

## SCHEDULES

### SCHEDULE 3

Article 3

#### Requirements

#### Interpretation

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;

“Nant Morlais Woodland” means so much of the Order limits shown hatched yellow on and so much of the Order limits shown shaded green on Figure 10.2: Botanical Phase 1 Survey Map 1 Issue A to the environmental statement; and

“stage” refers to a defined section or part of the authorised development, the extent of which is shown in a scheme submitted to and approved by the relevant planning authority pursuant to Requirement 4.

#### Time limits

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

#### Compliance with approved details

3.—(1) The construction of the poles forming part of the authorised development comprised in Work No 1 and Work No 3 must take place in accordance with the approved drawings listed In Table 1 below subject to the limits of deviation.

(2) For the purposes of Requirement 3(1) the poles must be constructed within the vertical limits of deviation (as set out in article 5(b)(i) and (ii) (limits of deviation) and the lateral limits of deviation (as shown on the works plans)).

**Table 1**

<i>(1)Poles</i>	<i>(2)Drawing sheet number</i>	<i>(3)Pole height (metres)</i>	<i>(4)Pole type (single, twin or terminal four)</i>
1	A/WP/PS/1	12	Twin
2	A/WP/PS/1	14	Single
3	A/WP/PS/1	11	Single
4	A/WP/PS/1	13	Single
5	A/WP/PS/1	15	Twin
6	A/WP/PS/1	15	Single

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7	A/WP/PS/1	14	Single
8	A/WP/PS/1	13	Single
9	A/WP/PS/1	14	Twin
10	A/WP/PS/2	15	Single
11	A/WP/PS/2	13	Single
12	A/WP/PS/2	15	Single
13	A/WP/PS/2	12	Single
14	A/WP/PS/2	12	Single
15	A/WP/PS/2	12	Single
16	A/WP/PS/2	12	Single
17	A/WP/PS/2	13	Single
18	A/WP/PS/2	12	Twin
19	A/WP/PS/2	13	Single
20	A/WP/PS/2	12	Single
21	A/WP/PS/2	12	Single
22	A/WP/PS/2	13	Twin
23	A/WP/PS/2	12	Single
24	A/WP/PS/2	14	Twin
25	A/WP/PS/3	13	Twin
26	A/WP/PS/3	12	Single
27	A/WP/PS/3	11	Single
28	A/WP/PS/3	12	Single
29	A/WP/PS/3	11	Single
30	A/WP/PS/3	14	Twin
31	A/WP/PS/3	15	Single
32	A/WP/PS/3	14	Single
33	A/WP/PS/3	13	Single
34	A/WP/PS/3	14	Single
35	A/WP/PS/4	12	Single
36	A/WP/PS/4	12	Single
37	A/WP/PS/4	12	Single
38	A/WP/PS/4	15	Single
39	A/WP/PS/4	13	Twin

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40	A/WP/PS/4	13	Twin
41	A/WP/PS/4	12	Single
42	A/WP/PS/4	14	Twin
43	A/WP/PS/4	16	Twin
44	A/WP/PS/4	16	Twin
45	A/WP/PS/5	13	Twin
46	A/WP/PS/5	14	Single
47	A/WP/PS/5	13	Single
48	A/WP/PS/5	13	Twin
49	A/WP/PS/5	12	Single
50	A/WP/PS/5	13	Single
51	A/WP/PS/5	13	Single
52	A/WP/PS/5	13	Single
53	A/WP/PS/5	12	Single
54	A/WP/PS/5	13	Single
55	A/WP/PS/6	14	Single
56	A/WP/PS/6	12	Single
57	A/WP/PS/6	12	Single
58	A/WP/PS/6	12	Single
59	A/WP/PS/6	12	Single
60	A/WP/PS/6	13	Twin
61	A/WP/PS/6	13	Twin
62	A/WP/PS/6	13	Single
63	A/WP/PS/6	15	Single
64	A/WP/PS/6	13	Single
65	A/WP/PS/6	12	Single
66	A/WP/PS/6	13	Single
67	A/WP/PS/6	14	Single
68	A/WP/PS/6	13	Single
69	A/WP/PS/6	14	Single
70	A/WP/PS/7	13	Twin
71	A/WP/PS/7	15	Twin
72	A/WP/PS/7	16	Single

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<i>(1)Poles</i>	<i>(2)Drawing sheet number</i>	<i>(3)Pole height (metres)</i>	<i>(4)Pole type (single, twin or terminal four)</i>
73	A/WP/PS/7	18	Single
74	A/WP/PS/7	17	Twin
75	A/WP/PS/7	13	Single
76	A/WP/PS/7	13	Single
77	A/WP/PS/7	11	Single
78	A/WP/PS/7	15	Single
79	A/WP/PS/7	14	Twin
80	A/WP/PS/7	14	Single
81	A/WP/PS/7	14	Single
82	A/WP/PS/7	17	Single
83	A/WP/PS/7	13	Single
84	A/WP/PS/7	15	Terminal Four
85	Not Used	Not Used	Not Used
86	Not Used	Not Used	Not Used
87	B/WP/PS/2	15	Terminal Four
88	B/WP/PS/2	12	Single
89	B/WP/PS/2	16	Single
90	B/WP/PS/2	12	Single
91	B/WP/PS/2	13	Single
92	C/WP/PS/1	15	Twin
93	C/WP/PS/1	15	Twin
94	C/WP/PS/1	12	Twin
95	C/WP/PS/1	15	Single
96	C/WP/PS/1	16	Single
97	C/WP/PS/1	14	Single
98	C/WP/PS/1	14	Single
99	C/WP/PS/1	13	Twin
100	C/WP/PS/1	12	Single
101	C/WP/PS/1	14	Single
102	C/WP/PS/1	14	Twin
103	C/WP/PS/1	12	Single
104	C/WP/PS/1	12	Single
105	C/WP/PS/2	12	Single

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<i>(1)Poles</i>	<i>(2)Drawing sheet number</i>	<i>(3)Pole height (metres)</i>	<i>(4)Pole type (single, twin or terminal four)</i>
106	C/WP/PS/2	13	Single
107	C/WP/PS/2	13	Single
108	C/WP/PS/2	13	Single
109	C/WP/PS/2	13	Single
110	C/WP/PS/2	12	Single
111	C/WP/PS/2	12	Twin
112	C/WP/PS/2	15	Single
113	C/WP/PS/2	13	Single
114	C/WP/PS/2	15	Single
115	C/WP/PS/2	14	Single
116	C/WP/PS/2	15	Twin
117	C/WP/PS/2	12	Twin
118	C/WP/PS/2	14	Single
119	C/WP/PS/2	12	Single
120	C/WP/PS/3	15	Twin
121	C/WP/PS/3	13	Single
122	C/WP/PS/3	14	Single
123	C/WP/PS/3	14	Single
124	C/WP/PS/3	12	Single
125	C/WP/PS/3	12	Single
126	C/WP/PS/3	12	Twin
127	C/WP/PS/3	14	Twin
128	C/WP/PS/3	14	Twin
129	C/WP/PS/3	12	Single
130	C/WP/PS/3	12	Twin
131	C/WP/PS/3	12	Single
132	C/WP/PS/3	12	Single
133	C/WP/PS/3	12	Single
134	C/WP/PS/3	12	Single
135	C/WP/PS/4	15	Single
136	C/WP/PS/4	15	Single
137	C/WP/PS/4	12	Twin
138	C/WP/PS/4	12	Single

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<i>(1)Poles</i>	<i>(2)Drawing sheet number</i>	<i>(3)Pole height (metres)</i>	<i>(4)Pole type (single, twin or terminal four)</i>
139	C/WP/PS/4	12	Single
140	C/WP/PS/4	12	Single
141	C/WP/PS/4	13	Single
142	C/WP/PS/4	12	Single
143	C/WP/PS/4	11	Single
144	C/WP/PS/4	12	Twin
145	C/WP/PS/4	14	Single
146	C/WP/PS/4	12	Single
147	C/WP/PS/4	15	Single
148	C/WP/PS/4	12	Single
149	C/WP/PS/4	14	Twin
150	C/WP/PS/5	15	Single
151	C/WP/PS/5	12	Single
152	C/WP/PS/5	13	Single
153	C/WP/PS/5	14	Twin
154	C/WP/PS/5	14	Twin
155	C/WP/PS/5	15	Twin
156	C/WP/PS/5	13	Twin
157	C/WP/PS/5	13	Single
158	C/WP/PS/5	14	Single
159	C/WP/PS/5	17	Twin
160	C/WP/PS/5	12	Single
161	C/WP/PS/5	10	Single
162	C/WP/PS/5	15	Single
163	C/WP/PS/6	13	Single
164	C/WP/PS/6	12	Single
165	C/WP/PS/6	12	Single
166	C/WP/PS/6	12	Single
167	C/WP/PS/6	12	Single
168	C/WP/PS/6	12	Single
169	C/WP/PS/6	14	Twin
170	C/WP/PS/6	12	Single within sleeve
171	C/WP/PS/6	13	Single within sleeve

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172	C/WP/PS/6	13	Single within sleeve
173	C/WP/PS/7	12	Single
174	C/WP/PS/7	13	Twin
175	C/WP/PS/7	12	Single
176	C/WP/PS/7	13	Single
177	C/WP/PS/7	13	Single
178	C/WP/PS/7	13	Single
179	C/WP/PS/7	15	Twin
180	C/WP/PS/7	15	Twin
181	C/WP/PS/8	14	Twin
182	C/WP/PS/8	12	Twin
183	C/WP/PS/8	11	Twin
184	C/WP/PS/8	12	Twin
185	C/WP/PS/8	12	Twin
186	C/WP/PS/8	11	Twin
187	C/WP/PS/8	13	Twin
188	C/WP/PS/8	11	Twin
189	C/WP/PS/8	11	Twin
190	C/WP/PS/8	13	Twin
191	C/WP/PS/9	14	Twin
192	C/WP/PS/9	12	Twin
193	C/WP/PS/9	11	Twin
194	C/WP/PS/9	11	Twin
195	C/WP/PS/9	11	Twin
196	C/WP/PS/9	11	Twin
197	C/WP/PS/9	14	Twin
198	C/WP/PS/9	12	Twin
199	C/WP/PS/9	12	Twin
200	C/WP/PS/9	12	Twin
201	C/WP/PS/9	14	Twin
202	C/WP/PS/9	13	Twin
203	C/WP/PS/9	13	Twin

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### **Stages of authorised development**

4.—(1) No authorised development may commence until a written scheme setting out all the stages of the authorised development has been submitted to and approved by the relevant planning authority, after consultation with the relevant highway authority.

(2) Written notice of the commencement and completion of each stage of the authorised development and the operational use of that part of the authorised development shall be given to the relevant planning authority and relevant highway authority within 10 business days of the relevant event occurring.

### **Restrictions on the limits of deviation**

5.—(1) Excluding poles 155 and 203, no pole shall move more than 5m from its location (as shown on the works plans).

(2) The electric line shall not move outside the limits of deviation.

(3) Notwithstanding the approved works plans C/WP/PS/3 and C/WP/PS/5 and subject to Requirement 5 (5) there shall be no deviation of poles 126, 127, 128, 154 and 155 from their positions, or access to those poles, without the prior written consent of the relevant planning authority.

(4) Pole 76 shall not be deviated closer to Bryn Meusydd than shown on works plan A/WP/PS/7.

(5) Pole 155 may deviate up to 25m from its location (as shown on the works plans) and within the Order limits provided any deviation is agreed in writing with the landowner.

### **Restrictions on the limits of deviation near hedgerows and watercourses**

6.—(1) Notwithstanding Requirement 4, poles sited in accordance with the agreed limits of deviation must maintain a minimum distance of 2m from the nearest hedgerow and 7m from the nearest watercourse. No stays should be placed within hedgerows.

(2) Pole 98 shall not be microsited south of its location as shown on drawing no. 15/WPD/020 (sheet 1 of 10).

### **Protection of private water supplies**

7. The underground sections of poles 170, 171 and 172 shall be placed within a concrete sleeve.

### **HDD drill depths and construction periods**

8.—(1) The horizontal directional drill (HDD) under the River Towy shall be a minimum depth of 5m below the river bed and a minimum of 1.5m below other watercourses.

(2) The HDD under the bed of the River Towy referred to in Requirement 8 (1) shall not take place between 1st April and 30th June in any calendar year.

### **Highway accesses**

9.—(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 or any new permanent 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 highway accesses must be constructed in accordance with the approved details under paragraph (1).

### **Public rights of way**

**10.**—(1) No stage of the authorised development that would affect any right of way specified in the public rights of way management strategy is to commence until a written implementation plan and specification for the temporary diversion of a right of way has, after consultation with the relevant planning authority and highway authority, been submitted to and approved by the relevant planning authority in relation to that stage.

(2) The right of way diversion must be constructed in accordance with the approved plan in paragraph (1).

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

**11.**—(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 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**

**12.**—(1) In the event that contamination is found at any time when carrying out the authorised 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 in consultation with Natural Resources Wales. 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 in consultation with Natural Resources Wales.

(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 in consultation with Natural Resources Wales.

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

(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 in consultation with Natural Resources Wales.

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## **Archaeology**

**13.**—(1) No stage of the authorised development shall commence until a written scheme for the investigation of archaeology consistent with the archaeological written scheme of investigation is 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.

## **Plans**

**14.** Subject to article 5 (limits of deviation) and any of the other Requirements, the authorised development shall be carried out in accordance with the plans or other documents certified in accordance with article 33 (certification of plans).

## **Habitat management plan**

**15.** Prior to the commencement of any stage of works in areas identified within the habitat management plan, a final habitat management plan consistent with the habitat management plan shall be submitted to and approved by the relevant planning authority. The authorised development shall be implemented, maintained and monitored in accordance with the approved final habitat management plan. Informed by the results of the monitoring, the plan shall be reviewed for a period up to five years by the undertaker in consultation with the relevant planning authority. Any recommendations or modifications to be made to the plan as a result of the review shall be agreed in writing with the relevant planning authority and implemented.

## **Trees to be affected**

**16.** A protocol shall be prepared, submitted to and approved by the relevant planning authority for the identification of trees to be affected by the authorised development. The protocol shall require information on the species and dimensions of the tree(s) to be affected and the nature of the works to be undertaken to be provided to the relevant planning authority for prior approval a minimum of two weeks before the works commence to such trees. Works shall be undertaken to the affected trees in accordance with the approved protocol.

## **Lighting**

**17.** Details of lighting required to illuminate working areas, including construction compounds shall be submitted to and agreed in writing by the relevant planning authority prior to its first use. The lighting shall be directional and shall not spill onto watercourses, riparian corridors, residential properties or gardens.

## **Construction traffic management plan**

**18.**—(1) No numbered work of the authorised development other than tree felling is to commence until a final CTMP covering that numbered work has been submitted to and approved by the relevant planning authority in consultation with the Department for Transport of the Welsh Government. The final CTMP must be consistent with the CTMP and shall include proposals for the movement of construction traffic including measures to promote sustainable travel. It shall also include—

- (a) site access and traffic management;
- (b) a routing strategy for construction traffic;

- (c) the location and means of temporary road closure;
  - (d) the management of public rights of way consistent with the Public Rights of Way Management Strategy;
  - (e) other management matters including conditions surveys and wheel and street cleaning.
- (2) The final CTMP approved under paragraph (1) must be implemented as approved.

### **Temporary bridge**

**19.** Prior to its installation, details showing the location, structural design and appearance of the temporary bridge shall be submitted to and approved by the relevant planning authority. The bridge shall be removed and the land reinstated to the satisfaction of the relevant planning authority within one month following the completion of the cable undergrounding.

### **Construction hours**

**20.**—(1) Subject to sub-paragraphs (2) and (3) construction work must not take place other than between 0700 and 1900 hours, Monday to Friday and 0700 to 1300, Saturday and at no time on bank holidays and Sundays.

(2) Drilling operations must not take place other than between 0700 and 1700 hours on Mondays to Fridays.

(3) Protective netting of scaffolding and its subsequent removal across highways may occur outside of the construction hours.

(4) Stringing of the line across the highway may be undertaken outside of the construction hours subject to the prior written approval of the relevant planning authority.

### **Construction environmental management plan**

**21.**—(1) No authorised development is to commence until a final CEMP has been submitted to and approved in writing by the relevant planning authority in consultation with Natural Resources Wales. The final CEMP must be in accordance with the CEMP and must include the following during construction—

- (a) a waste management plan;
- (b) a pollution prevention and emergency response plan;
- (c) a water management plan; and
- (d) a dust management plan and an invasive weeds management plan.

(2) All construction works must be undertaken in accordance with the CEMP approved under paragraph (1).

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

**22.** 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**

**23.** Where under any of the 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.

### **Frac-out contingency plan**

24.—(1) Prior to the commencement of undergrounding works within Work No. 2, a final frac-out contingency plan consistent with the frac-out contingency plan shall be submitted to and approved in writing by the relevant planning authority in consultation with Natural Resources Wales. The final frac-out contingency plan shall include—

- (a) the persons responsible for implementing the measures to be set out within the plan;
- (b) design protocols and measures to be implemented for the protection of sensitive ecological receptors;
- (c) confirmation of the suitability of the formations to be drilled;
- (d) measures to monitor the drilling process for frac-out; and
- (e) the measures to be initiated to protected sensitive ecological receptors should frac-out occur.

(2) The final frac-out contingency plan must be implemented as approved.

### **Decommissioning**

25. Should the authorised development become redundant (as determined by the undertaker) for operational purposes the undertaker shall submit to the relevant planning authority a decommissioning and restoration plan for its prior written approval. The decommissioning and restoration plan shall be implemented as approved and the decommissioning of the authorised development and the restoration works shall be completed within 24 months following the approval of the decommissioning and restoration plan.

### **Flooding**

26. No authorised development is to commence within areas identified as being at risk of flooding in the flood consequence assessment until a flood risk management strategy and a flood evacuation plan has been submitted to and approved in writing by the relevant planning authority in consultation with Natural Resources Wales. The works shall be implemented in accordance with the approved strategy and plan.

### **Foundation Depths**

27. The foundation depths of the above ground electric line poles hereby approved shall not exceed 2.7m measured from natural ground level.

### **Hedgerows**

28. The width of individual hedgerows to be removed shall be restricted to a maximum width of 8m within Work No. 2 and 6m within Work No. 1 and Work No. 3. The hedgerow within Work No 2 shall be translocated and reinstated.

### **Otter Surveys**

29.—(1) Prior to the commencement of Work No. 1 within the Nant Morlais Woodland and prior to the commencement of Work No. 2 pre-construction otter surveys shall be undertaken and the results submitted to the relevant planning authority in consultation with Natural Resources Wales.

(2) Work No. 1 within the Nant Morlais Woodland shall not commence and Work No. 2 shall not commence until either the absence of otters is confirmed or the mitigation proposed is agreed by the relevant planning authority in consultation with Natural Resources Wales and implemented.

### **Marsh Fritillary Study**

**30.**—(1) Prior to the commencement of the section of Work No. 3 shown on works plans Section C Drawing Number C/WP/PS/5 in areas where food plants for marsh fritillary butterfly larvae are present, a pre-construction marsh fritillary butterfly study, the methodology for which shall be determined in consultation with Natural Resources Wales, shall be undertaken to establish the presence or absence of marsh fritillary where food plants for marsh fritillary butterfly larvae are present within that area and the results submitted to the relevant planning authority and Natural Resources Wales.

(2) The section of Work No. 3 shown on works plans Section C Drawing Number C/WP/PS/5 in areas where food plants for marsh fritillary butterfly larvae are present shall not commence until either the absence of marsh fritillary is confirmed or the mitigation proposed is agreed by the relevant planning authority in consultation with Natural Resources Wales and implemented.

### **Approved plans and amendments to approved plans**

**31.**—(1) Where a Requirement requires the authorised development to be carried out in accordance with a plan, scheme, statement, strategy, details or protocol (the “plan”) approved by the relevant planning authority or Natural Resources Wales, the approved plan must be taken to include any amendments that may be approved subsequently by the relevant planning authority or Natural Resources Wales (after consulting every person required to be consulted before approval of the original plan).

(2) The relevant planning authority or Natural Resources Wales must not approve the plan or an amendment to the plan unless it is satisfied that the plan or the amendment is unlikely to give rise to any new or materially different environmental effects from those assessed in the environmental statement.