

SCHEDULES

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.

Commencement Information

II Sch. 1 Pt. 3 para. 1 in force at 22.7.2020, see [art. 1](#)

Detailed offshore design parameters

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

- (a) exceed a height of 350 metres when measured from HAT to the tip of the vertical blade;
- (b) exceed a height of 198.5 metres to the height of the centreline of the generator shaft forming part of the hub when measured from HAT;
- (c) exceed a rotor diameter of 303 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 800 metres from the nearest wind turbine generator in either direction which is in line with the approximate prevailing wind direction (downwind);
- (e) have a draught height which is less than the minimum draught height specified for the relevant wind turbine generator capacity in the table below—

<i>Wind Turbine Generator Capacity</i>	<i>Minimum draught height</i>
Up to and including 14.6MW	35m from MHWS
14.7 MW and above	30m from MHWS

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

Changes to legislation: There are currently no known outstanding effects for the The Norfolk Vanguard Offshore Wind Farm Order 2020, PART 3. (See end of Document for details)

Commencement Information

I2 Sch. 1 para. 2 in force at 22.7.2020, see [art. 1](#)

3.—(1) The total number of wind turbine generators forming part of the authorised project must not exceed 158 and must be configured such that at any time—

- (a) no more than two-thirds of the total number of wind turbine generators (rounded to the nearest whole number) must be located in Norfolk Vanguard West; and
- (b) no more than one-half of the total number of wind turbine generators (rounded to the nearest whole number) must be located in Norfolk Vanguard East.

(2) The total number of offshore electrical platforms forming part of the authorised project must not exceed two.

(3) The total number of accommodation platforms must not exceed two.

(4) The total number of meteorological masts must not exceed two.

(5) The total number of LIDAR measurement buoys must not exceed two and the total number of wave measurement buoys must not exceed two.

Commencement Information

I3 Sch. 1 para. 3 in force at 22.7.2020, see [art. 1](#)

4.—(1) The dimensions of any offshore electrical platforms forming part of the authorised project (excluding towers, helipads, masts and cranes) must not exceed 100 metres in height when measured from HAT, 120 metres in length and 80 metres in width.

(2) The dimensions of any accommodation platform forming part of the authorised project (excluding helipads) must not exceed 100 metres in height when measured from HAT, 90 metres in length and 60 metres in width.

(3) Each meteorological mast must not exceed a height of 200 metres above HAT.

(4) Each meteorological mast must not have more than one supporting foundation.

Commencement Information

I4 Sch. 1 para. 4 in force at 22.7.2020, see [art. 1](#)

5. The total length of the cables and the volume and area of their cable protection must not exceed the following—

<i>Work</i>	<i>Length</i>	<i>Cable protection (m² and m³)</i>
Work No. 1(e) (array)	600 kilometres	389,000m ² 198,500m ³
Work No. 3 (interconnector link)	150 kilometres	76,000m ² 38,000m ³
Work No. 4A and 4B (export cable)	400 kilometres	102,086m ² 59,836m ³

Commencement Information

I5 Sch. 1 para. 5 in force at 22.7.2020, see [art. 1](#)

6.—(1) In relation to a wind turbine generator, each foundation using piles must not have—

- (a) more than four driven piles;
- (b) in the case of single pile structures, a pile diameter which is more than 15 metres; or
- (c) in the case of two or more pile structures, have a pile diameter which is more than five metres.

(2) In relation to a wind turbine generator, each foundation must not have a seabed footprint area (excluding scour protection) of greater than 1,963 m².

Commencement Information

I6 Sch. 1 para. 6 in force at 22.7.2020, see [art. 1](#)

7.—(1) In relation to a meteorological mast, each foundation using piles must not have—

- (a) more than four driven piles;
- (b) in the case of single pile structures, a pile diameter which is more than 10 metres;
- (c) in the case of two or more pile structures, have a pile diameter which is more than three metres.

(2) In relation to a meteorological mast, each foundation must not have a seabed footprint area (excluding scour protection) of greater than 314 m².

Commencement Information

I7 Sch. 1 para. 7 in force at 22.7.2020, see [art. 1](#)

8.—(1) In relation to an offshore electrical platform, each foundation using piles must not have—

- (a) more than 18 driven piles;
- (b) in the case of two or more pile structures, have a pile diameter which is more than five metres.

(2) In relation to the offshore electrical platform(s), the foundations must not have a combined seabed footprint area (excluding scour protection) of greater than 15,000 m².

Commencement Information

I8 Sch. 1 para. 8 in force at 22.7.2020, see [art. 1](#)

9.—(1) In relation to any accommodation platform, each foundation using piles must not have—

- (a) more than six driven piles;
- (b) in the case of two or more pile structures, have a pile diameter which is more than three metres.

(2) In relation to an accommodation platform, each foundation must not have a seabed footprint area (excluding scour protection) of greater than 7,500 m².

Commencement Information

I9 Sch. 1 para. 9 in force at 22.7.2020, see [art. 1](#)

10.—(1) In relation to any LIDAR measurement buoys, each foundation using piles must not have a pile diameter of greater than 10 metres.

(2) In relation to any LIDAR measurement buoys, each foundation must not have a seabed footprint area (excluding scour protection) of greater than 79 m² per buoy and 157m² in total.

(3) In relation to any wave measurement buoys, each foundation must not have a seabed footprint area (excluding scour protection) of greater than 150m² per buoy and 300 m² in total.

Commencement Information

I10 Sch. 1 para. 10 in force at 22.7.2020, see [art. 1](#)

11. The total amount of scour protection for the wind turbine generators, accommodation platform, meteorological masts, offshore electrical platforms and LIDAR measurement buoys forming part of the authorised project must not exceed 5,196,703m² and 25,983,515m³.

Commencement Information

I11 Sch. 1 para. 11 in force at 22.7.2020, see [art. 1](#)

Commencement Information

I2 Sch. 1 para. 2 in force at 22.7.2020, see [art. 1](#)

I3 Sch. 1 para. 3 in force at 22.7.2020, see [art. 1](#)

I4 Sch. 1 para. 4 in force at 22.7.2020, see [art. 1](#)

I5 Sch. 1 para. 5 in force at 22.7.2020, see [art. 1](#)

I6 Sch. 1 para. 6 in force at 22.7.2020, see [art. 1](#)

I7 Sch. 1 para. 7 in force at 22.7.2020, see [art. 1](#)

I8 Sch. 1 para. 8 in force at 22.7.2020, see [art. 1](#)

I9 Sch. 1 para. 9 in force at 22.7.2020, see [art. 1](#)

I10 Sch. 1 para. 10 in force at 22.7.2020, see [art. 1](#)

I11 Sch. 1 para. 11 in force at 22.7.2020, see [art. 1](#)

Aviation safety

12.—(1) The undertaker must exhibit such lights, with such shape, colour and character and at such times as are required in writing by Air Navigation Order 2016(1) and/or determined necessary for aviation safety in consultation with the Defence Infrastructure Organisation Safeguarding and as directed by the CAA. Lighting installed specifically to meet Ministry of Defence aviation safety requirements must remain operational for the life of the authorised development unless otherwise agreed in writing with the Ministry of Defence.

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

(2) The undertaker must notify the Defence Infrastructure Organisation Safeguarding, at least 14 days prior to the commencement of the offshore works, in writing of the following information—

- (a) the date of the commencement of construction of the offshore works;
- (b) the date any wind turbine generators are brought into use;
- (c) the maximum height of any construction equipment to be used;
- (d) the maximum heights of any wind turbine generator, meteorological mast, offshore electrical platform and accommodation platform to be constructed;
- (e) the latitude and longitude of each wind turbine generator, meteorological mast, offshore electrical platform and accommodation platform to be constructed,

and the Defence Infrastructure Organisation Safeguarding must be notified of any changes to the information supplied under this paragraph and of the completion of the construction of the offshore works.

Commencement Information

I12 Sch. 1 para. 12 in force at 22.7.2020, see [art. 1](#)

Ministry of Defence surveillance operations

13.—(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 (RRH) Trimingham and the Ministry of Defence’s air surveillance and control operations;
- (b) “approved mitigation” means the detailed Radar Mitigation Scheme (RMS) that will set out the appropriate measures and timescales for implementation as agreed with the Ministry of 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.

Commencement Information

I13 Sch. 1 para. 13 in force at 22.7.2020, see [art. 1](#)

Offshore decommissioning

14. 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) (Requirement to prepare decommissioning programmes) of the 2004 Act has been submitted to the Secretary of State for approval.

Commencement Information

114 Sch. 1 para. 14 in force at 22.7.2020, see [art. 1](#)

Stages of authorised development onshore

15.—(1) The onshore transmission works may not be commenced until notification has been submitted to the relevant planning authority detailing whether the onshore works will be constructed:

- (a) in a single onshore phase; or
- (b) in two onshore phases.

(2) The onshore transmission works may not be commenced until a written scheme setting out the stages of the onshore transmission works for the relevant onshore phase has been submitted to the relevant planning authority.

(3) The written scheme must be implemented as notified under paragraph 2.

Commencement Information

115 Sch. 1 para. 15 in force at 22.7.2020, see [art. 1](#)

Detailed design parameters onshore

16.—(1) The total number of buildings housing the principal electrical equipment for the onshore project substation comprised in Work No. 8A must not exceed two.

(2) Construction works for the buildings referred to in paragraph (1) above must not commence until details of the layout, scale and external appearance of the same have been submitted to and approved by the relevant planning authority.

(3) The onshore project substation must be carried out in accordance with the approved details.

(4) Any details provided by the undertaker pursuant to paragraph (2) must accord with the design and access statement and be within the Order limits.

(5) Buildings comprised in Work No. 8A must not exceed a height of 19 metres above existing ground level and external electrical equipment comprised in Work No. 8A must not exceed a height of 25 metres above existing ground level.

(6) The total footprint of each building housing the principal electrical equipment for the onshore project substation comprised in Work No. 8A must not exceed 110 metres by 70 metres.

(7) The fenced compound area (excluding its accesses) for the onshore project substation comprised in Work No. 8A must not exceed 250 metres by 300 metres.

(8) For the purposes of subparagraph (5) of this requirement ‘existing ground level’ means 71 metres above ordnance datum.

(9) The external electrical equipment comprised in Work No. 10A must not exceed a height of 15 metres above existing ground level.

(10) For the purposes of subparagraph (9) of this requirement ‘existing ground level’ means 69 metres above ordnance datum.

(11) The fenced compound area (excluding its accesses) for the extension to the Necton National Grid substation comprised in Work No. 10A must not exceed 200 metres by 150 metres.

(12) Construction works for the permanent replacement overhead pylons comprised in Work No. 11 must not commence until details of the same have been submitted to and approved by the relevant planning authority.

(13) The permanent replacement overhead line pylon works comprised in Work No. 11 must be carried out in accordance with the approved details.

(14) The permanent replacement overhead line pylons comprised in Work No. 11 must not exceed a height of 55 metres above existing ground level.

(15) The total footprint of each permanent replacement overhead line pylon comprised in Work No. 11 must not exceed 25 metres by 25 metres.

(16) For the purposes of subparagraph (14) of this requirement ‘existing ground level’ means between 66 and 69 metres above ordnance datum in respect of the eastern pylon identified on work plan 41 of 42 with the letter ‘E’ and between 68 and 70 metres above ordnance datum in respect of the eastern pylon identified on work plan 41 of 42 with the letter ‘W’.

(17) Trenchless installation techniques must be used for the purposes of passing under—

- (a) the River Wensum (Work No. 7);
- (b) King’s Beck (Work No. 5);
- (c) Wendling Beck (Work No. 7);
- (d) River Bure (Work No. 6);
- (e) North Walsham and Dilham Canal (Work No. 5);
- (f) the Witton Hall Plantation along Old Hall Road (Work No. 5);
- (g) the Wendling Carr County Wildlife Site (Work No. 7);
- (h) Little Wood County Wildlife Site (Work No. 7);
- (i) land south of the Dillington Carr County Wildlife Site (Work No. 7);
- (j) Kerdiston proposed County Wildlife Site (Work No. 6);
- (k) Marriott’s Way County Wildlife Site/ Public Right of Way (Work No. 6);
- (l) Paston Way and Knapton Cutting County Wildlife Site (Work No. 5);
- (m) Norfolk Coast Path (Work No. 4C);
- (n) Norwich to Cromer railway line at north Walsham (Work No. 5);
- (o) Wymondham to North Elmham Railway line at Dereham (Work No. 7);
- (p) A47 Road (Work No. 7);
- (q) A140 Road (Work No. 6);
- (r) A149 Road (Work No. 5);
- (s) A1067 Road (Work No. 7); and
- (t) In circumstances where the Hornsea Three Offshore Wind Farm Development Consent Order is made and its development commences, there shall be trenchless crossing of the B1149 (Work No. 6).

(18) The number of underground cable ducts to be installed at the landfall must not exceed two.

Commencement Information

I16 Sch. 1 para. 16 in force at 22.7.2020, see [art. 1](#)

Landfall method statement

17.—(1) No part of Works No. 4A, 4B or 4C may commence until a method statement for the construction of Works No. 4A, 4B and 4C has been submitted to and approved in writing by North Norfolk District Council in consultation with Natural England.

(2) The method statement referred to in paragraph (1) must include measures for long horizontal directional drilling below the coastal shore platform and cliff base at the landfall as well as measures for ongoing inspection of Work No. 4C and reporting of results to North Norfolk District Council during the operation of the authorised project.

(3) In the event that inspections indicate that as a result of the rate and extent of landfall erosion Work No. 4C could become exposed during the operation of the authorised project the undertaker must, as soon as practicable, submit proposals in writing for remedial measures to protect Work No. 4C, together with a timetable for their implementation, to North Norfolk District Council for their approval, in consultation with Natural England.

(4) The method statement and any proposals for remedial measures must be implemented as approved.

Commencement Information

I17 Sch. 1 para. 17 in force at 22.7.2020, see [art. 1](#)

Provision of landscaping

18.—(1) No stage of the onshore transmission works may commence until for that stage a written landscaping management scheme and associated work programme (which accords with the outline landscape and ecological management strategy) has been submitted to and approved by the relevant planning authority in consultation with Natural England.

(2) The landscaping management scheme must include details of proposed hard and soft landscaping works appropriate for the relevant stage, including—

- (a) location, number, species, size and planting density of any proposed planting, including any trees;
- (b) cultivation, importing of materials and other operations to ensure plant establishment;
- (c) hard surfacing materials;
- (d) details of existing trees to be removed, and details of existing trees and hedgerows to be retained with measures for their protection during the construction period;
- (e) retained historic landscape features and proposals for restoration, where relevant;
- (f) implementation timetables for all landscaping works;
- (g) proposed finished heights, form and gradient of earthworks; and
- (h) maintenance of the landscaping.

(3) The landscaping management scheme must be implemented as approved.

Commencement Information

I18 Sch. 1 para. 18 in force at 22.7.2020, see [art. 1](#)

Implementation and maintenance of landscaping

19.—(1) All landscaping works must be carried out in accordance with the landscaping management schemes approved under requirement 18 (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 landscaping management 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 a different species is otherwise agreed in writing with the relevant planning authority.

Commencement Information

I19 Sch. 1 para. 19 in force at 22.7.2020, see [art. 1](#)

Code of construction practice

20.—(1) No stage of the onshore transmission works may commence until for that stage a code of construction practice has been submitted to and approved by the relevant planning authority, in consultation with Norfolk County Council, the Environment Agency, and Natural England.

(2) The code of construction practice must accord with the outline code of construction practice and include details, as appropriate to the relevant stage, on—

- (a) relevant health, safety and environmental legislation and compliance;
- (b) local community liaison responsibilities;
- (c) artificial light emissions;
- (d) contaminated land and groundwater;
- (e) construction noise and vibration;
- (f) soil management;
- (g) construction method statements;
- (h) site and excavated waste management;
- (i) construction surface water and drainage;
- (j) materials management;
- (k) screening, fencing and site security;
- (l) air quality;
- (m) invasive species management; and
- (n) proposals for managing public rights of way.

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

(4) Pre-commencement screening, fencing and site security works must only take place in accordance with a specific plan for such pre-commencement works which must accord with the relevant details for screening, fencing and site security set out in the outline code of construction practice, and which has been submitted to and approved by the relevant local authority.

Commencement Information

I20 Sch. 1 para. 20 in force at 22.7.2020, see [art. 1](#)

Traffic

21.—(1) No stage of the onshore transmission works may commence until for that stage the following plans, as appropriate for the relevant stage, have for that stage been submitted to and approved by the relevant planning authority in consultation with the highway authority—

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

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

(3) If any of the accesses identified in the outline access management plan are required for pre-commencement archaeological investigations, a specific plan for such accesses which must accord with the relevant details set out in the outline access management plan must be submitted to and approved by the relevant planning authority, in consultation with the highway authority, prior to the construction and use of such accesses. The accesses identified must be constructed and used in accordance with the details contained in the specific plan so approved.

(4) In circumstances where the Hornsea Three Offshore Wind Farm Development Consent Order is made, and notwithstanding the requirement of sub-paragraph (a) of paragraph (1) above, the traffic management plan shall include, in respect of Link 34 as referred to in the Environmental Statement, revised details of a scheme of traffic mitigation which shall be submitted to, and approved in writing by, the relevant planning authority, in consultation with the highway authority.

(5) In circumstances where the Norfolk Boreas Development Consent Order is made and, in respect of Link 34, the Norfolk Boreas Outline Traffic Management Plan materially differs from the outline traffic management plan, the traffic management plan must include, in respect of Link 34, traffic mitigation which is consistent with the Norfolk Boreas Outline Traffic Management Plan but only to the extent that such mitigation is capable of being accommodated within the Order limits and does not give rise to any materially new or materially different environmental effects from those assessed in the environmental statement.

Commencement Information

I21 Sch. 1 para. 21 in force at 22.7.2020, see [art. 1](#)

Highway accesses

22.—(1) The access management plan submitted for approval under Requirement 21(1)(c) must include details of the siting, design, layout and any access management measures for any new, permanent or temporary means of access (including, where relevant, details of reinstatement measures) 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.

(2) The highway accesses for each stage of the onshore transmission works 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.

Commencement Information

I22 Sch. 1 para. 22 in force at 22.7.2020, see [art. 1](#)

Archaeological written scheme of investigation

23.—(1) No stage of the onshore transmission works may commence until for that stage an archaeological written scheme of investigation (which accords with the outline written scheme of investigation (onshore)) has, after consultation with Norfolk County Council and Historic England, been submitted to and approved by the relevant planning authority.

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

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

(4) Pre-commencement surveys, site preparation works and archaeological investigations must only take place in accordance with a specific written scheme of investigation which is in accordance with the details set out in the outline written scheme of investigation (onshore), and which has been submitted to and approved by the relevant local authority.

Commencement Information

I23 Sch. 1 para. 23 in force at 22.7.2020, see [art. 1](#)

Ecological management plan

24.—(1) No stage of the onshore transmission works may commence until for that stage a written ecological management plan (which accords with the outline landscape and ecological management strategy as appropriate for the relevant stage) has been submitted to and approved by the relevant planning authority in consultation with Natural England. The ecological management plan must be informed by post consent ecological surveying of previously un-surveyed areas for the relevant stage.

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

(3) Pre-commencement site clearance works must only take place in accordance with a specific ecological management plan for site clearance works which is in accordance with the relevant details for site clearance works set out in the outline landscape and ecological management strategy, and which has been submitted to and approved by the relevant local authority. The plan for site clearance

works must be informed by post consent ecological surveying of previously un-surveyed areas for the relevant stage referred to in the plan.

(4) Construction works within 5km of the Broadland Special Protection Area and Ramsar site must be carried out in accordance with the mitigation relating to onshore ornithology contained in paragraphs 227 to 230 of the outline landscape and ecological management strategy, which must be incorporated into the ecological management plan.

Commencement Information

I24 Sch. 1 para. 24 in force at 22.7.2020, see [art. 1](#)

Watercourse crossings

25.—(1) No stage of the onshore transmission works involving the crossing, diversion and subsequent reinstatement of any designated main river or ordinary watercourse may commence until a scheme and programme for any such crossing, diversion and reinstatement in that stage has been submitted to and, approved by the relevant planning authority in consultation with Norfolk County Council, the Environment Agency, relevant drainage authorities and Natural England.

(2) The designated main river or ordinary watercourse must be crossed, diverted and subsequently reinstated in accordance with the approved scheme and programme.

(3) Unless otherwise permitted under paragraph (1), throughout the period of construction of the onshore transmission works, all ditches, watercourses, field drainage systems and culverts must be maintained such that the flow of water is not impaired or the drainage onto and from adjoining land rendered less effective.

Commencement Information

I25 Sch. 1 para. 25 in force at 22.7.2020, see [art. 1](#)

Construction hours

26.—(1) Construction work for the onshore transmission works must only take place between 0700 hours and 1900 hours Monday to Friday, and 0700 hours to 1300 hours on Saturdays, with no activity on Sundays or bank holidays, except as specified in paragraphs (2) to (4).

(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, drilling, and pulling cables (including fibre optic cables) through ducts;
- (b) delivery to the onshore transmission works of abnormal loads that may otherwise cause congestion on the local road network;
- (c) works required that may necessitate the temporary closure of roads;
- (d) onshore transmission works requiring trenchless installation techniques;
- (e) onshore transmission works at the landfall;
- (f) commissioning or outage works associated with the extension to the Necton National Grid substation comprised within Work No. 10A;
- (g) commissioning or outage works associated with the overhead line modification works comprised within Work No. 11 and Work No. 11A;

- (h) electrical installation; and
 - (i) emergency works.
- (3) Outside the hours specified in paragraph (1), construction work may be undertaken for non-intrusive activities including but not limited to—
- (a) fitting out works within the onshore project substation buildings comprised within Work No. 8A; and
 - (b) daily start up or shut down;
- (4) Save for emergency works, full details, including but not limited to type of activity, vehicle movements and type, timing and duration and any proposed mitigation, of all essential construction activities under paragraph (2) and undertaken outside the hours specified in paragraph (1) must be agreed with the relevant planning authority in writing in advance, and must be carried out within the agreed time.
- (5) No crushing or screening works must take place at any time on any of the mobilisation areas, without the prior written consent of the relevant planning authority.

Commencement Information

I26 Sch. 1 para. 26 in force at 22.7.2020, see [art. 1](#)

Control of noise during operational phase and during maintenance

27.—(1) The noise rating level for the use of Work No. 8A and during maintenance must not exceed 35dB $L_{Aeq, (5 \text{ minutes})}$ at any time at a free field location immediately adjacent to any noise sensitive location.

(2) The noise rating level for the use of Work No. 8A and during maintenance must not exceed 32 dB $L_{Leq (15 \text{ minutes})}$ in the 100Hz third octave band at any time at a free field location immediately adjacent to any noise sensitive location.

(3) Work No. 8A must not commence operation until a scheme for monitoring compliance with the noise rating levels set out in paragraphs (1) and (2) above has been submitted to and approved by the relevant planning authority. The scheme must include identification of suitable monitoring locations (and alternative surrogate locations if appropriate) and times when the monitoring is to take place to demonstrate that the noise levels have been achieved after both initial commencement of operations and six months after Work No. 8A is at full operational capacity. Such measurements must be submitted to the relevant planning authority no later than 28 days following completion to confirm the rating level of operational noise emissions do not exceed the levels specified in subparagraphs (1) and (2), including details of any remedial works and a programme of implementation should the emissions exceed the stated levels.

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

Commencement Information

I27 Sch. 1 para. 27 in force at 22.7.2020, see [art. 1](#)

European protected species onshore

28.—(1) No stage of the onshore transmission works may commence until final pre-construction survey work has been carried out to establish whether a European protected species is present on

any of the land affected, or likely to be affected, by that stage of the onshore transmission works or in any of the trees to be lopped or felled as part of that stage of the onshore transmission works.

(2) Where a European protected species is shown to be present, the relevant part(s) of the onshore transmission works must not begin until, after consultation with Natural England and the relevant planning authority, a scheme of protection and mitigation measures has been submitted to and approved by the relevant planning authority. The onshore transmission works must be carried out in accordance with the approved scheme.

(3) “European protected species” has the same meaning as in regulations 42 and 46 of the Conservation of Habitats and Species Regulations 2017(2).

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Commencement Information

I28 Sch. 1 para. 28 in force at 22.7.2020, see [art. 1](#)

Onshore decommissioning

29.—(1) Within six months of the permanent cessation of commercial operation of the onshore transmission works an onshore decommissioning plan must be submitted to the relevant planning authority for approval.

(2) The onshore decommissioning plan must be implemented as approved.

(3) The undertaker must notify the relevant planning authority in writing of the permanent cessation of commercial operation of the onshore transmission works within 28 days of such permanent cessation.

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Commencement Information

I29 Sch. 1 para. 29 in force at 22.7.2020, see [art. 1](#)

Requirement for written approval

30. 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.

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Commencement Information

I30 Sch. 1 para. 30 in force at 22.7.2020, see [art. 1](#)

Amendments to approved details

31.—(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 agreed in writing by the relevant planning authority or that other person in accordance with paragraph (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

(2) [S.I. 2017/1012](#).

be given in relation to 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.

Commencement Information

I31 Sch. 1 para. 31 in force at 22.7.2020, see [art. 1](#)

Operational drainage plan

32.—(1) Each of Work No. 8A and Work No. 8B and Work No. 10A, Work No. 10B, and Work No. 10C must not commence until a written plan for drainage during operation of the relevant work, has been submitted to and approved by the relevant planning authority, following consultation with Norfolk County Council and the Environment Agency.

(2) The operational drainage plan must accord with the principles for the relevant work set out in the outline operational drainage plan, and must include a timetable for implementation.

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

Commencement Information

I32 Sch. 1 para. 32 in force at 22.7.2020, see [art. 1](#)

Skills and employment strategy

33.—(1) No stage of the onshore transmission works may commence until a skills and employment strategy (which accords with the outline skills and employment strategy) has been submitted to and approved in writing by Norfolk County Council.

(2) Prior to submission of the skills and employment strategy for approval in accordance with paragraph (1), the undertaker must consult North Norfolk District Council, Broadland District Council, Breckland District Council, Norfolk County Council and the New Anglia Local Enterprise Partnership on the content of the strategy.

(3) The skills and employment strategy must be implemented as approved.

Commencement Information

I33 Sch. 1 para. 33 in force at 22.7.2020, see [art. 1](#)

Cromer Primary Surveillance Radar

34.—(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 lifetime of the authorised development 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 all other obligations contained within the approved mitigation for the lifetime of the authorised development.

Changes to legislation: There are currently no known outstanding effects for the The Norfolk Vanguard Offshore Wind Farm Order 2020, PART 3. (See end of Document for details)

(3) For the purposes of this requirement—

“appropriate mitigation” means measures to prevent or remove any adverse effects which the operation of the authorised development will have on NATs’ ability to provide safe and efficient air traffic (surveillance and control) services/operations during the lifetime of the authorised development in respect of which all necessary stakeholder consultation has been completed by NATS and all necessary approvals and regulatory consents have been obtained;

“approved mitigation” means the detailed Primary Surveillance Radar Mitigation Scheme setting out the appropriate mitigation approved by the Secretary of State and confirmed in writing in accordance with paragraph (1);

“NATS” means NATS (En-Route) Plc or any successor body;

“lifetime of the authorised development” means the period ending when the wind turbine generators are finally decommissioned and removed.

Commencement Information

I34 Sch. 1 para. 34 in force at 22.7.2020, see [art. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Norfolk Vanguard Offshore Wind Farm Order 2020, PART 3.