/6320/014/Rev A;
- (i) A1/PTD/6320/015/Rev B;
- (j) A1/PTD/6320/066/Rev A;
- (k) A1/PTD/6320/067/Rev A;
- (l) A1/PTD/6320/068/Rev A;
- (m) A1/PTD/6320/069/Rev A.

For the purpose of this Requirement 3(2) development must be substantially the same as shown on the approved drawings listed above subject always to account being taken of any variation of the alignment of Work No 1 within the lateral limits of deviation in article 6 from that indicated on the works plans.

Provision of landscaping

4. A written landscaping scheme must be submitted to the relevant planning authority for its written approval prior to the authorised development being brought into operational use. The landscaping scheme must include details of all proposed landscaping works, including—

- (a) location, number, species, size of trees, tree whips and shrubs;
- (b) measures for the protection of trees, tree whips and shrubs;
- (c) planting density and proposed planting times of any proposed planting;
- (d) cultivation, importing of materials and other operations to ensure plant establishment;
- (e) proposed finished ground levels;
- (f) implementation timetables; and
- (g) details of maintenance regimes and management responsibilities.

Implementation and maintenance of landscaping

5.—(1) All landscaping works must be carried out in accordance with the landscaping schemes approved under Requirement 4 and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised codes of good practice unless otherwise approved in writing by the relevant planning authority.

(2) The landscaping works must be carried out in accordance with implementation timetables approved under Requirement 4 unless otherwise approved in writing by the relevant planning authority.

(3) If within a period of five years beginning with the date of the planting of any tree, tree whip or shrub that tree, tree whip or shrub, or any tree, tree whip or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the relevant planning authority seriously damaged or defective, another tree, tree whip or shrub of the same species and size as that originally planted must be planted at the same place, unless otherwise approved in writing with the relevant planning authority.

Highway accesses

6.—(1) No stage of the authorised development is to commence until written details of the design, layout and subsequent removal (to include the restoration of land) of any new 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, after consultation with the highway authority, been submitted to and approved by the relevant planning authority in relation to that stage.

(2) The access to the permitted substation is not to commence until written details of the design and layout of the permanent means of access to a highway to be used by vehicular traffic has, after consultation with the highway authority, been submitted to and approved by the relevant planning authority in relation to that stage.

(3) The highway accesses must be constructed in accordance with the approved details unless otherwise approved in writing by the relevant planning authority in relation to that stage.

Fencing and other means of enclosure

7.—(1) No stage of the authorised development must commence until written details of all proposed permanent and temporary fences, walls or other means of enclosure within the Order limits have, after consultation with the relevant planning authority, been submitted to and approved by the relevant planning authority in relation to that stage.

(2) Any fences, walls or other means of enclosure approved in accordance with sub-paragraph (1) must remain secure during construction of the authorised development, in accordance with the approved details, unless otherwise approved in writing by the relevant planning authority.

(3) Any temporary fencing must be removed on completion of the construction of the authorised development.

Contaminated land and groundwater

8.—(1) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the relevant planning authority. An investigation and risk assessment must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the relevant planning authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the relevant planning authority.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(2) Where remediation is required a detailed remediation scheme to bring the site to a condition suitable for the intended use must be prepared, and submitted for the written approval of the relevant planning authority.

(3) The approved remediation scheme must be carried out in accordance with its terms unless otherwise approved in writing by the relevant planning authority.

(4) Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and approved in writing by the relevant planning authority.

Controlled water protection scheme

9.—(1) No stage of the authorised development must commence until a controlled water protection scheme has, after consultation with the Environment Agency, been submitted to and approved by the relevant planning authority in relation to that stage. The scheme must include—

- (a) measures necessary taking account of the proposed pylon foundations;
- (b) any necessary de-watering;
- (c) measures to protect water sources; and
- (d) measures to protect groundwater dependent terrestrial ecosystems (including the River Nar).

(2) The authorised development must be carried out in accordance with the approved controlled water protection scheme, unless otherwise approved in writing by the relevant planning authority.

Archaeology

10.—(1) No stage of the authorised development is to commence until a written scheme for the investigation of any areas of archaeological interest discovered during the course of carrying out of that stage of the authorised development, and as identified in the environmental document has, after consultation with Norfolk County Council, been submitted to and approved by the relevant planning authority.

(2) Any archaeological works or watching brief carried out under the scheme must be by a suitably qualified person or body approved by the relevant planning authority.

(3) Any archaeological works or watching brief must be carried out in accordance with the approved scheme, unless otherwise agreed in writing by the relevant planning authority.

Landscape and ecological management plan

11.—(1) No stage of the authorised development shall commence until a written landscape and ecological management plan reflecting the survey results and ecological mitigation and enhancement measures included in the environmental document, shall after consultation with the Environment Agency, be submitted to and approved by the relevant planning authority in relation to that stage.

(2) The landscape and ecological management plan must include a riparian ecology method statement in respect of all watercourses that would be affected by the project. The landscape and ecological management plan must include an implementation timetable and must be carried out as approved, unless otherwise approved in writing by the relevant planning authority.

(3) The riparian ecology method statement must include—

- (a) proposed pre-construction water vole surveys undertaken in an appropriate season and sufficiently in advance of any physical works to enable detailed management measures to be implemented;

- (b) measures to manage vegetation at the location of the works to encourage voles to naturally displace;
- (c) a programme for inspections by an ecologist of the riparian work areas;
- (d) proposed fencing of the work areas to prevent water vole entry during the works;
- (e) measures to control emissions and discharges from the works to minimise the risk of any entry of deleterious materials to watercourses;
- (f) proposed reinstatement of watercourses and riparian vegetation;
- (g) arrangements for reporting the results of surveys, mitigation measures and reinstatement works to Natural England and Environment Agency;
- (h) details of any habitat improvement/creation;
- (i) details of the treatment of site boundaries and/or buffers around water bodies; and
- (j) details of maintenance and monitoring regimes and management responsibilities.

Code of construction practice

12. Construction works must be carried out in accordance with the code of construction practice (dated June 2013) submitted with the application, unless otherwise approved in writing by the relevant planning authority.

External lighting

13. No stage of the authorised development is to commence until written details of any external lighting to be installed and its intended duration at any of the construction sites, including measures to prevent light spillage, have been submitted to and approved by the relevant planning authority in relation to that stage; and any approved means of lighting must subsequently be installed and retained for the approved duration unless otherwise approved in writing by the relevant planning authority.

Construction traffic

14.—(1) No stage of the authorised development is to commence until a construction traffic management plan, including details of the following—

- (a) the approved routing plans which all drivers of construction vehicles serving towers KL08 and 4VV039 (shown on plan reference MPP00006 - 2 Figure 2A) must use;
- (b) the steps to be taken to advise all drivers of vehicles visiting the authorised development of the approved construction routes and of the measures to monitor compliance;
- (c) provision for on-site parking for construction workers;
- (d) on site wheel cleaning facilities for construction vehicles;
- (e) condition survey in relation to the bridge over the River Nar within plot 37 in the book of reference;
- (f) “before” and “after” joint road condition surveys in relation to each phase of construction;
- (g) strategic route signing;
- (h) signing at access points;
- (i) access points constructed to allow safe traffic movements;
- (j) liaison with the highway authority in respect of its programme of repair and maintenance of the public highway;
- (k) road sweeping facilities;
- (l) on site dust suppression;

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (m) how the local residents and stakeholders are to be kept informed of the construction traffic management plan;
- (n) how the construction traffic management plan will be updated as other project programmes are confirmed; and
- (o) school hour restrictions in relation to school picking up and dropping off times.

has been, after consultation with the highway authority and the Highways Agency submitted to and approved by the relevant planning authority in relation to that stage.

(2) The authorised development must be carried out in accordance with the approved construction traffic management plan, unless otherwise approved in writing by the relevant planning authority.

Control of noise during construction and maintenance

15.—(1) No stage of the authorised development is to commence until a written scheme for noise management during construction and maintenance has been submitted to and approved by the relevant planning authority in relation to that stage.

(2) The scheme must 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; and
- (c) a scheme for monitoring the noise during the works to ensure compliance with the noise limits and the effectiveness of the attenuation measures.

(3) The approved noise management scheme must be implemented before any stage of the authorised development can commence, and maintained during construction and maintenance of the authorised development.

(4) The construction and maintenance works must be undertaken in accordance with the approved noise management scheme.

Construction hours

16.—(1) Subject to sub-paragraphs (2) and (3) construction work must not take place other than between 0700 and 1900 hours, on any day, unless otherwise agreed by the relevant planning authority.

(2) Piling operations must not take place other than between 0800 and 1700 hours on Mondays to Fridays, unless otherwise agreed by the relevant planning authority.

(3) Protective netting of scaffolding and its subsequent removal across highways and the King's Lynn to London railway line must occur outside of the construction working hours.

Control of dust emissions

17.—(1) No stage of the authorised development is to commence until a written scheme for the management and mitigation of dust emissions has been submitted to and approved by the relevant planning authority in relation to that stage.

(2) The approved scheme for the management and mitigation of dust emissions must be implemented before any stage of the authorised development can commence, and maintained during the construction, operation and decommissioning of the authorised development.

Accumulations and deposits

18.—(1) No stage of the authorised development is to commence until a written scheme for the management of any accumulations and deposits whose effects may be harmful or visible or otherwise noticeable from outside the Order limits has been submitted to and approved by the relevant planning authority in relation to that stage.

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

Restoration of land used temporarily for construction

19. Any land within the Order limits which is used temporarily for construction is to be reinstated to its former condition, or such condition as the relevant planning authority may approve, within six months of completion of the construction of the authorised development, or such further time as may be approved in writing by the relevant planning authority.

Requirement for written approval

20. Where under any of the above Requirements the approval or agreement of the relevant planning authority or another person is required, the matter that requires approval or agreement must be submitted in writing, and that approval or agreement is to be given in writing.

Amendments to approved details

21. With respect to any Requirement which requires the authorised development to be carried out in accordance or general accordance with the details approved by the relevant planning authority, the details as so approved are to be taken to include any amendments that may subsequently be lawfully approved in writing by the relevant planning authority.