

**HORIZON**

NUCLEAR POWER



# Wylfa Newydd Project

## 3.1 Draft Development Consent Order

PINS Reference Number: EN010007

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Application Reference Number: 3.1

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Planning Act 2008

Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

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**201[X] No.000**

**INFRASTRUCTURE PLANNING**

**The Wylfa Newydd (Nuclear Generating Station) Order 201[x]**

<i>Made</i> - - - -	[X]
<i>Laid before Parliament</i>	[X]
<i>Coming into force</i> - -	[X]

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The [x], in exercise of the powers conferred by sections [x] of the [x] Act [x] **(a)**, makes the following Order:

An application has been made to the Secretary of State under section 37 of the Planning Act 2008 (the “2008 Act”**(b)**) and in accordance with the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009**(c)** for an Order under sections 114, 115 and 120 of the 2008 Act.

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**(a)** TBD

**(b)** 2008 c.29. Section 37 was amended by section 173(5) of, and paragraph 5 of Schedule 13 to the Localism Act 2011 (c.20). Parts 1 to 7 were amended by Chapter 6 of Part 6 of, and Part 1 of Schedule 13 to the Localism Act 2011 (c.20).

**(c)** S.I. 2009/2264, amended by S.I. 2010/439, S.I. 2010/602, S.I. 2012/635, S.I. 2012/2654, S.I. 2012/2732, S.I. 2013/522, S.I. 2013/755, S.I. 2014/469, S.I. 2015/377, S.I. 2014/2381, S.I. 2015/1682, S.I. 2017/524 and S.I. 2017/572.

The application was examined by [a Panel of X members (“the Panel”)] OR [the single appointed person] in accordance with Chapter 4 of Part 6 of the 2008 Act and the Infrastructure Planning (Examination Procedure) Rules 2010(a).

The [Panel]/[single appointed person], having considered the application with the documents that accompanied it and the representations made and not withdrawn, has submitted a report with a recommendation to the Secretary of State.

The Secretary of State, having considered the report and recommendation of the [Panel]/[single appointed person], has decided to make an Order granting development consent for the development described in the application [with modifications that in the opinion of the Secretary of State do not make any substantial changes to the proposals comprised in the application].

The Secretary of State is satisfied that the special category land (as identified in the Book of Reference), when burdened with rights imposed by this Order, will be no less advantageous than it was before to persons in whom it is vested, other persons, if any, entitled to rights of common or other rights and the public, and that accordingly, section 132(3) of the 2008 Act applies.

The Secretary of State, in exercise of the powers conferred by sections 114, 115 and 120 of the 2008 Act, makes the following Order—

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(a) S.I. 2010/103, amended by S.I. 2012/635.

# PART 1

## PRELIMINARY

### Citation and commencement

1. This Order may be cited as the Wylfa Newydd (Nuclear Generating Station) Order and comes into force on [x].

### Interpretation

2.—(1) In this Order, unless the context requires otherwise—

“the 1847 Act” means the Harbours, Docks and Piers Clauses Act 1847(a);

“the 1961 Act” means the Land Compensation Act 1961(b);

“the 1965 Act” means the Compulsory Purchase Act 1965(c);

“the 1980 Act” means the Highways Act 1980(d);

“the 1981 Act” means the Compulsory Purchase (Vesting Declarations) Act 1981(e);

“the 1984 Act” means the Road Traffic Regulation Act 1984(f);

“the 1990 Act” means the Town and Country Planning Act 1990(g);

“the 1991 Act” means the New Roads and Street Works Act 1991(h);

“the 1995 Order” means the Town and Country Planning (General Permitted Development) Order 1995(i);

“the 2008 Act” means the Planning Act 2008;

“the 2009 Act” means the Marine and Coastal Access Act 2009(j);

“A5025 Off-Line Highway Improvements sub-CoCP” means the document certified as the A5025 Off-Line Highway Improvements sub-Code of Construction Practice by the Secretary of State under article 76 (Certification of plans, etc.) and identified in Schedule 18 (Certified Documents) for the purposes of this Order;

“address” includes any number or address used for the purposes of electronic transmission;

“apparatus”, unless otherwise provided for, has the same meaning as in Part 3 of the 1991 Act;

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- (a) 1847 c.27. Sections 35 and 39 were amended by section 46 of the Criminal and Justice Act 1982 (c.48). There are other amendments made to the 1847 Act which are not relevant to this Order.
- (b) 1961 c.33. Part 1 was amended by S.I. 2009/1307. There are other amendments to the 1961 Act which are not relevant to this Order.
- (c) 1965 c.56. Section 5 was amended by section 67 of the Planning and Compensation Act 1961 (c.34) and S.I. 2009/1307. Section 11 was amended by sections 186, 187(2) and 188 of, paragraph 3 of Schedule 16 to and paragraph 6 of Schedule 14 to the Housing and Planning Act 2016 (c.22) and S.I. 2009/1307. Section 13 was amended by sections 139(5) to (9), paragraph 28 of Schedule 13 and paragraph 1 of Schedule 23 of the Tribunal, Courts and Enforcement Act 2007 (c.15). There are other amendments to the 1965 Act which are not relevant to this Order.
- (d) 1980 c.66. Section 64 was amended by section 102 and Schedule 17 of the Local Government Act 1985 (c.51) and paragraph 1 of Schedule 9 to the New Roads and Street Works Act 1991 (c.22). There are other amendments to the 1980 Act which are not relevant to this Order.
- (e) 1981 c.66.
- (f) 1984 c.27. Section 32 was amended by sections 1, 2 and 8(1) and paragraph 4(6)(d) of Schedule 5 to the Local Government Act 1985 (c.51). There are other amendments to the 1984 Act which are not relevant to this Order.
- (g) 1984 c.27. Section 32 was amended by sections 1, 2 and 8(1) and paragraph 4(6)(d) of Schedule 5 to the Local Government Act 1985 (c.51). There are other amendments to the 1984 Act which are not relevant to this Order.
- (h) 1991 c.22. Sections 48 and 50 were amended by section 124 of the Local Transport Act 2008 (c.26). Sections 51, 54, 55, 57, 59, 60, 65, 67, 68 to 70, 75, 76, 79 to 81 and 85 were amended by sections 40, 42, 49, 51, 52 and 54 and Schedule 1 to the Traffic Management Act 2004 (c.18) and S.I. 2007/1951.
- (i) S.I. 1995/418. Article 3 was amended by S.I. 1999/1783 and S.I. 2016/58. There are other amendments to S.I. 1995/418 which are not relevant to this Order.
- (j) 2009 c.23.



“area of seaward construction activity” means the area of the sea within the Order Limits shown on the Work Plans;

“authorised development” means the development and associated development described in Schedule 1 (Authorised development) and any other development authorised by this Order which is development within the meaning of section 32 of the 2008 Act;

“Book of Reference” means the document certified by the Secretary of State as the book of reference under article 76 (Certification of plans, etc.) and identified in Schedule 18 (Certified Documents) for the purposes of this Order;

“building” includes any structure or erection or any part of a building, structure or erection;

“carriageway” has the meaning as in the 1980 Act;

“commence” means beginning to carry out any material operation, as defined in section 155 of the 2008 Act (when development begins), forming part, or carried out for the purposes, of the authorised development other than operations consisting of—

- (a) site preparation and clearance;
- (b) pre-construction archaeological works;
- (c) environmental surveys and monitoring;
- (d) removal of hedgerows, trees and shrubs;
- (e) investigations for the purpose of assessing ground conditions;
- (f) diversion or laying of services;
- (g) remedial work in respect of any contamination or adverse ground conditions;
- (h) receipt and erection of construction plant and equipment;
- (i) the temporary display of site notices and advertisements;
- (j) erection of temporary buildings, structures or enclosures related to any of the works listed above,

and the words “commencement” and “commenced” are to be construed accordingly;

“compulsory acquisition notice” means a notice served in accordance with section 134 of the 2008 Act (notice of authorisation of compulsory acquisition);

“Construction Method Statement” means the document certified as the construction method statement by the Secretary of State under article 76 (Certification of plans, etc.) and identified in Schedule 18 (Certified Documents) for the purposes of this Order;

“Dalar Hir Park and Ride sub-CoCP” means the document certified as the Dalar Hir Park and Ride sub-Code of Construction Practice by the Secretary of State under article 76 (Certification of plans, etc.) and identified in Schedule 18 (Certified Documents) for the purposes of this Order;

“Design and Access Statement” or “DAS” means the document certified as the design and access statement by the Secretary of State under article 76 (Certification of plans, etc.) and identified in Schedule 18 (Certified Documents) for the purposes of this Order;

“Detailed Design Drawings” means the drawings certified as the detailed design drawings by the Secretary of State under article 76 (Certification of plans, etc.) and identified in Schedule 18 (Certified Documents) for the purposes of this Order and identified in Part 6 of Schedule 2 (Approved plans) or approved pursuant to a Requirement;

“discharging authority” means IACC in respect of any Requirements in Schedule 3 (Requirements) of this Order relating to land above the MHWS, and NRW in respect of any Requirements relating to land below the MHWS and the Marine Works;

“electronic transmission” means a communication transmitted—

- (a) by means of an electronic communications network; or
- (k) by other means but while in electronic form;

“Environmental Statement” means the document submitted by the undertaker to support its application for development consent and certified as the environmental statement by the

Secretary of State under article 76 (Certification of plans, etc.) and identified in Schedule 18 (Certified Documents) for the purposes of this Order;

“footpath” and “footway” have the same meaning as in the 1980 Act;

“footpath implementation plan” means a written plan agreed between the undertaker and the highway authority for creation or improvement of a footpath or combined footpath/cycleway to a specified standard;

“general direction” means a direction given by the undertaker under article 62 (General directions to vessels);

“harbour” means the harbour as comprised within the harbour limits and to be constructed by the undertaker in pursuance of the powers conferred on it by this Order, and all other works, land, buildings, ancillary works, plant, property and conveniences connected with it, as from time to time existing within the harbour limits;

“harbour authority”, in relation to a harbour, means the harbour authority that has a statutory duty to manage, maintain or improve the harbour;

“harbour limits” means the limits of the harbour as specified in article 48 (Limits of harbour) and identified in Schedule 16 (Limits of harbour);

“harbour master” means the person appointed as such by the undertaker and includes that person’s deputies and assistants and any other person for the time being authorised by the undertaker to act, either generally or for a specific purpose, in the capacity of harbour master;

“the harbour undertaking” means the harbour undertaking of the undertaker as authorised from time to time;

“highway”, “highway authority” and “local highway authority” have the same meaning as in the 1980 Act;

“IACC” means Isle of Anglesey County Council;

“land” includes land covered by water, any interest in land or right in, to or over land;

“Land Plans” means the plans certified as the land plans by the Secretary of State under article 76 (Certification of plans, etc.) and identified in Schedule 18 (Certified Documents) for the purposes of this Order and identified in Part 3 of Schedule 2 (Approved Plans);

“Landscape and Habitat Management Strategy” or “LHMS” means the document certified as the Landscape and Habitat Management Strategy by the Secretary of State under article 76 (Certification of plans, etc.) and identified in Schedule 18 (Certified Documents) for the purposes of this Order;

“level of high water” means the level of mean high-water springs;

“level of low water” means the level of mean low water neaps;

“limits of deviation” means the limits of deviation referred to in article 4 (Limits of deviation) and shown on the Works Plans and Detailed Design Drawings;

“local planning authority” has the same meaning as in the 1990 Act;

“maintain” includes inspect, repair, adjust, alter, improve, landscape, preserve, remove, reconstruct, refurbish, relay, extend, enlarge or replace any part of the authorised development, provided such works do not give rise to any materially new or materially different environmental effects to those identified in the Environmental Statement, or vary the authorised development as described in Schedule 1 (Authorised development), and any derivative of “maintain” must be construed accordingly;

“master” in relation to a vessel means any person for the time being having or taking the command, charge or management of the vessel;

“Marine Off-Loading Facility” means the marine off-loading facility comprised in Work No. 1F as described in Schedule 1 (Authorised development) of this Order;

“Marine Works” means Work No.s 1E, 1F, 1G, 1H described in Schedule 1 (Authorised development) and any other Works authorised by this Order or, as the case may require, any part of those works and “Marine Work” refers to any one of the Marine Works;

“Marine Works sub-CoCP” means the document certified as the Marine Works sub-Code of Construction Practice by the Secretary of State under article 76 (Certification of plans, etc.) and identified in Schedule 18 (Certified Documents) for the purposes of this Order;

“the Maritime and Coastguard Agency” means the executive agency of the Department for Transport;

“mean high water springs” or “MHWS” means the highest level which spring tides reach on average over a period of time, unless otherwise agreed with NRW;

“National Grid” means National Grid Electricity Transmission plc. (Company No. 02366977) and their successors in title, assigns and any other person exercising their powers or performing the same functions;

“operational period” means the period of time that the relevant part of the authorised development is in operation after construction and commissioning is complete pursuant to the relevant construction contract or contracts and “operation” and “operational” should be construed accordingly;

“NRW” means the Permitting Service of Natural Resources Wales;

“Off-Site Power Station Facilities sub-CoCP” means the document certified as the Off-Site Power Station Facilities sub-Code of Construction Practice by the Secretary of State under article 76 (Certification of plans, etc.) and identified in Schedule 18 (Certified Documents) for the purposes of this Order;

“Order Land” means the land identified by plot numbers on the Land Plans and described in the Book of Reference;

“Order Limits” means the limits shown on the Order Limits Plans and Works Plans within which the authorised development may be carried out;

“Order Limits Plans” means the plans certified as the order limits plans by the Secretary of State under article 76 (Certification of plans, etc.) and identified in Schedule 18 (Certified Documents) for the purposes of this Order and identified in Part 1 of Schedule 2 (Approved plans);

“owner”, in relation to land, has the same meaning as in section 7 of the Acquisition of Land Act 1981 (interpretation)(a);

“Parameter Plans” means the plans certified as the parameter plans by the Secretary of State under article 76 (Certification of plans, etc.) and identified in Schedule 18 (Certified Documents) for the purposes of this Order and identified in Part 4 of Schedule 2 (Approved plans);

“Parc Cybi Logistics Centre sub-CoCP” means the document certified as the Parc Cybi Logistics Centre sub-Code of Construction Practice by the Secretary of State under article 76 (Certification of plans, etc.) and identified in Schedule 18 (Certified Documents) for the purposes of this Order;

“Phasing Strategy” means the document certified as the phasing strategy by the Secretary of State under article 76 (Certification of plans, etc.) and identified in Schedule 18 (Certified Documents) for the purposes of this Order;

“Power Station Main Site sub-CoCP” means the document certified as the Power Station Main Site sub-Code of Construction Practice by the Secretary of State under article 76 (Certification of plans, etc.) and identified in Schedule 18 (Certified Documents) for the purposes of this Order;

“the relevant sub-CoCP” means the sub-Code of Practice that is relevant to the site concerned;

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(a) 1981 c.67. Section 7 was amended by Paragraph 9 of Part I of Schedule 15 of the Planning and Compensation Act 1991 (c.34). Part III of Schedule 2 was amended by S.I. 2009/1307. There are other amendments to the Acquisition of Land Act 1981 which are not relevant to this Order.

“Requirement” means a requirement set out in Schedule 3 (Requirements), and a reference to a numbered Requirement is a reference to the Requirement set out in the paragraph of the same number in that Schedule;

“Rights of Way Plans” means the plans certified as the rights of way plans by the Secretary of State under article 76 (Certification of plans, etc.) and identified in Schedule 18 (Certified Documents) for the purposes of this Order and identified in Part 5 of Schedule 2 (Approved plans);

“Secretary of State” means the Secretary of State for Business, Energy and Industrial Strategy, except that in article 72 (Removal of human remains) Secretary of State means the Secretary of State for Justice;

“site preparation permission” means the planning permission for the site preparation and clearance of land within the Wylfa Newydd Development Area granted by Isle of Anglesey County Council on [X], with reference number 38C310F/EIA/ECON and any variation or amendment to that permission;

“SPC Works” means Work No.12 and any other associated development related to such work described in Schedule 1 (Authorised development) of this Order and any other Works authorised by this Order or, as the case may require, any part of those works, and reference to “SPC Site” means the area within the Works Area of Work No.12 as shown on the Work Plans;

“special direction” means a direction given by the harbour master under article 64 (Special directions to vessels);

“specific associated development works” means Work No.s 3A, 6 and 7;

“statutory undertaker” means any person falling within section 127(8) of the 2008 Act (statutory undertakers’ land) and includes a public communications provider as defined in section 151(1) of the Communications Act 2003(a);

“street” means, irrespective of whether it is a throughfare, the whole or any part of any highway, road, lane, footway, alley, passage, square, court and any land laid out as a way whether it is for the time being formed as footpath or not, together with land on the verge of a street or between two carriageways, and includes part of a street and any bridge, viaduct, overpass or underpass which a street passes over;

“street authority”, in relation to a street, has the meaning given in Part 3 of the 1991 Act (the street authority and other relevant authorities);

“subsoil” means any part of the substrata which is below the surface of the ground;

“the Tribunal” means the Lands Chamber of the Upper Tribunal;

“Trinity House” means the Corporation of Trinity House of Deptford Strond;

“undertaker” means Horizon Nuclear Power Wylfa Limited or the person who has the benefit of this Order in accordance with article 8 (Benefit of Order) and 9 (Consent to transfer benefit of Order);

“vessel” means every description of vessel, however propelled or moved, and includes a non-displacement craft, a personal watercraft, a seaplane on the surface of the water, a hydrofoil vessel, a hovercraft or any other amphibious vehicle and any other thing constructed or adapted for movement through, in, on or over water and which is at the time in, on or over water;

“watercourse” includes all rivers, streams, ditches, drains, canals, cuts, culverts, dykes, sluices, sewers and passages through which water flows except a public sewer or drain;

“the Welsh Ministers” has the same meaning as in the Government of Wales Act 2006(b);

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(a) 2003 c.21. The definition of “the electronic communications code” and section 106 were amended by sections 4(3) and (4) of the Digital Economy Act 2017 (c.30). There are other amendments to the Communications Act 2003 which are not relevant to this Order.

(b) 2006 c.32 as amended by the Wales Act 2017 c.4.

“Work” means a work identified as part of the authorised development in Schedule 1 (Authorised development);

“Workforce Management Strategy” means the document certified as the Workforce Management Strategy by the Secretary of State under article 76 (Certification of plans, etc.) and identified in Schedule 18 (Certified Documents) for the purposes of this Order; and

“Work Plans” means the plans certified by the Secretary of State as Works Plans under article 76 (Certification of plans, etc.) and identified in Schedule 18 (Certified Documents) for the purposes of this Order and identified in Part 2 of Schedule 2 (Approved plans).

“Wylfa Newydd CoCP” means the document certified as the Wylfa Newydd Code of Construction Practice by the Secretary of State under article 76 (Certification of plans, etc.) and identified in Schedule 18 (Certified Documents) for the purposes of this Order; and

“Wylfa Newydd CoOP” means the document certified as the Wylfa Newydd Code of Operational Practice by the Secretary of State under article 76 (Certification of plans, etc.) and identified in Schedule 18 (Certified Documents) for the purposes of this Order.

(2) References in this Order to rights over land include references to rights to do or to place and maintain, anything in, on or under land or in the air-space above its surface and references in this Order to the imposition of restrictions are references to restrictive covenants over land which interfere with the interests or rights of another and are for the benefit of land which is acquired, or rights over which are acquired, under this Order.

(3) All distances, directions and lengths referred to in this Order are approximate and distances between points on a Work comprised in the authorised development and shown on the Works Plans or Rights of Way Plans are to be taken to be measured along that Work.

(4) All areas described in square metres in the Book of Reference are approximate.

(5) References to any statutory body includes that body’s successor bodies from time to time that have jurisdiction over the authorised development.

(6) A reference in this Order to a Work designated by a number, or by a combination of letters and numbers (for example, “Work No. 9A”), is a reference to the Work so designated in Schedule 1 (Authorised development) and reference to—

- (a) Work No.1 includes Work No.s 1A-1O;
- (b) Work No.2 includes Work No.s 2A-D;
- (c) Work No.3 includes Work No.s 3A-B;
- (d) Work No.9 includes Work No.s 9A-B; and
- (e) Work No.10 includes Work No.s 10A-B.

(7) A reference in the Schedules to a “relevant site” is a reference to the site of that name shown in the Work Plans, Rights Of Way Plans and Land Plans.

(8) References in the Schedules to points identified by letters or numbers are to be construed as references to points so lettered or numbered on the Rights of Way Plans or Land Plans.

(9) Grid references in the Schedules are references to points on the Ordnance Survey National Grid.

(10) In this Order, the expression “includes” or “include” is to be construed without limitation.

## PART 2

### PRINCIPAL POWERS

#### **Development consent etc. granted by Order**

3. Subject to the provisions of this Order and Schedule 3 (Requirements), the undertaker is granted development consent for the authorised development, to be carried out within the Order Limits.

### **Limits of deviation**

4.—(2) Subject to Schedule 3 (Requirements) articles 11 (Power to alter layout etc. of streets) and 12 (Street works) the undertaker must construct and maintain the authorised development within the Order Limits and—

- (a) In respect of any non-linear work, the undertaker may deviate laterally to the extent of the limits of deviation for that Work as shown on the Works Plan and vertically to any extent necessary;
  - (b) In respect of any linear work, the undertaker may deviate laterally within the lines or situations shown on the Work Plans, so that the centre line of that work may be situated up to 2 metres either side of the centre line of that work shown on the Works Plans;
  - (c) In respect of Work No.s 8, 9, 10 and 11 (excluding any viaduct, overbridge and underpass comprised in those Works), the undertaker may deviate vertically from the levels shown or noted on the Detailed Design Drawings of any linear work—
    - (i) to a maximum of 0.5 metres upwards; and
    - (ii) to any extent downwards as may be found necessary or convenient,
  - (d) In respect of the viaduct, overbridge and underpass comprised in Work No.s 9, 10 and 11, deviate to any extent necessary.
- (2) In this article, reference to—
- (a) a “linear work” is a reference to Work No.s 8, 9, 10 and 11; and
  - (b) a “non-linear work” is a reference to Work No.s 1, 2, 3, 4, 5, 6, 7, 12, 13, 14 and 15.

### **Effect of the Order on the site preparation permission**

- 5.—(3) If the undertaker serves a notice on IACC that it intends to commence Work No.12—
- (a) the undertaker must cease to carry out development under the site preparation permission; and
  - (b) the conditions of the site preparation permission will be unenforceable.
- (2) The undertaker may not carry out Work No. 12 under this Order until notice has been served under paragraph (1).
- (3) Notwithstanding paragraph (2), the undertaker may exercise any other powers under this Order in respect of any part of the authorised development prior to or following service of notice under paragraph (1).
- (4) Without prejudice to the generality of paragraph (3), the undertaker may discharge any Requirement at any time prior to or following the service of notice under paragraph (1).
- (5) Where details, documents, plans (except for those plans which are also the Detailed Design Drawings relating to the SPC Works) or any other matters have been approved or agreed by IACC pursuant to a condition of the site preparation permission in column (2) of Schedule 4 (Deemed approval) prior to the date on which the undertaker serves notice under paragraph (1) the corresponding requirement to that condition in column (4) of Schedule 4 (Deemed approval) will be deemed to have been approved.

### **Maintenance of the authorised development**

6. The undertaker may at any time maintain the authorised development, except to the extent that this Order or an agreement made under this Order provides otherwise.

### **Authorisation of use**

7.—(4) The undertaker is authorised to operate and use the authorised development for which development consent is granted by this Order.

(1) Paragraph (1) does not relieve the undertaker of any requirement to obtain any permit, licence or other obligation under any other legislation that may be required from time to time to authorise the operation of any part of the authorised development.

### **Benefit of Order**

8. Subject to article 9 (Consent to transfer benefit of Order), the provisions of this Order have effect solely for the benefit of the undertaker.

### **Consent to transfer benefit of Order**

9.—(1) The undertaker may, with the consent of the Secretary of State—

- (a) transfer to another person (“the transferee”) any or all of the benefit of the provisions of this Order and such related statutory rights as may be agreed between the undertaker and the transferee; or
- (b) grant to another person (“the lessee”) for a period agreed between the undertaker and the lessee any or all of the benefit of the provisions of this Order and such related statutory rights as may be so agreed,

except where paragraph (4) applies in which case no consent is required from the Secretary of State.

(2) Where a transfer or grant been made in accordance with paragraphs (1) and (4) references in this Order to the undertaker, except in paragraph (3), include references to the transferee or the lessee.

(3) The exercise by a person of any benefits or rights conferred in accordance with any transfer or grant under paragraph (1) and (4) will be subject to the same restrictions, liabilities and obligations (including development consent obligations within the meaning of section 106 of the 1990 Act (planning obligations)) as would apply if those benefits or rights were exercised by the undertaker.

(4) The undertaker may make a transfer or grant under paragraph (1) without the consent of the Secretary of State where the transferee or lessee is the holder of a licence under section 3 of the Nuclear Installations Act 1965(a) (grant and variation of nuclear site licences).

(5) Where paragraph (4) applies the undertaker must notify the Secretary of State in writing before transferring or granting any benefit referred to in paragraph (1).

### **Defence to proceedings in respect of statutory nuisance**

10.—(1) Where proceedings are brought under section 82(1) of the Environmental Protection Act 1990(b) (summary proceedings by person aggrieved by statutory nuisance) in relation to a nuisance falling within paragraphs (e), (fb), and (g) of section 79(1) of that Act (statutory nuisances and inspections therefor) no order may be made, and no fine may be imposed, under section 82(2) of that Act if the defendant shows that the nuisance—

- (a) relates to premises used by the undertaker for the purposes of or in connection with the construction, maintenance or operation of the authorised development and that the nuisance is attributable to the carrying out and use of the authorised development in accordance with—
  - (i) a notice served under section 60 of the Control of Pollution Act 1974 (control of noise on construction sites)(c);

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(a) 1965 c.57. Section 3 was amended by paragraph 18 of Part 2 of Schedule 12 of the Energy Act 2013 (c.32) and S.I. 2016/1154.

(b) 1990 c.43. Section 79(1)(fb) was inserted by section 102 of the Clean Neighbourhoods and Environment Act 2005 (c.16).

(c) 1974 c.40. Section 61 was amended by section 133 of and Schedule 7 to the Building Act 1984 (c.55), section 162(1) of and paragraph 15 of Schedule 15 to the Environmental Protection Act 1990 (c.43) and paragraph 1 of Schedule 24 to the Environment Act 1995 (c.25).

- (ii) a consent given under section 61 of the Control of Pollution Act 1974 (prior consent for work on construction sites); or
- (iii) the controls and measures relating to noise, vibration, dust or lighting as described in the Wylfa Newydd CoCP, Wylfa Newydd CoOP and relevant sub-CoCP or in accordance with noise and lighting levels set out in an environmental permit relating to the operation of the authorised development; or

(b) is a consequence of the construction, maintenance or operation of the authorised development and that it cannot reasonably be avoided.

(2) Sections 61(9) of the Control of Pollution Act 1974 (consent for work on construction sites) as it relates to proceedings under section 82 of the Environmental Protection Act 1990 (Summary proceedings by persons aggrieved by statutory nuisances) will not apply where the consent relates to the use of premises by the undertaker for the purposes of or in connection with the construction or maintenance of the authorised development.

(3) In this article “premises” has the same meaning as in section 79 of the Environmental Protection Act 1990.

## PART 3

### STREETS

#### **Power to alter layout, etc., of streets**

**11.**—(1) The undertaker may for the purposes of the authorised development alter the layout of or carry out any works in the street, as specified in column (2) of Part 1 or Part 2 of Schedule 5 (Streets subject to alteration of layout) and in the manner specified in relation to that street in column (3).

(2) Without prejudice to the specific powers conferred by paragraph (1) but subject to paragraph (3), the undertaker may, for the purposes of constructing, operating and maintaining the authorised development, alter the layout of or carry out any works on any street whether or not within the Order Limits and, without limiting the scope of this paragraph, the undertaker may—

- (a) alter the level or increase the width of any kerb, street, footpath, footway, cycle track or verge or central reservation; and
- (b) make and maintain passing place(s);
- (c) increase the width of the carriageway of the street by reducing the width of any kerb, footpath, footway, cycle track, verge, or central reservation within the street;
- (d) reduce the width of the carriageway of the street;
- (e) execute any works to widen or alter the alignment of pavements;
- (f) execute any works of surfacing or re-surfacing of the highway; and
- (g) execute any works necessary to alter existing facilities for the management and protection of pedestrians.

(3) The undertaker must restore any street that has been temporarily altered under this article to the reasonable satisfaction of the street authority.

(4) The powers conferred by paragraph (2) must not be exercised without the consent of the street authority which may not be unreasonably withheld or delayed.

(5) If a street authority that receives an application for consent under paragraph (4) fails to notify the undertaker of its decision within 56 days beginning with the date on which the application was made, that authority will be deemed to have granted consent.



## **Street works**

**12.**—(1) The undertaker may, for the purposes of the authorised development, enter on so much of any of the streets specified in column (2) of Schedule 6 (Streets subject to street works) as is within the Order Limits for the relevant site specified in column (1) of Schedule 6 (Streets subject to street works) without the consent of the street authority and—

- (a) break up or open the street, or any sewer, drain or tunnel under it;
- (b) tunnel or bore under the street or carry out works to strengthen or repair the carriageway;
- (c) place or keep apparatus in the street;
- (d) maintaining, renewing or altering apparatus in or on the street or change its position;
- (e) demolish, remove, replace and relocate any bus shelter and associated bus stop infrastructure or other street furniture;
- (f) execute any works to provide or improve sight lines;
- (g) execute and maintain any works to provide hard and soft landscaping;
- (h) carry out re-lining and placement of road markings;
- (i) removal and installation of temporary and permanent signage; and
- (j) execute any works required for or incidental to any works referred to in sub-paragraphs (a) to (i).

(2) Without limiting the scope of the powers conferred by paragraph (1) but subject to the consent of the street authority, which consent must not be unreasonably withheld or delayed, the undertaker may, for the purposes of the authorised development, enter on so much of any other street whether or not within the Order Limits, for the purposes of carrying out the works set out at paragraph (1) above.

(3) If a street authority that receives an application for consent under paragraph (2) fails to notify the undertaker of its decision within 56 days beginning with the date on which the application was made, that authority will be deemed to have granted consent.

## **Application of the 1991 Act**

**13.**—(1) Where the undertaker carries out works under this Order in relation to a highway which consists of or includes a carriageway and the works carried out are—

- (a) of a description mentioned in any of paragraphs (a), (c) to (e), (g) and (h) of section 86(3) of the 1991 Act (which defines what highway authority works are major highway works); or
- (b) works which, had they been executed by the highway authority, could have been carried out in exercise of the powers conferred by section 64 of the 1980 Act (dual carriageway and roundabouts),

the works will be treated for the purposes of Part 3 of the 1991 Act (street works) as if they were major highway works carried out by the highway authority.

(2) The provisions of sections 54 to 106 of the 1991 Act (save insofar as dis-applied through the operation of article 80 (Application, disapplication and modification of legislative provisions) and Schedule 20 (Miscellaneous controls) apply in relation to the carrying out of street works under that Act and any regulations made or code of practice issued or approved under those provisions apply (with all necessary modifications) in relation to—

- (a) carrying out of works under article 11 (Power to alter layout, etc., of streets) and article 12 (Street works);
- (b) the permanent stopping up of a street by the undertaker under article 14 (Permanent stopping up of streets and extinguishment of private means of access); and
- (c) the temporary stopping up, temporary alteration or temporary diversion of a street by the undertaker under article 16 (Temporary stopping up of streets), whether or not the

carrying out of the works or the stopping up, alteration or diversion constitutes street works within the meaning of that Act.

(3) Sections 54 and 55 of the 1991 Act have effect as if references in section 57 of that Act to emergency works included a reference to a stopping up, alteration or diversion (as the case may be) required in a case of emergency.

(4) In Part 3 of the 1991 Act, provisions relating to major highway works which refer to the highway authority concerned will, in relation to works which are major highway works by virtue of paragraph (1), be construed as references to the undertaker.

### **Permanent stopping up of streets and extinguishment of rights**

**14.**—(1) Subject to the provisions of this article, the undertaker may, in connection with the carrying out of the authorised development, stop up each of the streets and extinguish each private means of access specified in column (2) of Part 1 of Schedule 7 (Streets to be permanently stopped up and private means of access to be extinguished) to the extent specified, by reference to the letters and numbers shown on the Rights Of Way Plans, in column (3) of that Part of that Schedule.

(2) No street or private means of access specified in column (2) of Part 1 of Schedule 7 will be wholly or partly stopped up or extinguished under this article unless—

- (a) the new street or private means of access to be substituted for it, which is specified in column (4) of that Part of that Schedule is open for use, and in the case of a street, has been completed to the reasonable satisfaction of the street authority; or
- (b) a temporary alternative route for the passage of such traffic as could have used the street or private means of access to be stopped up between the commencement and termination points for the stopping up of the street or extinguishment of private means of access is first provided and, in the case of a street, is subsequently maintained by the undertaker, to the reasonable satisfaction of the street authority, until the completion and opening of the new street in accordance with paragraph (2)(a).

(3) Where the undertaker provides a substitution under paragraph (2), the new or temporary alternative street or private means of access is not required to be of a higher standard than the stopped up street or extinguished private means of access in column (2) of Part 1 of Schedule 7.

(4) No street or private means of access specified in column (2) of Part 2 of Schedule 7 will be wholly or partly stopped up or extinguished under this article unless at least one of the conditions specified in paragraph (5) is satisfied in relation to all the land which abuts on either side of the street to be stopped up or private means of access to be extinguished.

(5) The conditions referred to in paragraph (4) are that—

- (a) the undertaker is in possession of the land; or
- (b) there is no right of access to the land from the street, public of way or private means of access concerned; or
- (c) there is reasonably convenient access to the land otherwise than from the street or private means of access concerned; or
- (d) the owners and occupiers of the land have agreed to the stopping up or extinguishment.

(6) Where a street has been stopped up or private means of access extinguished under this article—

- (a) all rights of way over or along the street or private means of access are extinguished; and
- (b) the undertaker may appropriate and use for the purposes of the authorised development so much of the site of the street or private means of access as is bounded on both sides by land owned by the undertaker.

(7) Any person who suffers loss by the suspension or extinguishment of any private right of way under this article will be entitled to compensation to be determined, in case of dispute, under Part 1 of the 1961 Act (descriptions of development).

(8) This article is subject to article 38 (Apparatus and rights of statutory undertakers in stopped-up streets).

(9) For the purposes of this article and Schedule 7, the definition of “street” under article 2 (Interpretation) is extended to also include any other public right of way.

### **Status of footpaths created or improved**

**15.**—(1) With effect from the date on which the highway authority has approved that the footpaths specified in column (2) of Schedule 8 (Status of footpaths created or improved) have been created or improved to the standard specified in a footpath implementation plan, the footpaths in question shall be deemed to have the status specified in column (3) of that Schedule.

(2) For the purposes of this article and Schedule 8, the definition of “footpaths” under article 2 (Interpretation) is extended to also include combined footway/cycleways, footways and cycleways.

### **Temporary stopping up of streets**

**16.**—(1) The undertaker, during and for the purposes of carrying out the authorised development, may temporarily stop up, alter or divert any street shown on the Rights of Way Plans and may for any reasonable time—

- (a) divert the traffic from the street; and
- (b) subject to paragraph (3), prevent all persons from passing along the street.

(2) Without limitation on the scope of paragraph (1), the undertaker may use as a temporary working site any street which has been temporarily stopped up, altered or diverted under the powers conferred by this article.

(3) The undertaker must provide reasonable access for pedestrians going to or from premises abutting a street affected by the temporary stopping up, alteration or diversion of a street under this article if there would otherwise be no such access.

(4) Without prejudice to the generality of paragraph (1), the undertaker may temporarily stop up, alter or divert the streets or specified in column (2) of Schedule 9 (Streets to be temporarily stopped up) to the extent specified, by reference to the letters and numbers shown on the Rights of Way Plans, in column (3) of that Schedule, and may provide a temporary diversion.

(5) The undertaker must not temporarily stop up, alter or divert—

- (a) any street specified as mentioned in paragraph (4) without first consulting the street authority; and
- (b) any other street without the consent of the street authority, which may attach reasonable conditions to any consent, but such consent must not be unreasonably withheld or delayed.

(6) Where the undertaker provides a temporary diversion under paragraph (4), the new or temporary alternative route is not required to be of a higher standard than the temporarily stopped up street or extinguished private means of access in columns (2) of Schedule 9.

(7) Any person who suffers loss by the suspension of any private right of way under this article is entitled to compensation to be determined, in the case of dispute, under Part 1 of the 1961 Act.

(8) If a street authority that receives an application for consent under paragraph (5)(b) fails to notify the undertaker of its decision within 56 days of receiving the application, that street authority will be deemed to have granted consent.

(9) For the purposes of this article and Schedule 9, the definition of “street” under article 2 (Interpretation) is extended to also include any other public right of way.

### **Use of private roads for construction**

17.—(1) The undertaker may use any private road within the Order Limits for the passage of persons or vehicles (with or without materials, plant and machinery) for the purposes of, or in connection with, the construction of the authorised development.

(2) The undertaker must compensate the person liable for the repair of a road to which paragraph (1) applies for any loss or damage which that person may suffer by reason of the exercise of the power conferred by paragraph (1).

(3) Any dispute as to a person's entitlement to compensation under paragraph (2), or as to the amount of such compensation, is to be determined under Part 1 of the 1961 Act.

### **Access to works**

18.—(1) The undertaker may, for the purposes of the authorised development, form and lay out means of access, or improve existing means of access with the agreement of the IACC after consultation with the highway authority (such agreement not to be unreasonably withheld), at such locations within the Order Limits as the undertaker reasonably requires.

(2) If a planning authority that receives an application for approval under paragraph (1) fails to notify the undertaker of its decision within 28 days of receiving the application, that street authority will be deemed to have granted approval.

### **Construction and maintenance of new and altered streets**

19.—(1) Any street (other than public highway) to be constructed under this Order must be completed to the reasonable satisfaction of the street authority and, unless otherwise agreed between the undertaker and the street authority, be maintained by and at the expense of the undertaker for a period of 12 months from its completion and at the expiry of that period by and at the expense of the street authority.

(2) Where a street is altered under this Order, the altered part of the street must, when completed to the reasonable satisfaction of the street authority, unless otherwise agreed, be maintained by and at the expense of the undertaker for a period of 12 months from its completion and at the expiry of that period by and at the expense of the street authority.

(3) Where land not previously part of the public highway comes to form part of the public highway by virtue of construction, diversion or alteration of a street under this Order, unless otherwise agreed with the local highway authority, the land is deemed to have been dedicated as public highway immediately upon completion of the highway that has been constructed, altered or diverted.

(4) In any action against the undertaker in respect of loss or damage resulting from any failure by it to maintain a street under this article, it is a defence (without prejudice to any other defence or the application of the law relating to contributory negligence) to prove that the undertaker had taken such care as in all the circumstances was reasonably required to secure that the part of the street to which the action relates was not dangerous to traffic.

(5) For the purposes of a defence under paragraph (4), the court must in particular have regard to the following matters—

- (a) the character of the street including the traffic which was reasonably to be expected to use it;
- (b) the standard of maintenance appropriate for a street of that character and used by such traffic;
- (c) the state of repair in which a reasonable person would have expected to find the street;
- (d) whether the undertaker knew, or could reasonably have been expected to know, that the condition of the part of the street to which the action relates was likely to cause danger to users of the street; and

- (e) where the undertaker could not reasonably have been expected to repair that part of the street before the cause of action arose, what warning notices of its condition had been displayed,

but for the purposes of such a defence it is not relevant that the undertaker had arranged for a competent person to carry out or supervise the maintenance of that part of the street to which the action relates unless it is also proved that the undertaker had given that person proper instructions with regard to the maintenance of the street and that those instructions had been carried out.

### **Agreements with street authorities**

- 20.**—(1) A street authority and the undertaker may enter into agreements with respect to—
- (a) the construction of any new street authorised by this Order;
  - (b) any stopping up, alteration or diversion of a street authorised by this Order;
  - (c) the maintenance of the structure of any bridge or tunnel carrying a street over or under any part of the authorised development;
  - (d) the carrying out in the street of any of the works referred to in articles 11 (Power to alter layout, etc., of streets) or 12 (Street works); and
  - (e) such works as the parties may agree.
- (2) Such an agreement may, without prejudice to the generality of paragraph (1)—
- (a) make provision for the street authority to carry out any function under this Order which relates to the street in question;
  - (b) specify a reasonable time for the completion of the works;
  - (c) make provision for the maintenance of the structure of any viaduct, underpass, overpass or bridge carrying a street; and
  - (d) contain such terms as to payment and other matters as the parties consider appropriate.

### **Traffic regulation measures**

- 21.**—(1) Subject to the provisions of this article, the undertaker may at any time, for the purposes of the authorised development—
- (a) make provision, in respect of those streets specified in column (2) Part 1 of Schedule 10 (Traffic regulation measures), as to the speed limit of those streets as specified in column (3) of that Part of that Schedule; and
  - (b) make provision, in respect of those streets specified in column (2) of Part 1 of Schedule 10, as to the clearway status of, and the application of other prohibitions to, those streets as specified in column (3) of that Part of that Schedule.
- (2) Without limiting the scope of the specific powers conferred by paragraph (1) but subject to the provisions of this article and the consent (such consent not to be unreasonably withheld) of the traffic authority in whose area the street is situated, which consent may be subject to reasonable conditions, the undertaker may, for the purposes or in connection with the authorised development—
- (a) revoke, amend or suspend in whole or in part any order made, or having effect as if made, under the 1984 Act in so far as it is inconsistent with any prohibition, restriction or other provision made by the undertaker under this paragraph;
  - (b) permit, prohibit or restrict the stopping, parking, waiting, loading or unloading of vehicles on any road;
  - (c) authorise the use as a parking place of any road;
  - (d) make provision as to the direction or priority of vehicular traffic on any road; and
  - (e) permit or prohibit vehicular access to any road; and

- (f) make provision, in respect of those streets as specified in column (2) of that Part 2 of that Schedule 10, as to the speed limits of those streets as specified as column (3) of that part of that Schedule,

either at all times or at times, on days or during such periods as may be specified by the undertaker.

(3) Before complying with the provisions of paragraph (4) the undertaker must consult the chief officer of police and the traffic authority in whose area the street is situated.

(4) The undertaker must not exercise the powers in paragraphs (1) and (2) unless it has—

- (a) given not less than 28 days' notice in writing of its intention so to do to the chief officer of police and to the traffic authority in whose area the street is situated; and
- (b) advertised its intention in such manner as the traffic authority may specify in writing within 7 days of its receipt of notice of the undertaker's intention as provided for in subparagraph (a).

(5) Any prohibition, restriction or other provision made by the undertaker under paragraph (1) and (2) has effect as if duly made by—

- (a) the traffic authority in whose area the street is situated as a traffic regulation order under the 1984 Act; or
- (b) the local authority in whose area the street is situated as an order under section 32 of the 1984 Act, and the instrument by which it is effected may specify savings and exemptions (in addition to those mentioned in Schedule 10) to which the prohibition, restriction or other provision is subject,

is deemed to be a traffic order for the purposes of Schedule 7 to the Traffic Management Act 2004 (road traffic contraventions subject to civil enforcement)(a).

(6) Expressions used in this article and in the 1984 Act have the same meaning in this article as in that Act.

(7) If the traffic authority fails to notify the undertaker of its decision within 28 days of receiving an application for consent under paragraph (2) the traffic authority is deemed to have granted consent.

## PART 4

### SUPPLEMENTAL POWERS

#### **Discharge of water**

**22.**—(1) Subject to paragraphs (2) and (3), the undertaker may use any watercourse or any public sewer or drain for the drainage of water in connection with the carrying out, operation or maintenance of the authorised development and for that purpose may lay down, take up and alter pipes and may, on any land within the Order Limits, make openings into, and connections with, the watercourse, public sewer or drain.

(2) The undertaker must not discharge any water into any watercourse, public sewer or drain except with the consent of the person to whom it belongs; and such consent may be given subject to such terms and conditions as that person may reasonably impose, but must not be unreasonably withheld or delayed.

(3) The undertaker must not make any opening into any public sewer or drain except—

- (a) in accordance with plans approved by the person to whom the sewer or drain belongs, but such approval must not be unreasonably withheld or delayed; and
- (b) where that person has been given the opportunity to supervise the making of the opening.

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(a) 2004 c.18. Schedule 7 was amended by S.I. 2013/362. There are other amendments made to the Traffic Management Act 2004 which are not relevant to this Order.

(4) Where the person to whom the sewer or drain belongs receives an application for consent under paragraphs (2) or approval under paragraph (3)(a) and fails to notify the undertaker of its decision within 28 days of receiving an application, that person will be deemed to have granted consent or given approval, as the case may be.

(5) The undertaker must not, in carrying out or maintaining works pursuant to this article, damage or interfere with the bed or banks of any watercourse forming part of a main river, subject to the Works that are authorised under this Order.

(6) The undertaker must take such steps as are reasonably practicable to secure that any water discharged into a watercourse or public sewer or drain pursuant to this article is as free as may be practicable from gravel, soil or other solid substance, oil or matter in suspension.

(7) Any dispute arising from the making of connections to or the use of a public sewer or drain by the undertaker pursuant to paragraph (1) will be determined as if it were a dispute under section 106 of the Water Industry Act 1991 (right to communicate with public sewers)(a).

(8) In this article—

- (a) “public sewer or drain” means a sewer or drain which belongs to NRW, an internal drainage board, a local authority or a sewerage undertaker; and
- (b) except as provided in article 2 (Interpretation), other expressions used both in this article and in the Water Resources Act 1991(b) have the same meaning as in that Act.

(9) Nothing in this article overrides the requirement for an environmental permit under regulation 12(1)(b) of the Environmental Permitting (England and Wales) Regulations 2016(c).

### **Protective work to buildings**

**23.**—(1) Subject to the following provisions of this article, the undertaker may at its own expense carry out such protective works to any building lying within the Order Limits as the undertaker considers necessary or expedient.

(2) Protective works may be carried out—

- (a) at any time before or during the carrying out in the vicinity of the building of any part of the authorised development; or
- (b) after the completion of that part of the authorised development in the vicinity of the building at any time up to the end of the period of 5 years beginning with the day on which that part of the authorised development becomes operational.

(3) For the purpose of determining how the functions under this article are to be exercised the undertaker may enter and survey any building falling within paragraph (1) and any land within its curtilage, and place on, leave on and remove from the building any apparatus and equipment for use in connection with the survey.

(4) For the purpose of carrying out protective works under this article to a building the undertaker may (subject to paragraphs (5) and (6))—

- (a) enter the building and any land within its curtilage; and
- (b) where the works cannot be carried out reasonably conveniently without entering land which is adjacent to the building but outside its curtilage, enter the adjacent land (but not any building erected on it).

(5) Before exercising—

- (a) a right under paragraph (1) to carry out protective works to a building;

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(a) 1991 c.56. Section 106 was amended by sections 35(8) and 43(2) of and paragraph 1 of Schedule 2 to the Competition and Service (Utilities) Act 1992 (c.43) and sections 36(2) and 99 of the Water Act 2003 (c.37). Section 102(4) was amended by section 96(1)(c) of the Water Act 2003 (c.37) and paragraph 90 of Schedule 7 to the Water Act 2014 (c.21). Section 104 was amended by section 96(4) of and paragraph 1 of Part 3 of Schedule 9 to the Water Act 2003 (c.37), and section 42(3) of the Flood and Water Management Act 2010 (c.29).

(b) 1991 c.57.

(c) S.I. 2016/1154.

- (b) a right under paragraph (3) to enter and survey any building and any land within its curtilage and place on, leave or remove any apparatus or equipment;
- (c) a right under paragraph (4)(a) to enter a building and land within its curtilage; or
- (d) a right under paragraph (4)(b) to enter land,

the undertaker will, except in the case of emergency, serve on the owners and occupiers of the building or land not less than 14 days' notice of its intention to exercise that right and, in a case falling within sub-paragraph (a) or (d), the notice must specify the protective works proposed to be carried out.

(6) Where a notice is served under paragraph (5), the owner or occupier of the building or land concerned may, by serving a counter-notice within the period of 10 days beginning with the day on which the notice was served, require the question as to whether it is necessary or expedient to carry out the protective works or to enter the building or land to be referred to arbitration under article 78 (Arbitration).

(7) The undertaker must compensate the owners and occupiers of any building or land in relation to which rights under this article have been exercised for any loss or damage arising to them by reason of the exercise of those rights.

(8) Where—

- (a) protective works are carried out under this article to a building; and
  - (b) within the period of 5 years beginning with the day on which the part of the authorised development carried out in the vicinity of the building is first opened for use it appears that the protective works are inadequate to protect the building against damage caused by the carrying out or use of that part of the authorised development,
- the undertaker must compensate the owners and occupiers of the building for any loss or damage sustained by them.

(9) Nothing in this article relieves the undertaker from any liability to pay compensation under section 10(2) of the 1965 Act (further provision as to compensation for injurious affection).

(10) Any compensation payable under paragraph (7) or (8) must be determined, in case of dispute, under Part 1 of the 1961 Act (determination of questions of disputed compensation).

(11) In this article “protective works” in relation to a building means—

- (a) underpinning, strengthening and any other works the purpose of which is to prevent damage which may be caused to the building by the carrying out, maintenance or use of the authorised development; and
- (b) any works the purpose of which is to remedy any damage which has been caused to the building by the carrying out, maintenance or use of the authorised development.

#### **Authority to survey and investigate the land**

**24.—**(1) The undertaker may for the purposes of this Order enter on any land shown within the Order Limits or which may be affected by the authorised development and—

- (a) survey or investigate the land;
- (b) without limiting sub-paragraph (a), make trial holes in such positions on the land as the undertaker thinks fit to investigate the nature of the surface layer and subsoil and remove soil samples;
- (c) without limiting sub-paragraph (a), carry out ecological or archaeological investigations on such land; and
- (d) place on, leave on and remove from the land apparatus for use in connection with the survey, investigation of land and making of trial holes.

(2) No land may be entered or equipment placed or left on or removed from the land under paragraph (1) unless at least 14 days' notice has been served on every owner and occupier of the land.

(3) Any person entering land under this article on behalf of the undertaker—



- (a) must, if so required entering the land, produce written evidence of their authority to do so; and
  - (b) may take with them such vehicles and equipment as are necessary to carry out the survey or investigation or to make the trial holes.
- (4) No trial holes will be made under this article—
- (a) in land located within the highway boundary without the consent of the highway authority; or
  - (b) in a private street without the consent of the street authority,
- but such consent must not be unreasonably withheld or delayed.

(5) The undertaker must compensate the owners and occupiers of the land for any loss or damage arising by reason of the exercise of the authority conferred by this article, such compensation to be determined, in case of dispute, under Part 1 of the 1961 Act (determination of questions of disputed compensation).

(6) If either a highway authority or a street authority which has received an application for consent under paragraph (4) fails to notify the undertaker of its decision within 28 days of receiving the application, that authority is deemed to have granted the consent.

## PART 5

### POWERS OF ACQUISITION

#### **Compulsory acquisition of land**

**25.**—(1) The undertaker may acquire compulsorily so much of Order Land described in the Book of Reference and shown on the Land Plans as is required for the construction, operation and maintenance of the authorised development or to facilitate it, or as is incidental to it.

- (2) This article is subject to—
- (a) article 27 (Compulsory acquisition of rights);
  - (b) article 28 (Time limit for exercise of authority to acquire land compulsorily);
  - (c) article 32 (Acquisition of land limited to subsoil lying more than 9 metres beneath the surface);
  - (d) article 35 (Temporary use of land for carrying out authorised development); and
  - (e) article 82 (Crown rights).

#### **Compulsory acquisition of land – incorporation of the mineral code**

**26.**—(1) Parts 2 and 3 of Schedule 2 to the Acquisition of Land Act 1981 (minerals) are incorporated in this Order subject to the modifications that—

- (a) paragraph 8(3) is not incorporated; and
- (b) for “the acquiring authority” substitute “the undertaker”; and
- (c) for “undertaking” substitute “authorised development”.

#### **Compulsory acquisition of rights**

**27.**—(1) The undertaker may acquire compulsorily the existing rights, create and acquire compulsorily the new rights and impose such restrictive covenants described in the Book of Reference and shown on the Land Plans in, under or over the Order Land as may be required for any purpose for which that land may be acquired under article 25 (Compulsory acquisition of land).

(2) In the case of the Order Land specified in column (2) of Schedule 11 (Land in which rights, etc. may be acquired), the undertaker’s powers of compulsory acquisition are limited to the

acquisition of such new rights and the imposition of such restrictive covenants as may be required for the purpose specified in relation to that land in column (3) of that Schedule.

(3) Schedule 12 (Modification of compensation and compulsory purchase enactments for creation of new rights and restrictive covenants) has effect for the purpose of modifying the enactments relating to compensation and the provisions of the 1965 Act in their application in relation to the compulsory acquisition under this article of a right over land by the creation and acquisition of a new right or the imposition of a restrictive covenant.

(4) In any case where the acquisition of rights or imposition of a restrictive covenant under paragraph (1) is required for the purposes of diverting, replacing or protecting the apparatus of a statutory undertaker, the undertaker may, with the consent of the Secretary of State, transfer the power to acquire such rights or impose restrictive covenants to the statutory undertaker in question.

(5) The exercise by a statutory undertaker of any power in accordance with a transfer under paragraph (4) is subject to the same restrictions, liabilities and obligations as would apply under this Order if that power were exercised by the undertaker.

(6) Any person who suffers loss as a result of the extinguishment of any private right or the imposition of a restrictive covenant under this article is entitled to compensation to be determined, in case of dispute, under Part 1 of the 1961 Act.

#### **Time limit for exercise of authority to acquire land compulsorily**

**28.**—(1) After the end of the period of 5 years beginning on the day on which this Order is made—

- (a) no notice to treat is to be served under Part 1 of the 1965 Act; and
- (b) no declaration may be executed under section 4 of the 1981 Act applied by article 3030 (Application of the 1981 Act),

in relation to any part of the Order Land.

(2) The authority conferred by article 35 (Temporary use of land for carrying out authorised development) ceases at the end of the period referred to in paragraph (1), save that, nothing in this paragraph prevents the undertaker remaining in possession of land after the end of that period, if the land was entered and possession was taken before the end of that period.

#### **Private rights**

**29.**—(1) Subject to the provisions of this article, all private rights and restrictive covenants over land subject to compulsory acquisition of land or rights or the imposition of restrictions under this Order are extinguished or discharged—

- (a) as from the date of acquisition of the land or right by the undertaker or the imposition of the restriction by the undertaker, whether compulsorily or by agreement; or
- (b) on the date of entry on the land by the undertaker under section 11(1) of the 1965 Act (power of entry),

whichever is the earlier.

(2) Subject to the provisions of this article, all private rights or restrictive covenants over land owned by the undertaker which, being within the Order Limits, are required for the purposes of this Order are extinguished or discharged on the appropriation of the land by the undertaker for any of those purposes.

(3) Subject to the provisions of this article, all private rights or restrictive covenants over land of which the undertaker takes temporary possession under this Order are suspended and unenforceable for as long as the undertaker remains in lawful possession of the land.

(4) Any person who suffers loss by the extinguishment or suspension of any private right or the discharge or suspension of any restrictive covenant under this article is entitled to compensation to be determined, in case of dispute, under Part 1 of the 1961 Act.

(5) This article does not apply in relation to any right that is a “relevant right” within the meaning of section 138 of the 2008 Act (extinguishment of rights, and removal of apparatus, of statutory undertakers etc.) or where article 37 (Statutory undertakers) applies.

(6) Paragraphs (1) to (3) have effect subject to—

(a) any notice given by the undertaker before—

(i) the completion of the acquisition of the land or right or the imposition of the restrictive covenant over or affecting the land,

(ii) the undertaker’s appropriation of it;

(iii) the undertaker’s entry onto it; or

(iv) the undertaker’s taking temporary possession of it,

that any or all of those paragraphs do not apply to any right specified in the notice; and

(b) any agreement made at any time between the undertaker and the person in or to whom the right or restrictive covenant in question is vested, belongs or benefits.

(7) Where an agreement referred to in paragraph (6)(b)—

(a) is made with a person in or to whom the right is vested or belongs; and

(b) is expressed to have effect also for the benefit of those deriving title from or under that person,

(8) the agreement is effective in respect of the persons so deriving title, whether the title was derived before or after the making of the agreement.

(9) Reference in this article to private rights and restrictive covenants over land includes any trust, incident, easement, wayleave, liberty, privilege, right or advantage annexed to land and adversely affecting other land, including any natural right to support and include restrictions as to the user of land arising by virtue of a contract having that effect.

(10) This article is subject to article 14 (Permanent stopping up of streets and extinguishment of rights).

### **Application of the 1981 Act**

**30.**—(1) The 1981 Act applies as if this Order were a compulsory purchase order.

(2) The 1981 Act, as applied, has effect with the following modifications.

(3) In section 1 (application of act) for subsection (2) there is substituted—

“(2) This section applies to any Minister, any local or other public authority or any other body or person authorised to acquire land by means of a compulsory purchase order.”

(4) Omit section 5A (time limit for general vesting declaration).

(5) In section 5B (extension of time limit during challenge)—

(a) For “section 23 of the Acquisition of Land Act 1981 (application to High Court in respect of compulsory purchase order)” substitute “section 118 of the Planning Act (legal challenges relating to applications for orders granting development consent)”; and

(b) For “the three year period mentioned in section 4” substitute “the five year period mentioned in article 28 of the Wylfa Newydd (Nuclear Generating Station) Order 201[X]”.

(6) In section 6 (notices after execution of declaration) for subsection (1)(b) there is substituted—

“(1) (a) on every other person who has given information to the acquiring authority with respect to any of that land further to the invitation published and served under section 134 of the Planning Act 2008.”

(7) In section 7 (constructive notice to treat), in subsection (1)(a), omit “(as modified by section 4 of the Acquisition of Land Act 1981)”.

(8) In Schedule A1 (counter-notice requiring purchase of land not in general vesting declaration), omit paragraph 1(2).

(9) References to the 1965 Act in the Compulsory Purchase (Vesting Declarations) Act 1981 are to be construed as references to the 1965 Act as applied by section 125 of the 2008 Act (application of compulsory acquisition provisions) to the compulsory acquisition of land under this Order.

#### **Acquisition of subsoil only**

**31.**—(1) The undertaker may acquire compulsorily so much of, or such rights in, the subsoil of the land referred to in paragraph (1) of article 25 (Compulsory acquisition of land) as may be required for any purpose for which that land may be acquired under that provision instead of acquiring the whole of the land.

(2) Where the undertaker acquires any part of, or rights in, the subsoil of land under paragraph (1), the undertaker is not required to acquire an interest in any other part of the land.

(3) Paragraph (2) does not prevent article 33 (Acquisition of part of certain properties) from applying where the undertaker acquires a cellar, vault, arch or other construction forming part of a house, building or manufactory.

#### **Acquisition of land limited to subsoil lying more than 9 metres beneath the surface**

**32.**—(1) This article applies to the land specified in Schedule 13 (Land of which only subsoil more than 9 metres beneath the surface may be acquired).

(2) In the case of land to which this article applies, the undertaker may only acquire compulsorily under article 25 (Compulsory acquisition of land) so much of, or such rights in, the subsoil of the land as may be required for the purposes of the authorised project.

(3) Where the undertaker acquires any part of, or rights in, the subsoil of the land to which this article applies, the undertaker is not required to acquire a greater interest in the land or an interest in any other part of it.

(4) References in this article to the subsoil of land are references to the subsoil lying more than 9 metres beneath the level of the surface of the land, and for this purpose “level of the surface of the land” means—

- (a) in the case of any land on which a building is erected, the level of the surface of the ground adjoining the building;
- (b) in the case of a watercourse or other water area, the level of the surface of the ground nearest to it which is at all times above water level; or
- (c) in any other case, ground surface level.

#### **Acquisition of part of certain properties**

**33.**—(1) This article applies instead of section 8(1) of the 1965 Act (other provisions as divided land) (as applied by section 125 of the 2008 Act) where—

- (a) a notice to treat is served on a person (“the owner”) under the 1965 Act (as so applied) in respect of land forming only part of a house, building or manufactory or of land consisting of a house with a park or garden (“the land subject to the notice to treat”); and
- (b) a copy of this article is served on the owner with the notice to treat.

(2) In such a case, the owner may, within the period of 21 days beginning with the day on which the notice was served, serve on the undertaker a counter-notice objecting to the sale of the land subject to the notice to treat which states that the owner is willing and able to sell the whole (“the land subject to the counter-notice”).

(3) If no such counter-notice is served within that period, the owner must sell the land subject to the notice to treat.

(4) If such a counter-notice is served within that period, the question whether the owner is required to sell only the land subject to the notice to treat must, unless the undertaker agrees to take the land subject to the counter-notice, be referred to the Tribunal.

(5) If on such a reference the Tribunal determines that the land subject to the notice to treat can be taken—

- (a) without material detriment to the remainder of the land subject to the counter-notice; or
- (b) where the land subject to the notice to treat consists of a house with a park or garden, without material detriment to the remainder of the land subject to the counter-notice and without seriously affecting the amenity and convenience of the house,

the owner must sell the land subject to the notice to treat.

(6) If on such a reference the Tribunal determines that only part of the land subject to the notice to treat can be taken—

- (a) without material detriment to the remainder of the land subject to the counter-notice; or
- (b) where the land subject to the notice to treat consists of a house with a park or garden, without material detriment to the remainder of the land subject to the counter-notice and without seriously affecting the amenity and convenience of the house,

the notice to treat is to be deemed to be a notice to treat for that part.

(7) If on such a reference the Tribunal determines that—

- (a) the land subject to the notice to treat cannot be taken without material detriment to the remainder of the land subject to the counter-notice; but
- (b) the material detriment is confined to a part of the land subject to the counter-notice,

the notice to treat is deemed to be a notice to treat for the land to which the material detriment is confined in addition to the land already subject to the notice, whether or not the additional land is land that the undertaker is authorised to acquire compulsorily under this Order.

(8) If the undertaker agrees to take the land subject to the counter-notice, or if the Tribunal determines that—

- (a) none of the land subject to the notice to treat can be taken without material detriment to the remainder of the land subject to the counter-notice or, as the case may be, without material detriment to the remainder of the land subject to the counter-notice and without seriously affecting the amenity and convenience of the house; and
- (b) the material detriment is not confined to a part of the land subject to the counter-notice,

the notice to treat is to be deemed to be a notice to treat for the land subject to the counter-notice whether or not the whole of that land is land which the undertaker is authorised to acquire compulsorily under this Order.

(9) Where, by reason of a determination by the Tribunal under this article, a notice to treat is deemed to be a notice to treat for less land or more land than that specified in the notice, the undertaker may, within the period of 6 weeks beginning with the day on which the determination is made, withdraw the notice to treat; and, in that event, must pay the owner compensation for any loss or expense occasioned to the owner by the giving and withdrawal of the notice, to be determined in case of dispute by the Tribunal.

(10) Where the owner is required under this article to sell only part of a house, building or manufactory or of land consisting of a house with a park or garden, the undertaker must pay the owner compensation for any loss sustained by the owner due to the severance of that part in addition to the value of the interest acquired.

### **Rights under or over streets**

**34.—**(1) The undertaker may enter on, appropriate and use so much of the subsoil of, or air-space over, any street within the Order Limits as may be required for those purposes or any other purpose ancillary or incidental to the authorised development.

(2) Subject to paragraph (3), the undertaker may exercise any power conferred by paragraph (1) in relation to a street without being required to acquire any part of the street or any easement or right in the street.

(3) Paragraph (2) does not apply in relation to—

- (a) any subway or underground building; or
- (b) any cellar, vault, arch or other construction in, on or under a street which forms part of a building fronting onto the street.

(4) Subject to paragraph (5), any person who is an owner or occupier of land appropriated under paragraph (1) without the undertaker acquiring any part of that person's interest in the land, and who suffers loss as a result, is entitled to compensation to be determined, in case of dispute, under Part 1 of the 1961 Act.

(5) Compensation will not be payable under paragraph (4) to any person who is an undertaker to whom section 85 of the 1991 Act (sharing cost of necessary measures) applies in respect of measures of which the allowable costs are to be borne in accordance with that section.

### **Temporary use of land for carrying out the authorised development**

**35.**—(1) The undertaker may, in connection with the carrying out of the authorised development—

- (a) enter on and take temporary possession of—
  - (i) the land specified in column (2) of Schedule 14 (Land of which only temporary possession may be taken) for the purpose specified in relation to that land in column (3) of that Schedule; and
  - (ii) any of the Order Land in respect of which no notice of entry has been served under section 11 of the 1965 Act (powers of entry) other than in connection with the acquisition of rights only and no declaration has been made under section 4 of the 1981 Act (execution of declaration);
- (b) remove any electric line, electrical plant, structures, apparatus, buildings and vegetation from that land;
- (c) construct temporary or permanent works comprised within the authorised development (including the provision of means of access and buildings or structures on that land); and
- (d) construct any works specified in relation to that land in column (2) of Schedule 14, or any other mitigation works.

(2) Not less than three months before entering on and taking temporary possession of land under this article the undertaker must serve notice of the intended entry on the owners and occupiers of the land.

(3) The undertaker may not, without the agreement of the owners of the land, remain in possession under this article—

- (a) in the case of land specified in paragraph 1(a)(i) above, after the end of the period of one year beginning with the date of completion of the part of the authorised development specified in relation to that land in column (2) of Schedule 14 unless and to the extent that it is authorised to do so by the acquisition of rights over land or the creation of new rights over land pursuant to article 27 (Compulsory acquisition of rights); or
- (b) in the case of land referred to in paragraph 1(a)(ii), after the end of the period of one year beginning with the date of completion of the work for which temporary possession of the land was taken unless the undertaker has, by the end of that period, served a notice of entry under section 11 of the 1965 Act or made a declaration under section 4 of the 1981 Act in relation to that land.

(4) Before giving up possession of land of which temporary possession has been taken under this article, the undertaker must either acquire the land under paragraph 1(a) or, unless otherwise agreed with the owners of the land, remove all temporary works and restore the land to the reasonable satisfaction of the owners of the land, but the undertaker is not required to—

- (a) replace a building removed under this article;
- (b) restore the land on which any permanent works have been constructed under paragraph (1)(d);
- (c) restore the land to a condition better than the relevant land was in before temporary possession;
- (d) remove any ground strengthening works which have been placed on the land to facilitate construction and operation of the authorised development;
- (e) remove any measures installed over or around statutory undertakers' apparatus to protect that apparatus from the authorised development; or
- (f) remove or reposition any apparatus belonging to statutory undertakers or necessary mitigation works.

(5) Nothing in this article affects any liability to pay compensation under section 152 of the 2008 Act (compensation in case where no right to claim in nuisance) or under any other enactment in respect of loss or damage arising from the carrying out of the authorised development, other than loss or damage for which compensation is payable under articles 27(6).

(6) The undertaker may not compulsorily acquire under this Order the land referred to in paragraph (1)(a)(i) except that the undertaker is not precluded from—

- (a) acquiring existing and new rights or imposing any restrictive covenants over any part of that land under article 27 (Compulsory acquisition of rights);
- (b) acquiring any part of the subsoil (or rights in the subsoil) of that land under article 31 (Acquisition of subsoil only) or in accordance with article 32 (Acquisition of land limited to subsoil lying more than 9 metres beneath the surface); or
- (c) carrying out a survey of that land under article 24 (Authority to survey and investigate the land).

(7) Where the undertaker takes possession of land under this article, the undertaker is not required to acquire the land or any interest in it.

(8) Section 13 of the 1965 Act (refusal to give possession to acquiring authority) applies to the temporary use of land pursuant to this article to the same extent as it applies to the compulsory acquisition of land under this Order by virtue of section 125 of the 2008 Act (application of compulsory acquisition provisions).

(9) Nothing in this article prevents the taking of temporary possession more than once in relation to any land specified in paragraph (1).

(10) Nothing in this article removes the need for a marine licence under Part 4 of the 2009 Act.

### **Temporary use of land for maintaining the authorised development**

**36.**—(1) Subject to paragraph (2), at any time during the operational period relating to any part of the authorised development, the undertaker may—

- (a) enter on and take temporary possession of any land within the Order Limits if such possession is reasonably required for the purpose of maintaining the authorised development;
- (b) construct such temporary works (including the provision of means of access) and structures and buildings on the land as may be reasonably necessary for that purpose; or
- (c) enter onto any land within the Order Limits for the purpose of gaining access as is reasonably required for the purpose of maintaining the authorised development.

(2) Paragraph (1) does not authorise the undertaker to take temporary possession of—

- (a) any house or garden belonging to a house; or
- (b) any building (other than a house) if it is for the time being occupied.

(3) Not less than three months before entering on and taking temporary possession of land under this article the undertaker must serve notice of the intended entry on the owners and occupiers of the land.

(4) The undertaker is not required to serve notice under paragraph (3) where the undertaker has identified a potential risk to the safety of—

- (a) the authorised development or any of its parts;
- (b) the public; and/or
- (c) the surrounding environment,

and in such circumstances, the undertaker may enter the land under paragraph (1) subject to giving such period of notice as is reasonably practical in the circumstances.

(5) The undertaker may only remain in possession of land under this article for so long as may be reasonably necessary to carry out the maintenance of the part of the authorised development for which possession of the land was taken.

(6) Before giving up possession of land of which temporary possession has been taken under this article, the undertaker must remove all temporary works and restore the land to the reasonable satisfaction of the owners of the land.

(7) Nothing in this article affects any liability to pay compensation under section 10(2) of the 1965 Act (further provisions as to compensation for injurious affection) or under any other enactment in respect of loss or damage arising from the maintenance of the authorised development, other than loss or damage for which compensation is payable under article 27(6) of this Order.

(8) Where the undertaker takes possession of land under this article, the undertaker is not required to acquire the land or any interest in it.

(9) Section 13 of the 1965 Act (refusal to give possession to acquiring authority) applies to the temporary use of land pursuant to this article to the same extent as it applies to the compulsory acquisition of land under this Order by virtue of section 125 of the 2008 Act (application of compulsory acquisition provisions).

(10) Nothing in this article removes the need for a marine licence under Part 4 of the 2009 Act.

### **Statutory undertakers**

**37.**—(1) Subject to the provisions of Schedule 15 (Protective provisions), the undertaker may—

- (a) acquire compulsorily the land belonging to statutory undertakers within the Order Limits and described in the Book of Reference;
- (b) acquire existing rights, create and acquire new rights and impose restrictive covenants over the land belonging to statutory undertakers within the Order Limits and described in the Book of Reference;
- (c) extinguish or suspend the rights of, remove, alter, renew, relocate or reposition the apparatus belonging to statutory undertakers over or within the Order Limits; and
- (d) construct the authorised development in such a way as to cross underneath or over apparatus belonging to statutory undertakers and other like bodies within the Order Limits.

(2) Subject to the provisions of Schedule 15, the undertaker may for the purposes of article 12 (Street works) remove or reposition apparatus belonging to statutory undertakers which is laid beneath any of the streets specified in Schedule 6 (Streets subject to street works).

### **Apparatus and rights of statutory undertakers in stopped-up streets**

**38.**—(1) Where a street is stopped up under article 14 (Permanent stopping up of streets and public rights of way and extinguishment of rights), any statutory undertaker whose apparatus is under, in, on, along or across the street or public right of way has the same powers and rights in



respect of that apparatus, subject to the provisions of this article, as if this Order had not been made.

(2) Where a street is stopped up under article 14, any statutory undertaker whose apparatus is under, in, on, over, along or across the street or public right of way may, and if reasonably requested to do so by the undertaker must—

- (a) remove the apparatus and place it or other apparatus provided in substitution for it in such other position as the utility may reasonably determine and have power to place it; or
- (b) provide other apparatus in substitution for the existing apparatus and place it in such position as described in sub-paragraph (a).

(3) Subject to the following provisions of this article, the undertaker is to pay to any statutory undertaker an amount equal to the cost reasonably incurred by the utility in or in connection with—

- (a) the execution of the relocation works required in consequence of the stopping up of the street or public right of way; and
- (b) the doing of any other work or thing rendered necessary by the execution of the relocation works.

(4) If in the course of the execution of relocation works under paragraph (2)—

- (a) apparatus of a better type, of greater capacity or of greater dimensions is placed in substitution for existing apparatus; or
- (b) apparatus (whether existing apparatus or apparatus substituted for existing apparatus) is placed at a depth greater than the depth at which the existing apparatus was,

and the placing of apparatus of that type or capacity or of those dimensions or the placing of apparatus at that depth, as the case may be, is not agreed by the undertaker, or, in default of agreement, is not determined by arbitration to be necessary, then, if it involves cost in the execution of the relocation works exceeding that which would have been involved if the apparatus placed had been of the existing type, capacity or dimensions, or at the existing depth, as the case may be, the amount which, apart from this paragraph, would be payable to the statutory utility by virtue of paragraph (3) is to be reduced by the amount of that excess.

(5) For the purposes of paragraph (4)—

- (a) an extension of apparatus to a length greater than the length of existing apparatus will not be treated as a placing of apparatus of greater dimensions than those of the existing apparatus; and
- (b) where the provision of a joint in a cable is agreed, or is determined to be necessary, the consequential provision of a jointing chamber or of a manhole will be treated as if it also had been agreed or had been so determined.

(6) An amount which, apart from this paragraph, would be payable to a statutory undertaker in respect of works by virtue of paragraph (3) (and having regard, where relevant, to paragraph (4)) must, if the works include the placing of apparatus provided in substitution for apparatus placed more than 7 years and 6 months earlier so as to confer on the utility any financial benefit by deferment of the time for renewal of the apparatus in the ordinary course, be reduced by the amount which represents that benefit.

(7) Paragraphs (3) to (6) do not apply where the authorised development constitutes major highway works, major bridge works or major transport works for the purposes of Part 3 of the 1991 Act, but instead—

- (a) the allowable costs of the relocation works are to be determined in accordance with section 85 of that Act (sharing of cost of necessary measures) and any regulations for the time being having effect under that section; and
- (b) the allowable costs are to be borne by the undertaker and the statutory utility in such proportions as may be prescribed by any such regulations.

(8) In this article—

- (a) “relocation works” means work executed, or apparatus provided, under paragraph (2); and
- (b) “statutory utility” means a statutory undertaker for the purposes of the 1980 Act or a public communications provider as defined in section 151(1) of the Communications Act 2003 (interpretation).

**Recovery of costs of new connections**

39.—(1) Where any apparatus of a public utility undertaker or public communications provider is removed under article 37 (Statutory undertakers) any person who is the owner or occupier of premises to which a supply was given from that apparatus is entitled to recover from the undertaker compensation in respect of expenditure reasonably incurred by that person, in consequence of the removal, for the purpose of effecting a connection between the premises and any other apparatus from which a supply is given.

(2) Paragraph (1) does not apply in the case of the removal of a public sewer but where such a sewer is removed under article 37 (Statutory undertakers) any person who is—

- (a) the owner or occupier of premises the drains of which communicated with that sewer; or
- (b) the owner of a private sewer which communicated with that sewer,

is entitled to recover from the undertaker compensation in respect of expenditure reasonably incurred by that person, in consequence of the removal, for the purpose of making the drain or sewer belonging to that person communicate with any other public sewer or with a private sewerage disposal plant.

(3) This article does not have effect in relation to apparatus to which article 38 (Apparatus and rights of statutory undertakers in stopped-up streets) or Part 3 of the 1991 Act applies.

(4) In this article—

- (a) “public communications provider” has the meaning given in section 151(1) of the Communications Act 2003; and
- (b) “public utility undertaker” has the same meaning as in the 1980 Act.

**No double recovery**

40. Compensation will not be payable in respect of the same matter both under this Order and under any other enactment, any contract or any rule of law.

**Protective provisions**

41. Schedule 15 (Protective provisions) to this Order has effect.

**Rights over land**

42.—(1) The undertaker may enter into and use so much of the airspace over any land within the Order Limits as may be required for the construction and maintenance of the authorised development and may use the airspace for those purposes or any other purposes ancillary to the authorised development.

(2) The undertaker may exercise any power conferred by paragraph (1) in relation to land without being required to acquire any part of the land or any easement or right in the land.

(3) Subject to paragraph (4), any person who is an owner or occupier of land used under paragraph (1) without the undertaker acquiring any part of that person’s interest in the land, and who suffers loss as a result, is entitled to compensation to be determined, in case of dispute, under Part 1 of the 1961 Act.

(4) Compensation is not payable under paragraph (3) to any person who is an undertaker to whom section 85 of the 1991 Act (sharing cost of necessary measures) applies in respect of measures of which the allowable costs are to be borne in accordance with that section.

## PART 6

### MARINE WORKS

#### **Incorporation of the 1847 Act**

43.—(1) With the exception of sections 3A to 34, 36, 40 to 50, 59, 60, 67, 71-72, 77 to 82, 85, 89, 91 to 99, 101, 102, and 104 the 1847 Act is incorporated in this Order subject to the modifications stated in paragraphs (2) and (7).

(2) Section 35 of the 1847 Act (masters to report arrival of vessel. Penalty for neglect) must have effect as if the words “liable to rates” were removed.

(3) Section 37 of the 1847 Act (masters of vessels to give accounts of goods intended to be unshipped within the limits, &c) must have effect as if for the words “collector of rates” were substituted the words “harbour master”.

(4) Section 39 of the 1847 Act (shippers to give an account of goods intended to be shipped) must have effect as if for the words “collector of rates” were substituted the words “harbour master”.

(5) Section 69 of the 1847 Act (combustible matter on quays, &c., to be removed) must have effect as if for the words from “must forfeit” to the end of the section there were substituted the words “must be liable on summary conviction to a fine not exceeding level 3 on the standard scale.”

(6) In construing the 1847 Act as so incorporated—

- (a) the expression “the special Act” means this Order;
- (b) the expressions “the Promoters of the undertaking” and “the undertakers” mean the undertaker;
- (c) the expression “the harbour, dock or pier” means the harbour;
- (d) the expressions “limits” and “prescribed limits” mean the harbour limits;
- (e) the expression “near the pier” does not extend beyond the harbour limits;
- (f) the expression “the harbour master” means, in relation to the harbour, the harbour authority; and
- (g) the definition of “vessel” in article 2 (Interpretation) is substituted for the definition in section 3 of the 1847 Act (interpretation).

(7) All fines and forfeitures recoverable under the provisions of the 1847 Act as incorporated within this Order may be recovered summarily.

#### **Further powers as to works and extinguishment of rights**

44.—(1) The undertaker may, in connection with the construction of the Marine Works—

- (a) enclose or reclaim from the foreshore and bed of the sea; and
- (b) hold and use as part of the Marine Works,

so much of the foreshore and bed of the sea as is situated within the limits of deviation and is required for, or in connection with, the construction of those works.

(2) As soon as the undertaker exercises the powers under paragraph (1), any right of navigation or other public rights over the part of the sea and the foreshore in respect of which it exercises those powers will be extinguished.

#### **Harbour authority**

45.—(1) The undertaker is the harbour authority in respect of the harbour.

(2) Without prejudice to any provision of the 1847 Act as incorporated in this Order by article 43 (Incorporation of the 1847 Act), the area within which the harbour authority may exercise its functions under this Order must be the harbour.

### **Agreements entered into by the undertaker**

46. Any agreement or undertaking entered into by the undertaker before the coming into force of this Order in connection with the proposed exercise of its function as harbour authority must be binding upon the harbour authority notwithstanding that it was entered into by the undertaker before it was established as a harbour authority by article 45 (Harbour Authority).

### **Application of Pilotage Act 1987**

47. The undertaker is a competent harbour authority in respect of the harbour for the purposes of the Pilotage Act 1987(a).

### **Limits of harbour**

48.—(1) The limits of the harbour within which the undertaker is permitted to exercise jurisdiction as the harbour authority and within which the powers of the harbour master are exercisable are the seaward and the landward areas described in Schedule 16 (Limits of harbour) the seaward area of which is shown, for the purpose of identification only, edged by a red line referred to as the Statutory Authority Area on WN0902-HZDCO-MRN-DRG-00034 in Schedule 2 (Approved plans) of this Order.

(2) In the event that there is any discrepancy between the description of the seaward area in Schedule 16 and the area shown on WN0902-HZDCO-MRN-DRG-00034, the description prevails.

### **[Placeholder for article 49]**

49.—

50.—(1) Subject to paragraph (3), the undertaker may from time to time within the parameters for the Marine Works in Schedule 3 (Requirements) provide and operate such harbour facilities, together with works ancillary to those facilities, as may be necessary or convenient for the construction or maintenance of or the operation of the harbour, and for this purpose the undertaker may construct, maintain and operate roads, buildings, sheds, offices, workshops, depots, walls, foundations, fences, gates, tanks, pumps, conduits, pipes, drains, wires, mains, cables, electrical substations, signals, conveyors, cranes, container handling equipment, lifts, hoists, lighting columns, weighbridges, stairs, ladders, stages, platforms, catwalks, equipment, machinery and appliances and such other works and conveniences (including levelling, raising and lowering of surfaces) as may be necessary or expedient.

(2) Subject to paragraph (3), the undertaker may, within the parameters for the Marine Works in Schedule 3, carry out, maintain and operate such other works as may be necessary or convenient for the purposes of, or in connection with or in consequence of, the construction, maintenance or use of the Marine Works including—

- (a) works for the accommodation or convenience of vessels (including dolphins, mooring posts, buoys and pontoons) or for the loading and unloading of goods and the embarking and landing of personnel; and
- (b) works to alter the position of apparatus, including mains, sewers, drains, pipes, conduits, cables, electrical substations and electrical lines.

(3) Electrical works, mechanical works or equipment constructed, maintained or used pursuant to the powers conferred by this article, must be so constructed, maintained or used, that any

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(a) 1987 c.21.

electricity generated, conveyed or used by, in or in connection with them does not cause interference (whether by induction or otherwise) with any telecommunications apparatus or with telecommunication by means of such apparatus.

### **Obstruction of work**

**51.**—(1) Any person who—

- (a) intentionally obstructs any person acting under the authority of the undertaker in setting out the lines of, or in constructing, the Marine Works or authorised development; or
- (b) without reasonable excuse interferes with, moves or removes any pole, stake, station point, bench mark or equipment used in the construction, maintenance or use of the Marine Works or authorised development,

is guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

### **Obstruction of officers**

**52.**—(1) Any person who—

- (a) intentionally obstructs an officer of the harbour authority or other person acting in pursuance of this Order or of any enactment relating to the harbour limits;
- (b) without reasonable excuse fails to comply with a requirement properly made by such an officer; or
- (c) without reasonable excuse fails to give such an officer any information or produce any document which he may require for the purpose of performance of his functions,

must be liable on summary conviction of a fine not exceeding level 3 on the standard scale.

(2) Any person who, in giving such information as is mentioned in sub-paragraph (c) of paragraph (1), makes a statement which he knows to be false, must be guilty of an offence and liable on summary conviction to a fine not exceeding level 4 on the standard scale.

(3) Nothing in paragraph (1) applies to the harbour master or to any person acting under the authority of the harbour master.

### **Power to dredge**

**53.**—(1) The undertaker may, for the purposes of constructing, maintaining and operating the Marine Works and of affording access to the Marine Works by vessels, from time to time deepen, dredge, scour, cleanse, alter and improve so much of the bed, shores and channels as lie within the harbour limits and may use, appropriate or dispose of the materials (other than wreck within the meaning of Part 9 of the Merchant Shipping Act 1995 (salvage and wreck))(a) from time to time dredged by them.

(2) No such materials must be laid down or deposited—

- (a) in contravention of the provisions of any enactment as respects the disposal of waste; or
- (b) in any place below the level of high water otherwise than in such position and under such conditions and restrictions as may be approved or prescribed by NRW.

### **Abatement of works abandoned or decayed**

**54.**—(1) Where a Marine Work is abandoned, or falls into decay, the Welsh Ministers may by notice in writing require the undertaker at its own expense either to repair and restore that work or any part, or to remove that work and restore the site to its former condition, to such an extent and within such limits as the Welsh Ministers thinks proper.

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(a) 1995 c.21.

(2) Where a work consisting partly of a Marine Work and partly of works on or over land above the level of high water is abandoned or suffered to fall into decay and that part of the work on or over land above the level of high water is in such condition as to interfere or to cause reasonable apprehension that it may interfere with the right of navigation or other public rights over the foreshore, the Welsh Ministers may include that part of the work, or any portion of it, in any notice under this article.

(3) If the undertaker fails to comply in any respect with a notice served under this article within the period of 30 days beginning with the date of service of the notice, the Welsh Ministers may take whatever steps the Welsh Ministers considers appropriate to achieve the result required by the notice; and any expenditure incurred by the Welsh Ministers in so doing will be recoverable from the undertaker.

### **Survey of Marine Works**

55. If the Welsh Ministers consider it expedient to do so, the Welsh Ministers may order a survey and examination of a Marine Work or of the site on which it is proposed to construct the work, and any expenditure incurred by the Welsh Ministers in any such survey and examination will be recoverable from the undertaker.

### **Lights on Marine Works etc. during construction**

56.—(1) The undertaker must at or near—

- (a) any Marine Work, including any temporary work; or
- (b) any plant, equipment or other obstruction placed, in connection with any authorised development or any work authorised by article 50 (Subsidiary works), within the area of seaward construction activity,

during the whole time of the construction, reconstruction, extension, enlargement, replacement or relaying of such work or development, exhibit every night from sunset to sunrise and in periods of restricted visibility such lights if any, and take such other steps for the prevention of danger to navigation as Trinity House and the Welsh Ministers may from time to time direct.

### **Provision against danger to navigation**

57. In case of damage to, or destruction or decay of, a Marine Work or any part of it, the undertaker must as soon as reasonably practicable notify Trinity House and must lay down such buoys, exhibit such lights, and take such other steps for preventing danger to navigation, as Trinity House may direct from time to time.

### **Permanent lights on Marine Works**

58. After the completion of a Marine Work the undertaker must, as directed by Trinity House, exhibit every night from sunset to sunrise and in periods of restricted visibility such lights, if any, and take such other steps for the prevention of danger to navigation, as Trinity House may from time to time direct.

### **Safety of navigation**

59.—(1) No Marine Works are to be commenced until a scheme to secure safety of navigation has been submitted to and approved in writing by the Maritime and Coastguard Agency following appropriate consultation with Trinity House.

(2) The approved scheme must make provision for—

- (a) additional aids to navigation and the reporting by the undertaker of aids to navigation to Trinity House;
- (b) retention of safety vessels; and

(c) the circumstances where Her Majesty's Coastguard should be notified of any matter.

(3) The Marine Works are to be carried out in accordance with the approved scheme except to the extent that a variation to the approved scheme is approved by the persons mentioned in paragraph (1).

### **Rights to lease etc.**

**60.**—(1) The undertaker may at any time lease or grant for the purposes of the harbour undertaking the use or occupation of, or any right or interest in, over or relating to, any lands, works, buildings, equipment or other property forming part of the harbour undertaking for such period or periods and on such terms and conditions as may be agreed between the undertaker and the person taking the same.

(2) A lease or grant made or given under paragraph (1) may include provisions delegating to the lessee or grantee any of the functions of the undertaker other than those specified in subparagraphs (a) to (f) of paragraph 9B of Schedule 2 to the Harbours Act 1964 (object for whose achievement harbour revision orders may be made)(a)

(3) A person—

- (a) exercising powers conferred by this Order; or
- (b) carrying out any development under planning permission granted by article 3 (Development consent, etc. granted by Order) of, and Part 17 of Schedule 2 (development by statutory undertakers) to, the 1995 Order,

in pursuance of a lease or grant under paragraph (1) (“the lessee or grantee”) is subject to the same restrictions, liabilities and obligations as would apply under this Order or by virtue of any agreement or undertaking by the undertaker if those “owners” were exercised, or the development carried out, by the undertaker.

(4) The provisions of this Order or of any such agreement or undertaking, as respects any such exercise of powers or carrying out of development by the lessee or grantee, have effect (where the context so permits) as if any reference in those provisions to the undertaker included a reference to the lessee or the grantee, as the case may be.

### **Byelaws**

**61.**—(1) The undertaker may, from time to time, make and enforce byelaws regulating the use and operation of the authorised development or the harbour, the maintenance of order on and about the authorised development or the harbour and the conduct of all persons including employees of the undertaker while on and about the authorised development or the harbour.

(2) Without prejudice to the generality of paragraph (1), byelaws made under this article may provide for—

- (a) regulating the use, operation and superintendence of the harbour and the berths, quays, piers, warehouses, sheds, landing places, equipment, works and conveniences (including moorings) in the harbour;
- (b) regulating the admission to, the movement within, and the departure from, the harbour of vessels, or the removal of vessels;
- (c) regulating the shipping and unshipping, landing, warehousing, stowing, depositing and removing of goods within the harbour;
- (d) regulating the berthing and mooring of vessels within the harbour;
- (e) preventing damage or injury to any goods, vehicles, plant, machinery, property or person within the harbour;
- (f) regulating the conduct of all persons within the harbour not being members of a police force or officers or servants of the Crown whilst in the execution of their duties;

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(a) 1964 c.40.

- (g) regulating the placing and maintenance of moorings within the harbour;
  - (h) preventing and removing obstructions or impediments within the harbour;
  - (i) regulating in the harbour the use of yachts, sailing boats, sailboards, rowing boats, rowing punts, pleasure craft and other small craft;
  - (j) regulating or prohibiting the activities in the harbour of divers, surfers, water skiers and other persons engaged in similar recreational pursuits but not so as to prohibit the use for navigation of the vessels referred to in sub-paragraph (i);
  - (k) regulating the launching of vessels within the harbour;
  - (l) prohibiting persons in or entering the harbour, or any part of the harbour, from smoking in open spaces in the harbour;
  - (m) regulating the movement and parking of vehicles within the harbour;
  - (n) regulating the exercise of the powers vested in the harbour master;
  - (o) safety precautions to be observed by persons within the harbour, whether or not on board vessels;
  - (p) the protection and conservation of flora and fauna and other natural features;
  - (q) making the carrying out of specified harbour operations, or the conduct of persons in the harbour, subject to the approval (with or without conditions), control or direction of the harbour master, and for authorising the harbour master to take such action as may be reasonably required in default of compliance with any such condition, control or direction;
  - (r) regulating the admission and access to the Marine Works forming part of the authorised development;
  - (s) preventing and removing obstructions or impediments within the authorised development;
  - (t) preventing damage or injury to any goods, vehicles, plant, machinery, property or persons within the authorised development;
  - (u) regulating the activities of divers, surfers, water skiers and other persons engaged in recreational pursuits within the authorised development;
  - (v) prohibiting persons in or entering the authorised development from smoking in open spaces; and
  - (w) preventing nuisances on the authorised works.
- (3) Byelaws made under this article may—
- (a) provide for imposing upon persons found guilty on summary conviction of offending against them, or against any condition, requirement or direction imposed, made or given under them, fines not exceeding level 3 on the standard scale;
  - (b) relate to the whole of the harbour or the authorised development or to any part of the harbour and the authorised development; or
  - (c) make different provision for different parts of the harbour or in relation to different classes of vessels or vehicles.
- (4) Byelaws made by the undertaker under this Order come into force only when they have been confirmed by the Welsh Ministers.
- (5) Before applying for any byelaws to be confirmed under this article, the undertaker must publish a notice of its intention to apply for the byelaws to be confirmed once in each of two successive weeks in a local newspaper circulating in the area of the authorised development.
- (6) The notice must state—
- (a) the place at which and the times during which a copy of the proposed byelaws is to be available for public inspection; and
  - (b) that persons may make representations about the proposed byelaws to the Welsh Ministers in writing within the period specified in the notice being a period of not less than 28 days after the date of publication of the last notice required by paragraph (5).



(7) For at least 28 days after the publication of the last notice required by paragraph (5), a copy of the proposed byelaws must be available for public inspection without payment at the principal office of the undertaker in the area of the authorised development at all reasonable times.

(8) The undertaker must supply a copy of the proposed byelaws or part of the proposed byelaws to a person who applies for it on payment of a reasonable charge.

(9) During the period specified in the notice in accordance with paragraph (5), any person may make representations about the proposed byelaws to the Welsh Ministers in writing.

(10) The Welsh Ministers may, after the expiry of the period specified in the notice in accordance with paragraph (6)(b), confirm with or without modification or may refuse to confirm any of the proposed byelaws submitted and may fix a date on which any byelaws so confirmed are to come into force, and, if no date is so fixed, the byelaws come into force after the expiry of 28 days after the date on which they were confirmed.

(11) The Welsh Ministers may charge the undertaker such fees in respect of any byelaws submitted for confirmation under this article as the Welsh Ministers may consider appropriate for the purpose of defraying any administrative expenses incurred by the Welsh Ministers in connection with confirmation, modification or refusal.

(12) A copy of any byelaws confirmed under this article must be printed and must be available for public inspection without payment at the principal office of the undertaker in the area of the authorised development at all reasonable times, and the undertaker must at the request of any person supply that person with a copy of such byelaws on payment of a reasonable charge.

(13) Byelaws under this article may vary or revoke any byelaws in respect of the authorised development made under any other provision at any time.

### **General directions to vessels**

**62.**—(1) Subject to paragraph (3), the undertaker may give directions, or revoke or amend directions that it has previously given, for the purpose of—

- (a) designating areas, routes or channels in the harbour and the approaches to the harbour which vessels are to use, or refrain from using, for movement or mooring;
- (b) requiring the master of a vessel to give to the harbour master information relating to the vessel reasonably required by the harbour master to identify the vessel, its cargo and its likely time of arrival at and departure from the harbour; and
- (c) the protection of property, flora and fauna.

(2) Directions given under paragraph (1) may apply—

- (a) to all vessels or to a class of vessels designated in the direction;
- (b) to the whole of the harbour and the approaches and channels leading to the harbour, or to a part designated in the direction; and
- (c) at all times or at certain times or at certain states of tide designated in the direction,

and every direction given under this article must specify the extent of its application in relation to the matters referred to in sub-paragraphs (1)(a), (b) and (c).

(3) Before giving a direction, or revoking or amending a direction previously given, under paragraph (1), the undertaker must consult the Royal Yachting Association and the Chamber of Shipping.

### **Publication of general directions**

**63.**—(1) Notice of the giving of a general direction or of any amendment or revocation of a general direction must, except in case of emergency, be published by the undertaker as soon as practicable once in Lloyd's List newspaper or some other newspaper specialising in shipping news; and, if the notice relates to the giving or amendment of a direction, the notice must state a place at which copies of the direction or the amended direction (as the case may be) may be inspected and bought, and the price of the direction or amended direction (as the case may be).

(2) In an emergency, notice of the giving of a general direction or of any amendment or revocation of a general direction may be given in any manner the undertaker considers appropriate.

### **Special directions to vessels**

**64.**—(1) The harbour master may give a special direction under this article—

- (a) requiring any vessel anywhere within the harbour or the approaches to the harbour to comply with a requirement made in or under a general direction;
- (b) regulating the time at which and the manner in which any vessel must enter into, go out of, or lie in or at the harbour;
- (c) for securing that vessels move only at certain times or during certain periods;
- (d) prohibiting the mooring of vessels in any particular part or parts of the harbour;
- (e) regulating or requiring the movement, mooring or unmooring of a vessel; and
- (f) regulating the manner in which within the harbour a vessel takes in or discharges (from ship to shore or shore to ship) personnel, cargo, fuel, water, ship's stores or ballast in the harbour.

(2) A special direction may be given in any manner considered by the harbour master to be appropriate.

(3) The harbour master may revoke or amend a special direction at any time.

### **Master's responsibility to be unaffected**

**65.** The giving of a general direction under article 62 (General direction to vessels) or a special direction under article 64 (Special directions to vessels) does not diminish or in any other way affect the responsibility of the master of the vessel to which the direction is given in relation to that vessel, persons on board, its cargo or any other person or property.

### **Failure to comply with directions**

**66.** The master of a vessel who fails without reasonable excuse to comply with a general direction issued under article 62 (General direction to vessels) or a special direction issued under article 64 (Special directions to vessels) is guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

### **Enforcement of special directions**

**67.**—(1) Without prejudice to any other remedy available to the undertaker, if a special direction issued under article 64 (Special directions to vessels) is not complied with within a reasonable time the harbour master may, where practicable, put persons on board the vessel to carry out the direction or may otherwise cause the vessel to be handled in accordance with the direction.

(2) If there is no one on board the vessel to comply with a special direction, the harbour master may proceed as if the direction had been given and not complied with; but the harbour master must not do so unless, after reasonable inquiry has been made, the master of the vessel cannot be found.

(3) Expenses incurred in the exercise of the powers conferred by this article are recoverable by the undertaker from the owner of the vessel as if they were a charge of the undertaker in respect of the vessel.

### **Boarding of vessels**

**68.**—(1) Any duly authorised officer of the undertaker may, on producing if so required his authority, enter and inspect a vessel in the harbour limits—

- (a) for the purposes of any enactment relating to the harbour authority or of any byelaw relating to the harbour authority or of any direction or byelaw of the harbour authority, including the enforcement thereof; or
- (b) to prevent or extinguish fire,

but, except in an emergency, no entry must be made under this article without notice first having been given to the owner or the person appearing to have charge of the vessel; and the notice must have annexed to it a copy of this article.

### **Charges**

**69.**—(1) The undertaker may levy charges for any services performed by it in the exercise and performance of its statutory powers and duties at the harbour.

(2) The undertaker may confer total or partial exemption from, allow rebates to or make compositions with any person with respect to, charges and may vary or extinguish any such exemption, rebate or composition.

(3) In this article “charges” means any charges other than ship, passenger and goods dues.

### **Use of Marine Off-Loading Facility**

**70.** The undertaker may only use the Marine Off-Loading Facility for the purposes of, or in connection with, the construction, operation, maintenance and decommissioning of the authorised development.

### **Saving for Trinity House**

**71.** Nothing in this Order prejudices or derogates from any of the rights, duties or privileges of Trinity House.

## **PART 7**

### **MISCELLANEOUS AND GENERAL**

#### **Removal of human remains**

**72.**—(1) In this article “the specified land” means the land within the Order Limits.

(2) Before the undertaker carries out any development or works within the Order Limits which will or may disturb any human remains in the specified land it must remove those human remains from the specified land, or cause them to be removed, in accordance with the following provisions of this article.

(3) Before any such remains are removed from the specified land the undertaker must give notice of the intended removal, describing the specified land and stating the general effect of the following provisions of this article, by—

- (a) publishing a notice once in each of two successive weeks in a newspaper circulating in the area of the authorised project; and
- (b) displaying a notice in a conspicuous place on or near to the specified land.

(4) As soon as reasonably practicable after the first publication of a notice under paragraph (3) the undertaker must send a copy of the notice to the local authority.

(5) At any time within 56 days after the first publication of a notice under paragraph (3) any person who is a personal representative or relative of any deceased person whose remains are interred in the specified land may give notice in writing to the undertaker of that person’s intention to undertake the removal of the remains.

(6) Where a person has given notice under paragraph (5), and the remains in question can be identified, that person may cause such remains to be—

- (a) removed and re-interred in any burial ground or cemetery in which burials may legally take place; or
- (b) removed to, and cremated in, any crematorium,

and that person must, as soon as reasonably practicable after such re-interment or cremation, provide to the undertaker a certificate for the purpose of enabling compliance with paragraph (11).

(7) If the undertaker is not satisfied that any person giving notice under paragraph (5) is the personal representative or relative as that person claims to be, or that the remains in question can be identified, the question is to be determined on the application of either party in a summary manner by the county court, and the court may make an order specifying who must remove the remains and as to the payment of the costs of the application.

(8) The undertaker must pay the reasonable expenses of removing and re-interring or cremating the remains of any deceased person under this article.

(9) If—

- (a) within the period of 56 days referred to in paragraph (5) no notice under that paragraph has been given to the undertaker in respect of any remains in the specified land; or
- (b) such notice is given and no application is made under paragraph (7) within 56 days after he giving of the notice but the person who gave the notice fails to remove the remains within a further period of 56 days; or
- (c) within 56 days after any order is made by the county court under paragraph (7) any person, other than the undertaker, specified in the order fails to remove the remains; or
- (d) it is determined that the remains to which any such notice relates cannot be identified,

subject to paragraph (10) the undertaker must remove the remains and cause them to be re-interred in such burial ground or cemetery in which burials may legally take place as the undertaker thinks suitable for the purpose; and, so far as possible, remains from individual graves must be re-interred in individual containers which must be identifiable by a record prepared with reference to the original position of burial of the remains that they contain.

(10) If the undertaker is satisfied that any person giving notice under paragraph (5) is the personal representative or relative as that person claims to be and that the remains in question can be identified, but that person does not remove the remains, the undertaker must comply with any reasonable request that person may make in relation to the removal and re-interment or cremation of the remains.

(11) On the re-interment or cremation of any remains under this article—

- (a) a certificate of re-interment or cremation is to be sent by the undertaker to the Registrar General by the undertaker giving the date of re-interment or cremation and identifying the place from which the remains were removed and the place in which they were re-interred or cremated; and
- (b) a copy of the certificate of re-interment or cremation and the record mentioned in paragraph (9) is to be sent by the undertaker to the local authority mentioned in paragraph (4).

(12) The removal of the remains of any deceased person under this article must be carried out in accordance with any directions which may be given by the Secretary of State.

(13) Any jurisdiction or function conferred on the county court by this article may be exercised by the district judge of the court.

(14) Section 25 of the Burial Act 1857 (bodies not to be removed from burial grounds, save under faculty, without licence of Secretary of State)<sup>(a)</sup> does not apply to a removal carried out in accordance with this article.

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(a) 1857 c.81

### **Application of landlord and tenant law**

73.—(1) This article applies to—

- (a) any agreement for leasing to any person the whole or any part of the authorised development or the right to operate the same; and
- (b) any agreement entered into by the undertaker with any person for the construction, maintenance, use or operation of the authorised development, or any part of it,

so far as any such agreement relates to the terms on which any land which is the subject of a lease granted by or under that agreement is to be provided for that person's use.

(2) No enactment or rule of law regulating the rights and obligations of landlords and tenants is to prejudice the operation of any agreement to which this article applies.

(3) Accordingly, no such enactment or rule of law applies in relation to the rights and obligations of the parties to any lease granted by or under any such agreement so as to—

- (a) exclude or in any respect modify any of the rights and obligations of those parties under the terms of the lease, whether with respect to the termination of the tenancy or any other matter;
- (b) confer or impose on any such party any right or obligation arising out of or connected with anything done or omitted on or in relation to land which is the subject of the lease, in addition to any such right or obligation provided for by the terms of the lease; or
- (c) restrict the enforcement (whether by action for damages or otherwise) by any party to the lease of any obligation of any other party under the lease.

### **Operational land for purposes of the 1990 Act**

74. Development consent granted by this Order is to be treated as specific planning permission for the purposes of section 264(3)(a) of the 1990 Act (cases in which land is to be treated as not being operational land for the purposes of that Act).

### **Felling or lopping of trees and removal of hedgerows**

75.—(1) The undertaker may fell or lop any tree or shrub near any part of the authorised development, or cut back its roots, if it reasonably believes it to be necessary to do so to prevent the tree or shrub from—

- (a) obstructing or interfering with the construction, maintenance or operation of the authorised development or any apparatus used in connection with the authorised development; or
- (b) constituting a danger to persons using the authorised development.

(2) In carrying out any activity authorised by paragraph (1), the undertaker must not cause unnecessary damage to any tree or shrub and must pay compensation to any person who sustains any loss or damage arising from such activity for that loss or damage.

(3) The undertaker may, for the purposes of the authorised development—

- (a) subject to paragraph (2), remove any hedgerows within the Order Limits that may be required for the purposes of carrying out the authorised development; and
- (b) remove important hedgerows identified in Schedule 17 (Removal of important hedgerows).

(4) The power conferred by paragraph (3) removes any obligation upon the undertaker to secure any consent under the Hedgerow Regulations 1997(a).

(5) Nothing in this article authorises any works to any tree subject to a Tree Preservation Order.

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(a) S.I. 1997/1160, amended by section 73(2) of the Countryside and Rights of Way Act 2000 (c.37) S.I. 2003/2155, S.I. 2006/1177, S.I. 2009/1307, S.I. 2013/755 and S.I. 2015/377.

(6) Any dispute as to a person's entitlement to compensation under paragraph (2), or as to the amount of compensation, must be determined under Part 1 of the 1961 Act (determination of questions of disputed compensation).

(7) In this article, "hedgerow" and "important hedgerow" have the meaning given in the Hedgerow Regulations 1997.

### **Certification of plans, etc.**

**76.**—(5) The undertaker must, as soon as practicable after the date on which this Order is made, submit to the Secretary of State copies of the documents and plans identified in Schedule 18 (Certified Documents) of this Order for certification that they are true copies of the documents referred to in this Order.

(1) A plan or document identified in Schedule 18 so certified is admissible in any proceedings as evidence of the contents of the document of which it is a copy.

### **Service of notices**

**77.**—(1) A notice or other document required or authorised to be served for the purposes of this Order may be served—

- (a) by post; or
- (b) by delivering it to the person on whom it is to be served or to whom it is to be given or supplied; or
- (c) with the consent of the recipient and subject to paragraphs (6) to (9), by electronic transmission.

(2) Where the person on whom a notice or other document to be served for the purposes of this Order is a body corporate, the notice or document is duly served if it is served on the secretary or clerk of that body.

(3) For the purposes of section 7 of the Interpretation Act 1978<sup>(a)</sup> (references to service by post) as it applies for the purposes of this article, the proper address of any person in relation to the service on that person of a notice or document under paragraph (1) is, if that person has given an address for service, that address, and otherwise—

- (a) in the case of the secretary or clerk of a body corporate, the registered or principal office of that body; and
- (b) in any other case, the last known address of that person at the time of service.

(4) Where for the purposes of this Order a notice or other document is required or authorised to be served on a person as having an interest in, or as the occupier of, land and the name or address of that person cannot be ascertained after reasonable enquiry, the notice may be served by—

- (a) addressing it to that person by name or by the description of "owner", or as the case may be "occupier", of the land (describing it); and
- (b) either leaving it in the hands of a person who is or appears to be resident or employed on the land or leaving it conspicuously affixed to some building or object on or near the land.

(5) Paragraphs (6) to (9) apply where a person ("A") is required or authorised to serve or send a notice or other document for the purposes of this Order on or to another person ("B").

(6) A may serve or sending the notice or other document by electronic transmission if—

- (a) B has sent A notice that B agrees to receive that notice or document (or notices and documents of a description including that notice or document) by electronic transmission;
- (b) B has not subsequently withdrawn that agreement in accordance with paragraph (8); and
- (c) A complies with any conditions as to addressing or mode of transmission that B has specified in agreeing to receive notices or other documents by electronic transmission.

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<sup>(a)</sup> 1978 c.30. There are amendments made to the Interpretation Act 1978 which are not relevant to this Order.

(7) If B notifies A within 7 days of receiving a notice or other document by electronic transmission that B requires a paper copy of all or any part of the notice or other document, A must provide B with such a copy as soon as reasonably practicable.

(8) B may withdraw agreement to receive a notice or document (or notices or documents of a specified description) by electronic transmission by sending a notice to that effect to A.

(9) Notice under paragraph (8) is final and takes effect on a date specified by B in the notice but that date must not be less than 7 days after the date on which the notice is given.

(10) This article does not exclude the employment of any method of service not expressly provided for by it.

(11) In this article “electronic transmission” means a communication transmitted—

- (a) by means of an electronic communications network; or
- (b) by other means but while in electronic form.

### **Arbitration**

**78.**—(1) Any difference or dispute under any provision of this Order, unless otherwise provided for in this Order or unless otherwise agreed between the parties, is to be referred to and settled by a single arbitrator to be agreed between the parties or, failing agreement, to be appointed on the application of either party (after giving notice in writing to the other) by the Secretary of State.

(2) This article must not apply to the provisions of the 1847 Act incorporated in this order by article 58.

### **Procedure in relation to certain approvals etc.**

**79.**—(1) Schedule 19 (Procedure for approvals, consents and appeals) is to have effect in relation to all consents, agreement or approvals granted, refused or withheld in relation to the Requirements unless otherwise agreed between the undertaker and the discharging authority.

(2) The procedure set out in paragraph (1) relating to appeal process of Schedule 19 has effect in relation to any other consent, agreement or approval required under this Order (including the Requirements) where such consent, agreement or approval is granted subject to any condition to which the undertaker objects, or is refused or is withheld.

### **Application, exclusion and modification of legislative provisions**

**80.** Part 1 of Schedule 20 (Miscellaneous controls) to this Order, which makes provision applying, modifying and excluding statutory provisions which relate to matters for which provision may be made by this Order, has effect.

### **Amendment of local legislation**

**81.** Part 2 of Schedule 20 (Miscellaneous controls) to this Order, which makes provision applying, modifying and excluding a legal legislation which relates to matters for which provision may be made by this Order, has effect.

### **Crown rights**

**82.**—(1) Nothing in this Order affects prejudicially any estate, right, power, privilege, authority or exemption of the Crown and in particular, nothing in this Order authorises the undertaker or any lessee or licensee—

- (a) to enter upon, use and carry out the authorised development on or in any manner interfere with any land or rights of whatsoever description—
  - (i) belonging to Her Majesty in right of the Crown and forming part of the Crown Estate without the consent in writing of the Crown Estate Commissioners;

- (ii) belonging to Her Majesty in right of the Crown and not forming part of the Crown Estate without the consent in writing of the government department having the management of that land; or
  - (iii) belonging to a government department or held in trust for Her Majesty for the purposes of a government department without the consent in writing of that Government Department; or
- (b) to exercise any right under this Order compulsorily to acquire an interest in any land which is Crown land (as defined in the 2008 Act) which is for the time being held otherwise than by or on behalf of the Crown without the consent in writing of the appropriate Crown authority (as defined in the 2008 Act).
- (2) A consent under paragraph (1) may be given unconditionally or subject to terms and conditions and will be deemed to have been given in writing where it is sent electronically.

Signatory text

Address	<i>Name</i>
Date	Parliamentary Under Secretary of State Department



# SCHEDULES

## SCHEDULE 1

Article 3

### AUTHORISED DEVELOPMENT

*Wylfa Newydd DCO Project: In the County of Anglesey/Ynys Mon*

A nationally significant infrastructure project as defined in sections 14 and 15(2) of the 2008 Act comprising the works described in column (1) of the table below. Associated development within the meaning of sections 115(2) and 15(3A) of the Act including the works described in column (2) of the table below. All bracketed numbers following a building or structure in the work packages below are the unique numbers that are used in the Requirements in Schedule 3.

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<i>(1) Works comprising a Nationally Significant Infrastructure Project as defined in sections 14 and 15(2) of the 2008 Act</i>	<i>(2) Works comprising associated development within the meaning of section 115(2) and 15(3A) of the 2008 Act</i>
Work No.s 1 (comprising Works No. 1A, 1B, 1C, 1D, 1E, 1F, 1G, 1H, 1I, 1J, 1K, 1L, 1M, 1N, 1O), 4 and 5.	Work No.s 2 (comprising Works No. 2A, 2B, 2C, 2D), Work No.3 (comprising 3A and 3B), 6, 7, 8, Work No.9 (comprising Works No.s 9A and 9B), Work No.10 (comprising Work No.s10A and 10B), 11, 12, 13, 14 and 15

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*These works are marked with an asterisk in the description below*

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In this Schedule, † indicates the buildings that are listed under multiple work packages; however, the construction of these buildings will only occur under one work package. The final location of these building will be determined in the detailed design stage. This applies to the buildings 1-208 (Gas Cylinder Storage House), 2-208 (Gas Cylinder Storage House) and 9-308 (Vehicle Inspection Bay).

#### **Work No.1\***

An electricity generating station with up to 3,100MW of total installed generation capacity generated by two nuclear reactor units, comprising the following works—

*Work No.1A\**: A twin unit nuclear reactor (nuclear reactor building comprising units 1 and 2), associated balance of plant, below ground services, and ancillary buildings including—

- a) Two Reactor Buildings (1-101 and 2-101);
- b) Two Control Buildings (1-102 and 2-102);
- c) Two Turbine Buildings (1-108 and 2-108);
- d) Two Heat Exchanger Buildings (1-103 and 2-103);
- e) One Radioactive Waste Building (0-104);
- f) One Service Building (0-109);
- g) Six Emergency Diesel Generator Buildings (1-110a, 1-110b, 1-110c, 2-110a, 2-110b and 2-110c);
- h) Two Filter Vent Buildings (1-105 and 2-105);
- i) Two Switchgear Buildings (1-253 and 2-253);
- j) Two sets of Cooling Towers (1-519 and 2-519);
- k) Two joined Back-up Buildings (1-107 and 2-107);
- l) Two Seal Pits (1-413 and 2-413);

- m) Two Ball Strainer Pits (1-419 and 2-419);
- n) Transformers (1-506 a-d, 2-506 a-d, 1-518, 2-518, 1-520, 2-520, 1-521, 2-521, 1-522, 2-522);
- o) Stacks (S1 – S12);
- p) Two Security Gatehouses (9-304 and 9-305);
- q) One Maintenance Facility (0-226);
- r) One Nitrogen Gas Supply Facility (0-507);
- s) Water Storage Tanks (0-239, 1-505, 2-505, 1-515 a-k and 2-515 a-k);
- t) Oil Storage Tanks (1-502 and 2-502);
- u) Two Discharge Water Sampling Buildings (1-210 and 2-210);
- v) Two Gas Cylinder Storage Houses (1-208† and 2-208†); and
- w) Cooling water and service tunnels and culverts.

*Work No. 1B\**: Common power station (facilities to support unit 1 and 2) buildings, associated balance of plant, below ground services, ancillary buildings including—

- a) One Auxiliary Boiler Building (0-218);
- b) Two Firewater Pump Houses (0-207a and 0-207b);
- c) One Domestic Water Pump House (0-255);
- d) One Make-up Water Treatment Plant (0-219);
- e) Water Storage Tanks (0-504a, 0-504b, 0-510a and 0-510b);
- f) Oil Storage Tanks (0-513);
- g) One Lower Activity Waste Management Facility (9-246);
- h) One Conventional and Hazardous Waste Building (9-222);
- i) One Weigh Bridge (9-718) and associated gate post monitors;
- j) Stacks (S14 – S17); and
- k) Cooling water and service tunnels and culverts.

*Work No. 1C\**: Support facilities, associated balance of plant, below ground services, ancillary buildings including—

- a) One Administration Building (9-220);
- b) Two Garages for Mobile Emergency Vehicles (0-204a and 0-204b);
- c) One Emergency Response Centre (9-242);
- d) One Gatehouse (9-306);
- e) One Main Outer Gate (9-306a);
- f) One Auxiliary Standby Generator Building (9-256);
- g) One Fuelling Station (9-206);
- h) One Cask Transporter Garage (9-248);
- i) Two Gas Cylinder Storage Houses (1-208† and 2-208†); and
- j) Stack (S13);

*Work No. 1D\**: Spent fuel and radioactive waste storage facilities, associated plant, below ground services, ancillary buildings including—

- a) One Intermediate Level Waste Storage Facility (9-202);
- b) One Spent Fuel Storage Facility (9-201);

*Work No. 1E\**: Marine Preparatory works, including—

- a) temporary access ramp;

- b) dredging of superficial material and rock;

*Work No. IF\**: Two breakwaters in Porth-y-pistyll and a bulk MOLF, with associated below ground services including—

- a) the eastern breakwater;
- b) the western breakwater;
- c) temporary causeway and cofferdams;
- d) roll-on/roll-off MOLF;
- e) bulk MOLF comprising of berthing platforms and mooring dolphins;
- f) temporary pontoon;
- g) lay-by berth;
- h) associated maritime navigation lights and markers; and
- i) related preparatory works including dredging and excavation of Porth-y-pistyll for the intake channel and navigation to the MOLF, dredging and excavation for berthing pockets adjacent to the bulk MOLF; dredging and excavation of superficial deposits and rock; land reclamation, shore protection, temporary barge berth, and associated works.

*Work No. IG\**: A cooling water intake system, associated plant, below ground services, ancillary buildings including—

- a) Works inland of the MHWS—
  - One combined Intake Water Structure (1-411 and 2-411);
  - Two Intake Screen Structures for Auxiliary Service Water System, comprising 2 sets of joined buildings (1-404a and 1-404b, 2-404a and 2-404b);
  - Intake Tunnels;
  - Biocide Plant (0-237);
- b) Works seaward of the MHWS—
  - One combined Intake Water Structure (1-411 and 2-411) and associated intake channel;
  - Two Intake Screen Structures for Auxiliary Service Water System, comprising 2 sets of joined buildings (1-404a and 1-404b, 2-404a and 2-404b);
  - One Intake Skimmer Wall (0-428);

*Work No. IH\**: Cooling water outfall system, associated plant, below ground services, ancillary buildings including—

- a) Works inland of the MHWS—
  - Outfall Facility (0-416);
  - Discharge tunnels;
- b) Works seaward of the MHWS—
  - Outfall Facility (0-416);
  - Temporary cofferdams;

*Work No. II\**: A Simulator and Training Building (9-904), car park area with a capacity of up to a maximum of 200 permanent spaces (9-709c), associated balance of plant and below ground services.

*Work No. IJ\**: A new access road and roundabout connecting to the A5025, associated laying, replacement and diversions of apparatus and associated works.

*Work No. IK\**: A Vehicle Inspection Bay (9-308†), Plant Logistics Warehouse (9-254) and two Cylinder Storage Houses (1-208), associated balance of plant and below ground services.

*Work No.1L\**: Other required buildings, structures and development on the Wylfa Newydd Development Area, including—

- a) Search Building Main Entrance (9-310);
- b) car park area with a capacity of up to a maximum of 700 permanent spaces (9-709a);
- c) Vehicle Inspection Bay (9-308†);
- d) Two Gas Cylinder Storage Houses (1-208† and 2-208†)
- e) connection to new site access roads associated balance of plant; and
- f) below ground services.

*Work No.1M\**: Other required buildings, structures and development on the Wylfa Newydd Development Area, including—

- a) Outage Building (9-240);
- b) Two Gas Cylinder Storage Houses (1-208† and 2-208†);
- c) Secondary Gatehouse for Outer Fence (9-307);
- d) Search Building Secondary Entrance (9-311);
- e) Secondary Outer Gate (307a);
- f) Foul Water Pumping Station (9-724);
- g) associated balance of plant and temporary buildings to support outages; and
- h) below ground services.

*Work No.1N\**: Other required buildings, structures and development on the Wylfa Newydd Development Area, including—

- a) car park area with a capacity of up to a maximum of 200 permanent spaces and 650 overspill spaces (9-709b);
- b) connection to new site access roads associated balance of plant; and
- c) below ground services.

*Work No.1O\**: New site access roads associated balance of plant and below ground services.

## **Work No.2**

*Work No.2A*: Earthworks within the Wylfa Newydd Development Area to establish Landscape Mound A.

*Work No.2B*: Earthworks within the Wylfa Newydd Development Area to establish Landscape Mounds B and C.

*Work No.2C*: Earthworks within the Wylfa Newydd Development Area to establish Landscape Mound D.

*Work No.2D*: Earthworks within the Wylfa Newydd Development Area to establish Landscape Mound E.

## **Work No.3**

*Work No.3A*: A temporary Site Campus comprising the following works—

- a) workers accommodation buildings, amenity building and associated ancillary structures and plant (including substations), and below ground services;
- b) internal access roads, hard standing and vehicle, motorcycle and bicycle parking areas;
- c) provision of surface water and foul water drainage systems and utility services;
- d) provision of fencing, landscaping works, including open space and multi-use games areas, and external lighting and security works; and

- e) site restoration, final landscaping, reinstatement of access to Fisherman's Car Park and footpaths.

*Work No.3B:* A Site Campus Access Road from the existing Magnox site access road to the Site Campus.

**Work No. 4\***

Electrical connections from Transformer 1-506a and Transformer 2-506a to the existing 400kV National Grid substation and associated buildings, structures, plant and apparatus.

**Work No. 5\***

Off-Site Power Station Facilities at Llanfaethlu comprising the following works—

- a) the Mobile Emergency Equipment Garage and Alternative Emergency Control Centre; and
- b) the Environmental Survey Laboratory;
- c) storage facilities for temporary buildings;
- d) provision of site access from A5025;
- e) landscaping, drainage ditches and fencing; and
- f) all associated structures and plant (including a substation and fuel storage) and below ground services.

**Work No. 6**

A temporary Park and Ride facility at Dalar Hir comprising the following works—

- a) construction of bus terminal building, security buildings, and bus waiting structures and stops, and associated temporary structures and plant;
- b) provision of surface water, storm water and foul water drainage systems (including a package treatment plant and underground storage); utility services; fencing and landscaping;
- c) improvements to existing highway;
- d) provision of a temporary site access roundabout, internal roads, car parking areas, and site egress; and
- e) site restoration and final landscaping.

**Work No. 7**

A temporary Logistics Centre at Parc Cybi comprising the following works—

- a) construction of temporary office/welfare and security buildings, associated temporary structures and plant;
- b) heavy vehicle parking areas, car parking and hard standing areas;
- c) provision of surface and foul water drainage systems, utility services, external lighting and fencing, security works, and landscaping; and
- d) provision of site access from the Parc Cybi main access road.

**Work No.8**

A5025 Off-Line Highway Improvement Works at Valley (Section 1) comprising a new four-arm roundabout and 1.06km bypass connecting the A5 with the A5025 to the east of the existing A5/A5025 signalised junction.

**Work No. 9**

A5025 Off-Line Highway Improvement Works at Llanfachraeth (Section 3) comprising—

- (a) Work 9A: A new 2.28km highway, including an elevated viaduct and associated underpass, to provide a bypass to the east of Llanfachraeth village; and
- (b) Work 9B: An over-bridge to accommodate existing side roads.

**Work No. 10**

A5025 Off-Line Highway Improvement Works at Llanfaethlu (Section 5) comprising—

- (a) Work 10A: A new 1.43 km bypass; and
- (c) Work 10B: An associated underpass.

**Work No. 11**

A5025 Off-Line Highway Improvement Works at Cefn Coch (Section 7) comprising a new 1.3km bypass and associated underpass and overbridge.

**Work No. 12**

Site preparation and clearance works, including—

- a) site clearance (including vegetation clearance, management and wildlife relocation, removal of fencing, walls, gates, field boundaries, existing structures (including buildings), and other above ground features));
- b) site establishment works (including installation of a new crossing of the existing Magnox power station access road, fencing, formalisation of existing vehicular crossing points and vehicular routing, and provision of temporary footpath links and fuel and material storage compounds);
- c) ground improvement works (including establishment of a remediation processing compound and associated fencing, storage of treated/processed material, establishment of associated access tracks, drainage, excavation and treatment of soils likely to be contaminated, and treatment and removal of invasive non-native species);
- d) diversion and realignment of a tributary (Nant Porth-y-pistyll) to the Afon Cafnan with associated landscaping works; temporary diversion and/or closure of Cemlyn Road with controlled access to Ty Croes (Fisherman's Car Park); and
- e) other associated works.

**Work No. 13**

Landscaping and drainage works at the Ecological Compensation Site at Cors Gwawr, comprising—

- a) vegetation clearance, soil strip and landscaping;
- b) drainage works; and
- c) planting.

**Work No. 14**

Landscaping and drainage works at the Ecological Compensation Site at Cae Canol-dydd, comprising—

- a) vegetation clearance, soil strip and landscaping;
- b) drainage works; and
- c) planting.

## **Work No. 15**

Landscaping and drainage works at the Ecological Compensation Site at Tỳ Du, comprising—

- a) vegetation clearance, soil strip and landscaping;
- b) drainage works;
- c) planting.

## **Other Associated Development**

And in connection with Work No.s1A, 1B, 1C, 1D, 1E, 1F, 1G, 1H, 1I, 1J, 1K, 1L, 1M, 1N, 1O, 2A, 2B, 2C, 2D, 3A, 3B, 4, 5, 6, 7, 8, 9A, 9B, 10A, 10B, 11, 12, 13, 14 and 15 (unless otherwise indicated), to the extent that they do not otherwise form part of any such work, the following further works in connection with the construction, operation and maintenance of the authorised development within the Order Limits, being associated development within the meaning of section 115(2) of the 2008 Act—

- a) earthworks and excavations (including tunnelling, soil stripping and storage, site levelling, vegetation clearance, spoil screening / storage for re-use on site and remediation); provision of spoil retaining structures, bunds and ground terracing to formation levels; site ground preparation works including land remediation, vegetation clearance and groundwater de-watering;
- b) provision, protection, diversion and relocation of surface drainage systems (including swales, ditches, culverts, outfalls, ponds and water treatment); foul water drainage systems (including pipework, sewage treatment plant and outfalls); utilities, including electricity, telecommunications, water and power supplies (including substations, switchgear and transformers); cables, pipes, shafts, trenches and tunnels; and associated protective works for such infrastructure (including footbridges, barriers and grates);
- c) construction and provision of building compounds, external building plant and equipment, stacks and chimneys, aerials and communication plant and equipment;
- d) works to create temporary or permanent landscaping (including temporary mounds); drainage and flood compensation (including flood attenuation works); finished ground levels; means of enclosure; and reinstatement/replacement of, or construction of, boundary walls and security fences (including gates and retaining walls);
- e) establishment of temporary construction areas and compounds at each Works site to include, as necessary—
  - demolition and site clearance (including of existing buildings, vegetation, walls, fences, planters, and other above and below ground structures);
  - site hoardings (including perimeter enclosures and security fencing) and provision of construction and traffic signage and notices;
  - temporary vehicle parking;
  - formation of construction vehicle accesses and provision of temporary gated or other site accesses and other works to streets;
  - construction-related buildings, structures, facilities (including storage and manufacturing warehouse and temporary structures), plant, equipment, cranes, machinery (including concrete batching, concrete silos and construction bridges) and temporary bridges and accesses (including internal haulage routes);
  - provision of construction services and utilities, including electricity, telecommunications, water and power supplies (including substations) including means of enclosure, and construction lighting;
- f) provision of permanent and temporary hard-standing areas; welfare/office accommodation, workshops and stores; structures and plant; security kiosks, gates and barriers; vehicle and bicycle parking areas; vehicular and pedestrian accesses and internal roads; storage and handling areas; signage; CCTV poles and mountings; lighting poles

- and fittings; facilities and equipment for processing of excavated and construction materials; treatment enclosures; and any other temporary and permanent works required;
- g) in connection with Work No.s 1E, 1F, 1G and 1H, the following additional works—
- the provision of temporary moorings, berths and piers (including dolphins), other equipment and facilities, pontoons and other floating structures and temporary works platforms and apparatus (including as necessary piling for support of such structures) for use by vessels in construction and maintenance of the authorised development;
  - dredging;
  - shore protection works;
  - temporary access ramps and slipways;
  - temporary causeway and haul roads;
  - provision of fish recovery and return outfall and acoustic fish deterrent systems;
  - the provision of buoys, beacons, fenders and other navigational warning or ship impact protection works;
- i) in connection with Work 2A, 2B, 2C and 2D, provision of new footpaths; walls and fencing; planting; and ecology ponds;
- j) in connection with Work No. 3A, 5, 6 and 7 the following additional works—
- demolition/removal of temporary buildings, amenity buildings; hard-standing, parking areas; associated structures and plant; and associated post-operation phase work;
  - perimeter and internal fencing (including ecological fencing where necessary); pedestrian/footpath connections; signage; secured entrances, gates and barriers;
- k) in connection with Work No.s 1J, 6, 7, 8, 9, 10 and 11 the following additional works—
- alteration of layout of a street including widening the carriageway of a street, altering the level of any kerb footway, cycleway or verge within a street and surface treatments;
  - relocation and provision of street lighting;
  - works to place, alter, remove or maintain street furniture, transport infrastructure and apparatus, including the provision of temporary bus lay-bys;
  - relocation and provision of road traffic signs and markings; and
  - diversions or modifications (both temporary and permanent) of existing vehicle and pedestrian access routes (including footpaths and cycleways) and subsequent reinstatement of existing routes, and works to create permissive rights of way;
- l) works to trees, hedges and shrubs;
- m) habitat creation and management;
- n) permanent and temporary works for the benefit or protection of land or structures affected by the authorised development (including diversion or provision of utilities apparatus, private means of access and protective, survey and monitoring works to land, buildings and other structures); and
- o) such other works as may be necessary or expedient for the purposes of or in connection with the construction, operation and maintenance of the authorised development which do not give rise to any materially new or materially different environmental effects from those assessed as set out in the Environmental Statement.



SCHEDULE 2  
APPROVED PLANS

Article 2

PART 1

ORDER LIMITS PLANS

<i>Drawing Number</i>	<i>Rev</i>	<i>Drawing Title</i>	<i>Scale</i>	<i>Paper size</i>
<b>Wylfa Newydd Development Area – Work No.s 1, 2, 3 and 4</b>				
WN0902-HZDCO-RLB-DRG-00002	1.0	Wylfa Newydd Development Area, Order Limits, Sheet 1	1:2500	A0
WN0902-HZDCO-RLB-DRG-00003	1.0	Wylfa Newydd Development Area, Order Limits, Sheet 2	1:2500	A0
WN0902-HZDCO-RLB-DRG-00004	1.0	Wylfa Newydd Development Area, Order Limits, Sheet 3	1:2500	A0
WN0902-HZDCO-RLB-DRG-00005	1.0	Wylfa Newydd Development Area, Order Limits, Sheet 4	1:2500	A0
WN0902-HZDCO-RLB-DRG-00006	1.0	Wylfa Newydd Development Area, Order Limits, Sheet 5	1:2500	A0
<b>A5025 Off-Line Highway Improvement Works - Work No.s 8, 9 and 11</b>				
WN0902-HZDCO-RLB-DRG-00007	1.0	A5025 Off-line Highways Improvements, Section 1 - Valley, Order Limits	1:2500	A0
WN0902-HZDCO-RLB-DRG-00008	1.0	A5025 Off-line Highways Improvements, Section 3 - Llanfachraeth, Order Limits	1:2500	A0
WN0902-HZDCO-RLB-DRG-00011	1.0	A5025 Off-line Highways Improvements, Section 7 - Cefn Coch, Order Limits	1:2500	A0
<b>Dalar Hir Park and Ride facility – Work No.6</b>				
WN0902-HZDCO-RLB-DRG-00012	1.0	Park and Ride - Dalar Hir, Order Limits	1:1250	A0
<b>Parc Cybi Logistics Centre – Work No.7</b>				
WN0902-HZDCO-RLB-DRG-00013	1.0	Logistics Centre - Parc Cybi, Order Limits	1:1250	A0
<b>Ecological Compensation Sites – Work No.s 13, 14 and 15</b>				
WN0902-HZDCO-RLB-DRG-00016	1.0	Ecological Compensation Site, Cors Gwawr, Order Limits	1:1250	A0
WN0902-HZDCO-RLB-DRG-00017	1.0	Ecological Compensation Site, Cae Canol-Dydd, Order Limits	1:1250	A0
WN0902-HZDCO-RLB-DRG-00018	1.0	Ecological Compensation Site, Ty Du, Order Limits	1:1250	A0
<b>A5025 Off-Line Highway Improvement Works (Section 5 - Llanfaethlu) and Off-Site Power Station Facilities – Work No.s 5 and 10</b>				
WN0902-HZDCO-RLB-DRG-00019	1.0	A5025 Off-line Highway Improvements, Section 5 and Off-Site Power, Station Facilities - Llanfaethlu, Order Limits	1:2500	A0

**PART 2**  
**WORK PLANS**

<i>Drawing Number</i>	<i>Rev</i>	<i>Drawing Title</i>	<i>Scale</i>	<i>Paper size</i>
<b>Wylfa Newydd Development Area – Work No.s 1, 2, 3 and 4</b>				
WN0902-HZDCO-WPN-DRG-00001	1.0	Wylfa Newydd Development Area, Works Plan, Sheet 1	1:2500	A0
WN0902-HZDCO-WPN-DRG-00002	1.0	Wylfa Newydd Development Area, Works Plan, Sheet 2	1:2500	A0
WN0902-HZDCO-WPN-DRG-00003	1.0	Wylfa Newydd Development Area, Works Plan, Sheet 3	1:2500	A0
WN0902-HZDCO-WPN-DRG-00004	1.0	Wylfa Newydd Development Area, Works Plan, Sheet 4	1:2500	A0
WN0902-HZDCO-WPN-DRG-00005	1.0	Wylfa Newydd Development Area, Works Plan, Sheet 5	1:2500	A0
<b>A5025 Off-Line Highway Improvement Works - Work No.s 8, 9, 10 and 11</b>				
WN0902-HZDCO-WPN-DRG-00006	1.0	A5025 Off-line Highway Improvements, Section 1 - Valley, Works Plan	1:1000	A0
WN0902-HZDCO-WPN-DRG-00007	1.0	A5025 Off-line Highway Improvements, Section 3 - Llanfachraeth, Works Plan	1:1250	A0
WN0902-HZDCO-WPN-DRG-00008	1.0	A5025 Off-line Highway Improvements, Section 5 - Llanfaethlu, Works Plan	1:1250	A0
WN0902-HZDCO-WPN-DRG-00010	1.0	A5025 Off-line Highway Improvements, Section 7 - Cefn Coch, Works Plan	1:1250	A0
<b>Off-Site Power Station Facilities – Work No.5</b>				
WN0902-HZDCO-WPN-DRG-00009	1.0	Off-Site Power Station Facilities, - Llanfaethlu, Works Plan	1:1250	A0
<b>Dalar Hir Park and Ride facility – Work No.6</b>				
WN0902-HZDCO-WPN-DRG-00011	1.0	Park and Ride - Dalar Hir, Works Plan	1:1250	A0
<b>Parc Cybi Logistics Centre – Work No.7</b>				
WN0902-HZDCO-WPN-DRG-00012	1.0	Logistics Centre - Parc Cybi, Works Plan	1:1250	A0
<b>Ecological Compensation Sites – Work No.s 13, 14 and 15</b>				
WN0902- HZDCO-WPN-DRG-00018	1.0	Ecological Compensation Site, Cors Gwawr, Works Plan	1:1250	A0
WN0902- HZDCO-WPN-DRG-00019	1.0	Ecological Compensation Site, Cae Canol-Dydd, Works Plan	1:1250	A0
WN0902- HZDCO-WPN-DRG-00020	1.0	Ecological Compensation Site, Ty Du, Works Plan	1:1250	A0

**PART 3**  
**LAND PLANS**

<i>Drawing Number</i>	<i>Rev</i>	<i>Drawing Title</i>	<i>Scale</i>	<i>Paper size</i>
<b>Wylfa Newydd Development Area – Work No.s 1, 2, 3 and 4</b>				
WN0902-HZDCO-LPN-DRG-00002	2.0	Wylfa Newydd Development Area, Land Plan, Sheet 1	As shown	A0
WN0902-HZDCO-LPN-DRG-00003	2.0	Wylfa Newydd Development Area, Land Plan, Sheet 2	As shown	A0
WN0902-HZDCO-LPN-DRG-00004	2.0	Wylfa Newydd Development Area, Land Plan, Sheet 3	1:2500	A0
WN0902-HZDCO-LPN-DRG-00005	2.0	Wylfa Newydd Development Area, Land Plan, Sheet 4	As shown	A0
WN0902-HZDCO-LPN-DRG-00006	2.0	Wylfa Newydd Development Area, Land Plan, Sheet 5	1:2500	A0
<b>A5025 Off-Line Highway Improvement Works – Work No. 8, 9 and 11</b>				
WN0902-HZDCO-LPN-DRG-00007	2.0	A5025 Off-line Highway Improvements, Section 1 - Valley, Land Plan	As shown	A0
WN0902-HZDCO-LPN-DRG-00008	2.0	A5025 Off-line Highway Improvements, Section 3 - Llanfachraeth, Land Plan	As shown	A0
WN0902-HZDCO-LPN-DRG-00011	2.0	A5025 Off-line Highway Improvements, Section 7 - Cefn Coch, Land Plan	As shown	A0
<b>Dalar Hir Park and Ride facility – Work No.6</b>				
WN0902-HZDCO-LPN-DRG-00012	2.0	Park and Ride – Dalar Hir, Land Plan	As shown	A0
<b>Parc Cybi Logistics Centre – Work No.7</b>				
WN0902-HZDCO-LPN-DRG-00013	2.0	Logistics Centre – Parc Cybi, Land Plan	As shown	A0
<b>Crown and Special Category Land</b>				
WN0902-HZDCO-LPN-DRG-00014	2.0	Wylfa Newydd Development Area, Crown Land Plan	1:2500	A0
WN0902-HZDCO-LPN-DRG-00015	2.0	Wylfa Newydd Development Area, Special Category Land Plan	1:2500	A0
<b>Ecological Compensation Sites – Works No.13, 14 and 15</b>				
WN0902-HZDCO-LPN-DRG-00016	2.0	Ecological Compensation Site, Cors Gwawr, Land Plan	1:1250	A0
WN0902-HZDCO-LPN-DRG-00017	2.0	Ecological Compensation Site, Cae Canol-Dydd, Land Plan	1:1250	A0
WN0902-HZDCO-LPN-DRG-00018	2.0	Ecological Compensation Site, Ty Du, Land Plan	1:1250	A0
<b>A5025 Off-Line Highway Improvement Works (Section 5 - Llanfaethlu) and Off-Site Power Station Facilities – Work No.s 5 and 10</b>				
WN0902-HZDCO-LPN-DRG-00019	2.0	A5025 Off-line Highway Improvements, Section 5 and Off-Site Power, Station Facilities - Llanfaethlu, Land Plan	As shown	A0

**PART 4**  
**PARAMETER PLANS**

<i>Drawing Number</i>	<i>Rev</i>	<i>Drawing Title</i>	<i>Scale</i>	<i>Paper size</i>
<b>Wylfa Newydd Development Area – Work No.s 1 and 3</b>				
WN0902-HZDCO-MSP-DRG-00002	1.0	Wylfa Newydd Development Area, Power Station Site, Parameter Plan	1:2500	A1
WN0902-HZDCO-MSP-DRG-00008	1.0	Wylfa Newydd Development Area, Power Station Site, Construction Parameter Plan	1:5000	A0
WN0902-HZDCO-SCA-DRG-00001	1.0	Wylfa Newydd Development Area, Site Campus, Parameter Plan	1:1250	A1
WN0902-HZDCO-MRN-DRG-00001	1.0	Wylfa Newydd Development Area, Marine Works, Parameter Plan, Permanent Works	1:2000	A1
WN0902-HZDCO-MRN-DRG-00002	1.0	Wylfa Newydd Development Area, Marine Works, Parameter Plan, Temporary Works	1:2000	A1
WN0902-HZDCO-MRN-DRG-00003	1.0	Wylfa Newydd Development Area, Marine Works, Parameter Plan, Dredging	1:2000	A1
<b>Off-Site Power Station Facilities – Work No.5</b>				
WN0902-HZDCO-ADV-DRG-00001	1.0	Off-Site Power Station Facilities, - Llanfaethlu, Parameter Plan	1:500	A1
<b>Dalar Hir Park and Ride facility – Work No.6</b>				
WN0902-HZDCO-ADV-DRG-00032	1.0	Park and Ride – Dalar Hir, Parameter Plan	As Shown	A1
<b>Parc Cybi Logistics Centre – Work No.7</b>				
WN0902-HZDCO-ADV-DRG-00014	1.0	Logistics Centre - Parc Cybi, Parameter Plan	1:500	A1

## PART 5

### RIGHTS OF WAY PLANS

<i>Drawing Number</i>	<i>Rev</i>	<i>Drawing Title</i>	<i>Scale</i>	<i>Paper size</i>
<b>Wylfa Newydd Development Area – Work No.s 1, 2, 3 and 4</b>				
WN0902-HZDCO-ROW-DRG-00014	1.0	Wylfa Newydd Development Area, Rights of Way, Extinguishment and Stopping Up, For Construction - Sheet 1	1:2500	A0
WN0902-HZDCO-ROW-DRG-00015	1.0	Wylfa Newydd Development Area, Rights of Way, Extinguishment and Stopping Up, For Construction - Sheet 2	1:2500	A0
WN0902-HZDCO-ROW-DRG-00016	1.0	Wylfa Newydd Development Area, Rights of Way, Extinguishment and Stopping Up, For Construction - Sheet 3	1:2500	A0
WN0902-HZDCO-ROW-DRG-00017	1.0	Wylfa Newydd Development Area, Rights of Way, Extinguishment and Stopping Up, For Construction - Sheet 4	1:2500	A0
WN0902-HZDCO-ROW-DRG-00018	1.0	Wylfa Newydd Development Area, Rights of Way, Extinguishment and Stopping Up, For Construction - Sheet 5	1:2500	A0
WN0902-HZDCO-ROW-DRG-00019	1.0	Wylfa Newydd Development Area, Rights of Way, During Construction – Sheet 1	1:2500	A0
WN0902-HZDCO-ROW-DRG-00020	1.0	Wylfa Newydd Development Area, Rights of Way, During Construction – Sheet 2	1:2500	A0
WN0902-HZDCO-ROW-DRG-00021	1.0	Wylfa Newydd Development Area, Rights of Way, During Construction – Sheet 3	1:2500	A0
WN0902-HZDCO-ROW-DRG-00022	1.0	Wylfa Newydd Development Area, Rights of Way, During Construction – Sheet 4	1:2500	A0
WN0902-HZDCO-ROW-DRG-00023	1.0	Wylfa Newydd Development Area, Rights of Way, During Construction – Sheet 5	1:2500	A0
<b>Wylfa Newydd Development Area (Power Station Access Junction) – Work No.1J</b>				
WN0902-HZDCO-ROW-DRG-00030	1.0	A5025 Off-line Highway Improvements, Section 9 Power Station Access Road Junction (Work No.1J), Rights of Way	1:1000	A1
<b>A5025 Off-Line Highway Improvement Works (Section 1 – Valley) – Work No. 8, 9, 10 and 11</b>				
WN0902-HZDCO-ROW-DRG-00007	1.0	A5025 Off-line Highway Improvements, Section 1 - Valley, Rights of Way	As shown	A1
WN0902-HZDCO-ROW-DRG-00008	1.0	A5025 Off-line Highway Improvements, Section 3 - Llanfachraeth, Rights of Way, Sheet 1	1:2500	A1
WN0902-HZDCO-ROW-DRG-00009	1.0	A5025 Off-line Highway Improvements, Section 3 - Llanfachraeth, Rights of Way, Sheet 2	As shown	A1
WN0902-HZDCO-ROW-DRG-00011	1.0	A5025 Off-line Highway Improvements, Section 5 - Llanfaethlu, Rights of Way	As shown	A1
WN0902-HZDCO-ROW-DRG-00029	1.0	A5025 Off-line Highway Improvements, Section 7 – Cefn Coch, Rights of Way	As shown	A1
<b>Off-Site Power Station Facilities – Work No.5</b>				
WN0902-HZDCO-ROW-DRG-00010	1.0	Off-Site Power Station Facilities, Rights of Way	1:500	A1
<b>Dalar Hir Park and Ride facility – Work No.6</b>				

WN0902-HZDCO- ROW-DRG-00012	1.0	Park and Ride - Dalar Hir, Rights of Way	As shown	A0
<b>Parc Cybi Logistics Centre – Work No.7</b>				
WN0902-HZDCO- ROW-DRG-00013	1.0	Logistics Centre - Parc Cybi, Rights of Way	1:1000	A1
<b>Ecological Compensation Sites – Work No.s 13, 14 and 15</b>				
WN0902-HZDCO- ROW-DRG-00031	1.0	Ecological Compensation Site, Cors Gwawr, Rights of Way, Stopped Up or Diverted	1:1250	A0
WN0902-HZDCO- ROW-DRG-00032	1.0	Ecological Compensation Site, Cae Canol Dydd, Rights of Way, Stopped Up or Diverted	1:1250	A0
WN0902HZDCO- ROW-DRG-00033	1.0	Ecological Compensation Site, Ty Du, Rights of Way, Stopped Up or Diverted	1:1250	A0

## PART 6

### DETAILED DESIGN DRAWINGS

<i>Drawing Number</i>	<i>Rev</i>	<i>Drawing Title</i>	<i>Scale</i>	<i>Paper size</i>
<b>Wylfa Newydd Development Area – Work No.s 1, 2, 3 and 4</b>				
WN0902-HZDCO-LFM-DRG-00031	1.0	Wylfa Newydd Development Area, Landscaping Retention Plan, Sheet 1	As shown	A0
WN0902-HZDCO-LFM-DRG-00032	1.0	Wylfa Newydd Development Area, Landscaping Retention Plan, Sheet 2	1:2500	A0
WN0902-HZDCO-LFM-DRG-00033	1.0	Wylfa Newydd Development Area, Landscaping Retention Plan, Sheet 3	1:2500	A0
WN0902-HZDCO-LFM-DRG-00034	1.0	Wylfa Newydd Development Area, Landscaping Retention Plan, Sheet 4	1:2500	A0
WN0902-HZDCO-LFM-DRG-00035	1.0	Wylfa Newydd Development Area, Landscaping Retention Plan, Sheet 5	1:2500	A0
WN0902-HZDCO-LFM-DRG-00037	1.0	Wylfa Newydd Development Area, Important Hedgerow Removal, Sheet 1	As shown	A0
WN0902-HZDCO-LFM-DRG-00038	1.0	Wylfa Newydd Development Area, Important Hedgerow Removal, Sheet 2	1:2500	A0
WN0902-HZDCO-LFM-DRG-00039	1.0	Wylfa Newydd Development Area, Important Hedgerow Removal, Sheet 3	1:2500	A0
WN0902-HZDCO-LFM-DRG-00040	1.0	Wylfa Newydd Development Area, Important Hedgerow Removal, Sheet 4	1:2500	A0
WN0902-HZDCO-LFM-DRG-00041	1.0	Wylfa Newydd Development Area, Important Hedgerow Removal, Sheet 5	1:2500	A0
<b>Wylfa Newydd Development Area (Power Station Access Junction) – Work No.1J</b>				
WN0902-HZDCO-OHW-DRG-00063	1.0	A5025 Off-line Highway Improvements Section 9 – Power Station Access Road Junction (Work No.1J), Proposed General Arrangement	As Shown	A1
WN0902-HZDCO-OHW-DRG-00064	1.0	A5025 Off-line Highway Improvements Section 9 - Power Station Access Road Junction (Work No.1J), Proposed Site Clearance Plan	1:1000	A1
WN0902-HZDCO-OHW-DRG-00065	1.0	A5025 Off-line Highway Improvements Section 9 - Power Station Access Road Junction (Work No.1J), Proposed Drainage Plan	As Shown	A1
WN0902-HZDCO-OHW-DRG-00066	1.0	A5025 Off-line Highway Improvements Section 9 - Power Station Access Road Junction (Work No.1J), Proposed Cross Section 9A-A & 9B-B	1:100	A1
WN0902-HZDCO-OHW-DRG-00067	1.0	A5025 Off-line Highway Improvements Section 9 - Power Station Access Road Junction (Work No.1J), Proposed Cross Section 9C-C	1:100	A1
<b>Parc Cybi Logistics Centre – Work No. 7</b>				
WN0902-HZDCO-ADV-DRG-00016	1.0	Logistics Centre - Parc Cybi, General Arrangement and Finished Levels	As Shown	A1
WN0902-HZDCO-ADV-DRG-00017	1.0	Logistics Centre - Parc Cybi, Proposed Highways General Arrangement Plan	As Shown	A1
WN0902-HZDCO-	1.0	Logistics Centre - Parc Cybi, Proposed	1:500	A1

ADV-DRG-00018		External Lighting Plan		
WN0902-HZDCO-ADV-DRG-00019	1.0	Logistics Centre - Parc Cybi, Proposed Surface Water and Foul Water Drainage Plan	1:500	A1
WN0902-HZDCO-ADV-DRG-00020	1.0	Logistics Centre - Parc Cybi, Site Utilities and Proposed Connections to Existing Statutory Undertakers	1:500	A1
WN0902-HZDCO-ADV-DRG-00022	1.0	Logistics Centre - Parc Cybi, Existing and Proposed Site Cross Sections	1:500	A1
WN0902-HZDCO-ADV-DRG-00023	1.0	Logistics Centre - Parc Cybi - Office/Welfare Building, Plans and Sections	1:100	A1
WN0902-HZDCO-ADV-DRG-00024	1.0	Logistics Centre - Parc Cybi – Office/Welfare Building, Elevations	1:100	A1
WN0902-HZDCO-ADV-DRG-00025	1.0	Logistics Centre - Parc Cybi – Miscellaneous Buildings and Structures, Plans and Elevations	As shown	A1
WN0902-HZDCO-ADV-DRG-00029	1.0	Logistics Centre - Parc Cybi, Clearance and Demolition Plan	1:500	A1
<b>Dalar Hir Park and Ride facility – Work No.6</b>				
WN0902-HZDCO-ADV-DRG-00033	1.0	Park and Ride – Dalar Hir, Site Layout Plan	As Shown	A1
WN0902-HZDCO-ADV-DRG-00034	1.0	Park and Ride - Dalar Hir, Clearance and Demolition Plan	1:1250	A1
WN0902-HZDCO-ADV-DRG-00035	1.0	Park and Ride - Dalar Hir, Proposed Landscape Masterplan and Finished Levels	1:1250	A1
WN0902-HZDCO-ADV-DRG-00036	1.0	Park and Ride - Dalar Hir, Proposed Highways General Arrangement Plan	1:1250	A1
WN0902-HZDCO-ADV-DRG-00037	1.0	Park and Ride - Dalar Hir, Proposed External Lighting Plan	As Shown	A1
WN0902-HZDCO-ADV-DRG-00038	1.0	Park and Ride - Dalar Hir, Proposed Surface Water and Foul Water Drainage Plan	1:1250	A0
WN0902-HZDCO-ADV-DRG-00039	1.0	Park and Ride - Dalar Hir, Site Utilities and Proposed Connections to Existing Statutory Undertakers	1:1250	A1
WN0902-HZDCO-ADV-DRG-00040	1.0	Park and Ride - Dalar Hir, Proposed Restoration Plan Post Operation	1:1250	A1
WN0902-HZDCO-ADV-DRG-00041	1.0	Park and Ride - Dalar Hir, Existing and Proposed Site Cross Sections, Sheet 1	1:500	A1
WN0902-HZDCO-ADV-DRG-00042	1.0	Park and Ride - Dalar Hir, Existing and Proposed Site Cross Sections, Sheet 2	1:500	A1
WN0902-HZDCO-ADV-DRG-00043	1.0	Park and Ride - Dalar Hir, Existing and Proposed Site Cross Sections, Sheet 3	1:500	A1
WN0902-HZDCO-ADV-DRG-00044	1.0	Park and Ride - Dalar Hir, Bus Transport Facility Building, Plans and Sections	1:100	A1
WN0902-HZDCO-ADV-DRG-00045	1.0	Park and Ride - Dalar Hir - Bus Transport Facility Building, Elevations	1:100	A1
WN0902-HZDCO-ADV-DRG-00046	1.0	Park and Ride - Dalar Hir, Bus Shelters, Roof Plan and Elevations	1:100	A1
WN0902-HZDCO-ADV-DRG-00047	1.0	Park and Ride – Dalar Hir, Miscellaneous Buildings and Structures	As Shown	A1
<b>A5025 Off-Line Highway Improvement Works (Section 1 – Valley) – Work No.8</b>				
WN0902-HZDCO-OHW-DRG-00002	1.0	A5025 Off-line Highway Improvements Section 1 - Valley, Proposed General Arrangement Plan (Sheet 1)	As Shown	A1
WN0902-HZDCO-OHW-DRG-00003	1.0	A5025 Off-line Highway Improvements Section 1 - Valley, Proposed General Arrangement Plan (Sheet 2)	As Shown	A1



WN0902-HZDCO-OHW-DRG-00004	1.0	A5025 Off-line Highway Improvements Section 1 - Valley, Proposed Site Clearance Plan	1:2000	A1
WN0902-HZDCO-OHW-DRG-00005	1.0	A5025 Off-line Highway Improvements Section 1 - Valley, Proposed Drainage Plan, Sheet 1	As Shown	A1
WN0902-HZDCO-OHW-DRG-00006	1.0	A5025 Off-line Highway Improvements Section 1 - Valley, Proposed Drainage Plan, Sheet 2	As Shown	A1
WN0902-HZDCO-OHW-DRG-00008	1.0	A5025 Off-line Highway Improvements Section 1 - Valley, Proposed Cross Sections 1A-A & 1B-B	1:100	A1
<b>A5025 Off-Line Highway Improvement Works (Section 3 –Llanfachraeth) – Work No.9</b>				
WN0902-HZDCO-OHW-DRG-00013	1.0	A5025 Off-line Highway Improvements Section 3- Llanfachraeth, Proposed General Arrangement Plan (Sheet 1)	As Shown	A1
WN0902-HZDCO-OHW-DRG-00014	1.0	A5025 Off-line Highway Improvements Section 3 - Llanfachraeth, Proposed General Arrangement Plan (Sheet 2)	As Shown	A1
WN0902-HZDCO-OHW-DRG-00015	1.0	A5025 Off-line Highway Improvements Section 3 - Llanfachraeth, Proposed General Arrangement Plan (Sheet 3)	As Shown	A1
WN0902-HZDCO-OHW-DRG-00016	1.0	A5025 Off-line Highway Improvements Section 3 - Llanfachraeth, Proposed General Arrangements Plan (Sheet 4)	As Shown	A1
WN0902-HZDCO-OHW-DRG-00017	1.0	A5025 Off-line Highway Improvements Section 3 - Llanfachraeth, Proposed Site Clearance Plan, Sheet 1	1:1000	A1
WN0902-HZDCO-OHW-DRG-00018	1.0	A5025 Off-line Highway Improvements Section 3 - Llanfachraeth, Proposed Site Clearance Plan, Sheet 2	1:1000	A1
WN0902-HZDCO-OHW-DRG-00019	1.0	A5025 Off-line Highway Improvements Section 3 - Llanfachraeth, Proposed Site Clearance Plan, Sheet 3	1:1000	A1
WN0902-HZDCO-OHW-DRG-00020	1.0	A5025 Off-line Highway Improvements Section 3 - Llanfachraeth, Proposed Site Clearance Plan, Sheet 4	1:1000	A1
WN0902-HZDCO-OHW-DRG-00021	1.0	A5025 Off-line Highway Improvements Section 3 - Llanfachraeth, Proposed Drainage Plan, Sheet 1	As Shown	A1
WN0902-HZDCO-OHW-DRG-00022	1.0	A5025 Off-line Highway Improvements Section 3 - Llanfachraeth, Proposed Drainage Plan, Sheet 2	As Shown	A1
WN0902-HZDCO-OHW-DRG-00023	1.0	A5025 Off-line Highway Improvements Section 3 - Llanfachraeth, Proposed Drainage Plan, Sheet 3	As Shown	A1
WN0902-HZDCO-OHW-DRG-00024	1.0	A5025 Off-line Highway Improvements Section 3 - Llanfachraeth, Proposed Drainage Plan, Sheet 4	As Shown	A1
WN0902-HZDCO-OHW-DRG-00026	1.0	A5025 Off-line Highway Improvements Section 3 - Llanfachraeth, Proposed Cross Section 3A-A & 3B-B	1:200	A1
WN0902-HZDCO-OHW-DRG-00027	1.0	A5025 Off-line Highway Improvements Section 3 - Llanfachraeth, Proposed Cross Section 3C-C & 3D-D	1:200	A1
WN0902-HZDCO-	1.0	A5025 Off-line Highway Improvements	1:200	A1

OHW-DRG-00028		Section 3 - Llanfachraeth, Proposed Cross Section 3E-E & 3F-F		
WN0902-HZDCO-OHW-DRG-00029	1.0	A5025 Off-line Highway Improvements Section 3 - Llanfachraeth, Proposed Cross Section 3G-G & 3H-H	1:200	A1
WN0902-HZDCO-OHW-DRG-00030	1.0	A5025 Off-line Highway Improvements Section 3 - Llanfachraeth, Proposed Cross Section 3I-I	1:100	A1
<b>A5025 Off-Line Highway Improvement Works (Section 5 – Llanfaethlu) – Work No.10</b>				
WN0902-HZDCO-OHW-DRG-00037	1.0	A5025 Off-line Highway Improvements Section 5 - Llanfaethlu, Proposed General Arrangement Plan - Sheet 1	As Shown	A1
WN0902-HZDCO-OHW-DRG-00038	1.0	A5025 Off-line Highway Improvements Section 5 - Llanfaethlu, Proposed General Arrangement Plan - Sheet 2	As Shown	A1
WN0902-HZDCO-OHW-DRG-00039	1.0	A5025 Off-line Highway Improvements Section 5 - Llanfaethlu, Proposed Site Clearance Plan, Sheet 1	1:1000	A1
WN0902-HZDCO-OHW-DRG-00040	1.0	A5025 Off-line Highway Improvements Section 5 - Llanfaethlu, Proposed Site Clearance Plan, Sheet 2	1:1000	A1
WN0902-HZDCO-OHW-DRG-00041	1.0	A5025 Off-line Highway Improvements Section 5 - Llanfaethlu, Proposed Drainage Plan, Sheet 1	As Shown	A1
WN0902-HZDCO-OHW-DRG-00042	1.0	A5025 Off-line Highway Improvements Section 5 - Llanfaethlu, Proposed Drainage Plan, Sheet 2	As Shown	A1
WN0902-HZDCO-OHW-DRG-00044	1.0	A5025 Off-line Highway Improvements Section 5 - Llanfaethlu, Proposed Cross Section 5A-A & 5B-B	1:200	A1
WN0902-HZDCO-OHW-DRG-00045	1.0	A5025 Off-line Highway Improvements Section 5 - Llanfaethlu, Proposed Cross Section 5C-C & 5D-D	1:200	A1
<b>A5025 Off-Line Highway Improvement Works (Section 7 - Cefn Coch)– Work No.11</b>				
WN0902-HZDCO-OHW-DRG-00049	1.0	A5025 Off-line Highway Improvements Section 7 - Cefn Coch, Proposed General Arrangement, Sheet 1	As Shown	A1
WN0902-HZDCO-OHW-DRG-00050	1.0	A5025 Off-line Highway Improvements Section 7 - Cefn Coch, Proposed General Arrangement, Sheet 2	As Shown	A1
WN0902-HZDCO-OHW-DRG-00051	1.0	A5025 Off-line Highway Improvements Section 7 - Cefn Coch, Proposed General Arrangement, Sheet 3	As Shown	A1
WN0902-HZDCO-OHW-DRG-00052	1.0	A5025 Off-line Highway Improvements Section 7 - Cefn Coch, Proposed Site Clearance Plan, Sheet 1	1:1000	A1
WN0902-HZDCO-OHW-DRG-00053	1.0	A5025 Off-line Highway Improvements Section 7 - Cefn Coch, Proposed Site Clearance Plan, Sheet 2	1:1000	A1
WN0902-HZDCO-OHW-DRG-00054	1.0	A5025 Off-line Highway Improvements Section 7 - Cefn Coch, Proposed Drainage Plan, Sheet 1	As Shown	A1
WN0902-HZDCO-OHW-DRG-00055	1.0	A5025 Off-line Highway Improvements Section 7 - Cefn Coch, Proposed Drainage Plan, Sheet 2	As Shown	A1

WN0902-HZDCO-OHW-DRG-00056	1.0	A5025 Off-line Highway Improvements Section 7 - Cefn Coch, Proposed Drainage Plan, Sheet 3	As Shown	A1
WN0902-HZDCO-OHW-DRG-00058	1.0	A5025 Off-line Highway Improvements Section 7 - Cefn Coch, Proposed Cross Section 7A-A & 7B-B	1:200	A1
WN0902-HZDCO-OHW-DRG-00059	1.0	A5025 Off-line Highway Improvements Section 7 - Cefn Coch, Proposed Cross Section 7C-C	1:200	A1
<b>Site Preparation and Clearance – Work No.12</b>				
WN0902-HZDCO-SPC1-DRG-00001	1.0	Site Preparation and Clearance Works, Proposed Site Plan Work No. 12 (Site Preparation and Clearance Works)	1:5000	A0
WN0902-HZDCO-SPC1-DRG-00002	1.0	Site Preparation and Clearance Works, Proposed Main Site Compound Layout (Phase A)	1:500	A1
WN0902-HZDCO-SPC1-DRG-00004	1.0	Site Preparation and Clearance Works, Proposed Existing Power Station Road Crossing (Phase F)	1:200	A1
WN0902-HZDCO-SPC1-DRG-00005	1.0	Site Preparation and Clearance Works, Proposed Cemlyn Road Crossing (Phase F)	1:500	A1
WN0902-HZDCO-SPC1-DRG-00006	1.0	Site Preparation and Clearance Works, Proposed Site Plan (Phase G)	1:5000	A0
WN0902-HZDCO-SPC1-DRG-00007	1.0	Site Preparation and Clearance Works, Remediation Processing Compound Layout (Phase G)	As Shown	A1
WN0902-HZDCO-SPC1-DRG-00009	1.0	Site Preparation and Clearance Works, Proposed Compound 1 Layout (Phase E)	1:200	A1
WN0902-HZDCO-SPC1-DRG-00010	1.0	Site Preparation and Clearance Works, Proposed Compound 2 Layout (Phase E)	1:200	A1
WN0902-HZDCO-SPC1-DRG-00011	1.0	Site Preparation and Clearance Works, Proposed Compound 3 Layout (Phase E)	1:200	A1
WN0902-HZDCO-SPC1-DRG-00012	1.0	Site Preparation and Clearance Works, Proposed Compound 4 Layout (Phase E)	1:200	A1
WN0902-HZDCO-SPC1-DRG-00013	1.0	Site Preparation and Clearance Works, Proposed Compound 5 Layout (Phase E)	1:200	A1
WN0902-HZDCO-SPC1-DRG-00014	1.0	Site Preparation and Clearance Works, Proposed Compound 6 Layout (Phase E)	1:200	A1
WN0902-HZDCO-SPC1-DRG-00015	1.0	Site Preparation and Clearance Works, Proposed Compound 7 Layout (Phase E)	1:200	A1
WN0902-HZDCO-SPC1-DRG-00016	1.0	Site Preparation and Clearance Works, Proposed Compound 8 Layout (Phase E)	1:200	A1
WN0902-HZDCO-SPC1-DRG-00017	1.0	Site Preparation and Clearance Works, Proposed Compound 9 Layout (Phase E)	1:200	A1
WN0902-HZDCO-SPC1-DRG-00018	1.0	Site Preparation and Clearance Works, Proposed Compound 10 Layout (Phase E)	1:200	A1
WN0902-HZDCO-SPC1-DRG-00019	1.0	Site Preparation and Clearance Works, Proposed Site Plan (Phase B)	1:5000	A0
WN0902-HZDCO-SPC1-DRG-00021	1.0	Site Preparation and Clearance Works, Proposed Afon Cafnan Tributary Diversion Plan and Section (Phase D)	As Shown	A1
WN0902-HZDCO-SPC1-DRG-00022	1.0	Site Preparation and Clearance Works, Proposed Indicative Site Plan (Phase C)	1:5000	A0
WN0903-HZDCO-SPC1-DRG-00023	1.0	Site Preparation and Clearance Works, Proposed Temporary Construction Fencing	1:25	A3

WN0902-HZDCO-SPC1-DRG-00024	1.0	Site Preparation and Clearance Works, Proposed CPNI Fencing (Centre for Protection of National Infrastructure)	1:25	A3
WN0902-HZDCO-SPC1-DRG-00025	1.0	Site Preparation and Clearance Works, Proposed 0.9m High Temporary Internal Boundary Fencing, Elevation And Section	1:50	A3
WN0903-HZDCO-SPC1-DRG-00026	1.0	Site Preparation and Clearance Works, Miscellaneous Buildings and Structures, Elevations	As Shown	A3
WN0902-HZDCO-SPC1-DRG-00028	1.0	Site Preparation and Clearance Works, Tree and Hedgerow Removal Plan, Sheet 1	As Shown	A1
WN0902-HZDCO-SPC1-DRG-00029	1.0	Site Preparation and Clearance Works, Tree and Hedgerow Removal Plan, Sheet 2	As Shown	A1
WN0902-HZDCO-SPC1-DRG-00030	1.0	Site Preparation and Clearance Works, Tree and Hedgerow Removal/Retention Plan, Sheet 3	As Shown	A1
WN0902-HZDCO-SPC1-DRG-00031	1.0	Site Preparation and Clearance Works, Tree and Hedgerow Removal Plan, Sheet 4	1:2500	A1

## SCHEDULE 3 REQUIREMENTS

Article 3

### **Interpretation**

**1.—**(1) In addition to article 2 (Interpretation), the terms in this Schedule have the following meaning, unless context provides otherwise—

“A5025 Off-Line Highway Improvements” means Work No.s 8 – 11 and any other associated development related to such works described in Schedule 1 (Authorised development) of this Order and any other Works authorised by this Order, and reference to any part of the A5025 Off-Line Highway Improvements is reference to any one of the Works comprising the A5025 Off-Line Highway Improvements;

“Base” means the base of the breakwater measured at the interface with the finished seabed;

“business days” means Monday to Friday excluding bank holidays and other public holidays;

“Crest” means the nominal level top of the breakwater;

“Ecological Compensation Site Works” means Work No.s 13 – 15 and any other authorised development related to such works described in Schedule 1 of this Order (Authorised development) and any other Works authorised by this Order, and reference to any “Ecological Compensation Site” is a reference to any one of the Works comprising the Ecological Compensation Site Works;

“ECoW” means the ecological clerk of works;

“ESL Building” means the environmental survey laboratory building which forms part of the Off-Site Power Station Facilities as described in Schedule 1 (Authorised development);

“European Protected Species” has the same meaning as in regulations 42 and 46 of the Conservation of Habitats and Species Regulations 2017<sup>(a)</sup>;

“Existing Power Station” means the existing Magnox nuclear power station at Wylfa.

“Great Crested Newt Receptor Site” means a zone within the Cae Gwyn SSSI adjacent to the WNDA (as shown on Figure D9-9 of the Environmental Statement);

“Grid Connection” means Work No.4 and any other authorised development related to such works described in Schedule 1 of this Order (Authorised development) and any other Works authorised by this Order;

“HGV” means heavy goods vehicle;

“Holyhead North” means an offshore disposal site (IS043) located west of Holy Island, Anglesey, approximately 18km from the Marine Works at Porth-y-Pistyll, Anglesey;

“HV” means high voltage;

“Key Mitigation” means the Park and Ride facility, Logistics Centre, A5025 Off-Line Highway Improvements, Marine Off-Loading Facility, Ecological Compensation Sites, Site Campus, and drainage works and landscape mounds within the WNDA;

“Llanfachraeth Water Vole Enhancement Area” means the area between the Afon Alaw and its southern side channel;

“Logistics Centre” means Work No.7 described in Schedule 1 (Authorised development) of this Order and any other Works authorised by this Order or, as the case may require, any part of those works, and reference to “Logistics Centre site” means the area within the Work Area for Work No.7 as shown on the Work Plans;

“Magnox” means Magnox Limited (Company No.02264251);

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<sup>(a)</sup> S.I. 2017/1012.

“MEEG/AECC Building” means the mobile emergency equipment garage and alternative emergency control centre building which forms part of the Off-Site Power Station Facilities as described in Schedule 1 (Authorised development);

“MUGA” means multi-use games area which forms part of the Site Campus;

“Notable Wildlife Enhancement Area” means the 15 hectares of land at Pen Carreg, within the western part of the Order Limits for the WNDA (as shown on Figure D9-9 of the Environmental Statement);

“Off-Site Power Station Facilities” means Work No.5 and any other associated development related to such work described in Schedule 1 (Authorised development) of this Order and any other Works authorised by this Order or, as the case may require, any part of those works, and reference to “Off-Site Power Station Facilities site” means the area within the Work Area for Work No.5 as shown on the Work Plans;

“platform” means any area of level surface;

“Park and Ride facility” means Work No.6 and any other associated development related to such work described in Schedule 1 (Authorised development) of this Order and any other Works authorised by this Order or, as the case may require, any part of those works, and reference to “Park and Ride facility site” means the area within the Work Area for Work No.6 as shown on the Work Plans;

“Power Station” means Work No.s 1 – 4 as described in Schedule 1 (Authorised development) of this Order;

“Power Station Site” means the area within the Work Areas for the Power Station Works and Marine Works as shown on the Work Plans;

“Power Station Works” means Work No.s 1A-D, 1I-O, 2 and 4 described in Schedule 1 (Authorised development) of this Order and any other Works authorised by this Order or, as the case may require, any part of those works, and reference to any part of the Power Station Works is reference to any one of the Power Station Works;

“Reptile Receptor Site” means the 5 hectares of land at Mynydd Ithel, within the south west of the Order Limits at the WNDA (as shown on Figure D9-8 of the Environmental Statement);

“Site Campus” means Work No.3A and any other associated development related to such work described in Schedule 1 (Authorised development) of this Order and any other Works authorised by this Order or, as the case may require, any part of those works, and reference to “Site Campus site” means the area within the Works Area for Work No.3A as shown on the Work Plans;

“Site Campus Access Road” means Work No.3B and any other associated development related to such work described in Schedule 1 (Authorised development) of this Order and any other Works authorised by this Order or, as the case may require, any part of those works;

“Site Campus Works” means Work No.s 3A and 3B and any other associated development related to such works described in Schedule 1 (Authorised development) of this Order and any other Works authorised by this Order or, as the case may require, any part of those works;

“SSSI” means site of special scientific interest; and

“Unit 1” or “Unit 2” means the one of the twin unit nuclear reactors described in Work No.1A of Schedule 1 of this Order (Authorised development) and reference to “Unit” is to be construed as either unit;

“Unit 1 Commissioning Date” means the date on which first nuclear fuel assembly enters Unit 1;

“Unit 2 Commissioning Date” means the date on which first nuclear fuel assembly enters Unit 2;

“Valley Water Vole Enhancement Area” means the area to the north-west of Work No.8;

“Wild Birds” has the same meaning as under the Wildlife and Countryside Act 1981(a);

“WNDA” means the area identified as the Wylfa Newydd Development Area Order Limits on WN0902-HZDCO-RLB-DRG-00002, WN0902-HZDCO-RLB-DRG-0003, WN0902-HZDCO-RLB-DRG-0004, WN0902-HZDCO-RLB-DRG-0005 and WN0902-HZDCO-RLB-DRG-0006;

“Written Scheme of Investigation” means an existing scheme or a scheme prepared in accordance with SPC8;

“Wylfa Newydd Code of Conduct” means the code of conduct prepared in accordance with the principles in the Workforce Management Strategy;

“Wylfa Newydd Development Area Retention Plans” means the retention plans for the WNDA as listed in Schedule 2 (Approved plans) comprising WN0902-HZDCO-LFM-DRG-00031, WN0902-HZDCO-LFM-DRG-00032, WN0902-HZDCO-LFM-DRG-00033, WN0902-HZDCO-LFM-DRG-00034 and WN0902-HZDCO-LFM-DRG-00035.

(3) Where, under any of the Requirements, the approval or agreement of the discharging authority or another person is required—

- (a) the matter which requires approval or agreement must be submitted in writing for such approval or agreement; and
- (b) the approval or agreement must be given in writing.

(4) Where any Requirement—

- (a) refers to a scheme, drawing, document or plan, that scheme, document or plan will be taken to be the version certified by the Secretary of State under article 76 (Certification of plans, etc.) of this Order or to any subsequent version of that scheme, drawing, document or plan approved by the discharging authority under a Requirement; or
- (b) provides that the authorised development is to be carried out in accordance with details, or a scheme, plan or other document approved by the discharging authority, the approved details, scheme, plan or other document must be taken to include any amendments or revisions subsequently approved by the discharging authority.

(5) Where an approval of details or other document is required under the terms of any Requirement or where compliance with a document contains the wording “unless otherwise agreed” by the discharging authority, such approval of details or of any other document (including any subsequent amendments or revisions) or agreement by the discharging authority is not to be given except in relation to minor or immaterial changes or deviations where it has been demonstrated to the satisfaction of the discharging authority that the subject matter of the approval or agreement sought does not give rise to any materially new or materially different environmental effects to those assessed in the Environmental Statement.

(6) Where any Requirement identifies a parameter for a building or structure, that parameter identifies the envelope for that building or structure and does not include any external projections including telecommunications infrastructure (including aerials and satellites), access structures and safety measures (including ladders and handrails), mechanical plant, utilities infrastructure (including solar panels), minor architectural features (including gutters and lighting), external surface level areas, and associated compounds and storage areas.

(7) Unless otherwise provided in this Order, where a Requirement relates to a specific site or Works and it specifies “commencement of development”, it refers to the commencement of development on that site or in relation to those Works only.

(8) For the purposes of Requirement OH6, the parameters for viaducts, overbridges and underpasses are to be measured as follows—

- (a) In respect of viaducts and overbridges—
  - (i) length is to be measured as the inside horizontal dimension from abutment to abutment;

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(a) 1981 c.69.

- (ii) height is to be measured as the vertical dimension from existing ground level to the top of the highest part of the bridge structure;
  - (iii) width is to be measured as the overall horizontal width of bridge at its midpoint.
  - (b) In respect of underpasses—
    - (i) length is to be measured as the overall horizontal dimension of the underpass structure;
    - (ii) height is to be measured as the internal vertical height of the underpass; and
    - (iii) width is to be measured as the internal horizontal width of the underpass.
- (9) Unless otherwise provided in this Order, all maximum and minimum heights are to be measured from above finished ground level.
- (10) For the purposes of these Requirements the authorised development is divided up into the following sites or Works, as shown on Works Plans WN0902-HZDCO-DRG-00001 to WN0902-HZDCO-DRG-00020—
- (a) Project Wide (“PW”);
  - (b) Site Preparation and Clearance Works (“SPC”) (Work No.12);
  - (c) Works within the Wylfa Newydd Development Area (“WN”):
    - (i) Power Station Works (Work No.s 1A-D, 1I-O and 4);
    - (ii) Site Campus (Work No.3); and
    - (iii) Marine Works (Work No.s 1E-1H);
  - (d) Off-Site Power Station Facilities (“OPSF”) (Work No.5);
  - (e) Park and Ride facility (“PR”) (Work No.6);
  - (f) Logistics Centre (“LC”) (Work No.7);
  - (g) A5025 Off-Line Highway Improvements (“OH”) (Work No.s 8 – 11); and
  - (h) Ecological Compensation Site Works (“ECS”) (Work No.s 13 – 15).
- (11) For the purposes of discharging Requirements in phases, the undertaker may—
- (a) submit a plan or plans to the discharging authority identifying a part or parts of any of the sites to which each phase or design relates; or
  - (b) submit notices to the discharging authority in respect of individual or combined work packages.

**Project-wide Requirements**

**83.**—(2) Requirements PW1 to PW11 relate to the whole of the authorised development, except where otherwise indicated—

<i>(1) Ref</i>	<i>(2) Requirement</i>
<b>PW1</b>	<b>Time limits for commencement of the authorised development</b> The authorised development must commence within 5 years of the date on which this Order is made.
<b>PW2</b>	<b>Phasing of the authorised development</b> (1) The delivery of Key Mitigation must be in accordance with the sequencing set out in the Phasing Strategy, unless otherwise approved by IACC. (1) Written notice of the commencement and completion of the Key Mitigation identified in the Phasing Strategy must be given to IACC at least 10 business days in advance of the Key Mitigation being provided.
<b>PW3</b>	<b>Construction Method Statement</b> (1) The construction of the Power Station Works, Site Campus Works, and Marine Works must be carried out in general accordance with the phasing and construction methodologies set out in Construction Method Statement, unless otherwise approved



by IACC.

(2) The construction of Power Station Works, Site Campus Works, and Marine Works will not be in general accordance with the Construction Method Statement to the extent that any departure from the timing and methodologies identified in the Construction Method Statement gives rise to any materially new or materially different environmental effects from those assessed in the Environmental Statement.

**PW4 Notice of completion and operational use**

The undertaker must at least 10 business days in advance of the completion of any Work comprising the authorised development, serve notice in writing to IACC of the date of completion of construction and intended date of operation for that Work.

**PW5 European Protected Species: pre-commencement surveys**

(1) Except for SPC Works, no part of the authorised development may commence until pre-commencement surveys for that part have been carried out by or on behalf of the ECoW to establish whether any European Protected Species are present on any of the land affected, or are likely to be affected, by any part of the authorised development or in any of the trees or shrubs to be lopped or felled as part of construction of that part.

(3) Where a European Protected Species is shown to be present, construction of that part of the authorised development must not commence until, after consultation with NRW and IACC, the undertaker has obtained the necessary European Protected Species licence(s).

**PW6 Protection of breeding Wild Birds**

(1) No on-site vegetation clearance works for any part of the authorised development may occur within the period of March to August (inclusive) of any year unless pre-commencement surveys for that part have been carried out by, or on behalf of, the ECoW to establish whether any nest, or habitat with the potential to support nesting birds (including ground nesting species), is present on any of the land affected, or likely to be present, by any part of the authorised development or in any of the trees or shrubs to be lopped or felled as part of clearance of that part.

(4) Where any active nests are shown to be present, either through the pre-commencement survey under sub-paragraph (1) or at any time when carrying out the authorised development—

- (a) clearance of that part of the authorised development must not commence or cease (if already commenced) until a written scheme for the protection and mitigation measures for nesting birds has been submitted to and approved by IACC;
- (b) the written scheme submitted under sub-paragraph (a) must be prepared in consultation with the ECoW and provide that where nesting birds are identified, relevant clearance works should cease within an appropriate distance of the nest until birds have fledged and the nest is no longer in use; and
- (c) vegetation clearance works will be undertaken in accordance with the written scheme approved under sub-paragraph (a), unless otherwise agreed with IACC.

(5) Where no active nests are shown to be present following pre-commencement survey under sub-paragraph (1), vegetation clearance and demolition works on that part of the authorised development may commence under supervision of the ECoW.

**PW7 Wylfa Newydd CoCP**

The construction of the authorised development, and the operation of Work No.s 3, 6 and 7, must be carried out in accordance with the Wylfa Newydd CoCP and the relevant sub-CoCP relating to a specific site identified in Requirements WN1, WN17, OPSF1, PR1, LC1 and OH1, unless otherwise approved by the IACC.

**PW8 Wylfa Newydd Code of Conduct**

(1) A Wylfa Newydd Code of Conduct must be prepared in accordance with the principles set out in the Workforce Management Strategy and implemented throughout the construction of the authorised development.

(6) Except for SPC Works, no construction of the authorised development may commence until the undertaker has provided a copy of the Wylfa Newydd Code of Conduct to IACC for information.

(7) Any revisions to the Wylfa Newydd Code of Conduct must be submitted for information to IACC at least two months in advance of such revisions taking effect and must be in accordance with the principles set out in the Workforce Management Strategy.

(8) Where any revisions are submitted to IACC under sub-paragraph (3), the revised Wylfa Newydd Code of Conduct must be implemented for the remainder of the construction period.

**PW9 Date of commissioning and cessation**

(1) The undertaker must notify IACC of the Unit 1 Commissioning Date and Unit 2 Commissioning Date and operational period of each Unit as soon as reasonably practicable.

(9) The undertaker must notify IACC of the date the authorised development permanently ceases to generate power (either actively generating electricity or being available to generate electricity on a standby basis) as soon as reasonably practicable and, in any event, within three months after the occurrence of that date.

**PW10 Wylfa Newydd Decommissioning Strategy**

(1) Within 24 months of the undertaker serving a notice under PW9, unless otherwise agreed with IACC, a decommissioning strategy for the demolition and removal of Work No.s 1, 4 and 5 and associated restoration works must be submitted to IACC for approval.

(10) The decommissioning strategy approved under sub-paragraph (1) must include specific controls relating to—

- (a) lighting and effects on sensitive receptors;
- (b) groundwater flooding (including preliminary monitoring for a 2 year period following decommissioning to identify any necessary mitigation measures);
- (c) landscaping and site restoration to the equivalent pre-construction land use (including provision for existing landscaping to remain in situ and habitat enhancement and creation);
- (d) decommissioning buildings and structures (including treatment and management of hazardous substances or re-use in relation to Work No.5);
- (e) appropriate site drainage and management (including retention and maintenance measures);
- (f) methods for long-term care and maintenance of the reactor buildings in accordance with applicable regulations;
- (g) monitoring including analysis of historical data of geomorphological receptors (i.e. Esgair Gemlyn);
- (h) restoration and maintenance of structures to remain within watercourse;
- (i) management of waste generated during decommissioning of the Power Station;
- (j) timeframes for decommissioning, removal and restoration works; and
- (k) any other matters necessary due to legislative and regulatory requirements.

(11) The demolition, removal and restoration works for Work No.s 1, 4 and 5 must be carried out in accordance with the decommissioning strategy approved under sub-paragraph (1), unless otherwise approved by IACC.

(12) The decommissioning strategy approved under sub-paragraph (1) will not apply to the decommissioning of Work No.s 3, 6, 7 which are subject to Requirements WN23, PR6 and LC7.

(13) No decommissioning strategy is required in relation to Work No.s 8 to 15.

**PW11 Community Safety Management Strategy**

(1) Except for SPC Works, no construction of the authorised development may commence until a Community Safety Management Strategy has been submitted to IACC for approval.

(14) The details submitted under sub-paragraph (1) must be prepared in accordance with the principles set out in the Wylfa Newydd CoCP.

(15) Except for SPC Works, construction of the authorised development must be undertaken in accordance with the written scheme approved under sub-paragraph (1), unless otherwise approved by IACC.

**SPC Works – Work No.12 (Wylfa Newydd Development Area)**

**84.**—(2) Unless otherwise indicated, requirements SPC1 to SPC13 only apply to the SPC Works and where notice has been given pursuant to Article 5 of this Order that such works are being undertaken pursuant to this Order—

<i>(1) Ref</i>	<i>(2) Requirement</i>
<b>SPC1</b>	<b>Detailed Design Drawings</b> Subject to Article 5(5), the SPC Works must be carried in accordance with the approved Detailed Design Drawings relating to the SPC Works in Schedule 2 (Approved plans) of this Order, unless otherwise approved by IACC.
<b>SPC2</b>	<b>Construction car parking</b> The number of car parking spaces to be provided and available within the WNDA in respect of the SPC Works must not exceed 45 parking spaces, including spaces allocated for disabled staff, unless otherwise agreed with IACC.
<b>SPC3</b>	<b>Power Station Main Site sub-CoCP</b> The construction of the SPC Works must be carried out in accordance with the Wylfa Newydd CoCP and the Power Station Main Site sub-CoCP, unless otherwise approved by IACC. In the event of conflict between the Wylfa Newydd CoCP and Power Station Main Site sub-CoCP, the Power Station Main Site sub-CoCP will prevail.
<b>SPC4</b>	<b>European Protected Species: pre-commencement surveys</b> (1) No part of the SPC Works may commence until pre-commencement surveys have been carried out by or on behalf of the ECoW to establish whether any European Protected Species are present on any of the land affected, or are likely to be affected, by any part of the authorised development or in any of the trees or shrubs to be lopped or felled as part of construction of that part. (1) Where a European Protected Species is shown to be present, construction of that part of SPC Works must not commence until, after consultation with NRW and IACC, the undertaker has obtained the necessary European Protected Species licence(s).
<b>SPC5</b>	<b>Terns</b> The SPC Works may not be undertaken on land to the west of Afon Cafnan as identified on drawing [X] during the tern breeding period [X].
<b>SPC6</b>	<b>Demolition of alternative emergency control centre/district survey laboratory</b> Demolition of the existing Magnox alternative emergency control centre and district survey laboratory must not commence until an operational, replacement Alternative Emergency Control Centre and District Survey Laboratory have been provided.
<b>SPC7</b>	<b>Existing Archaeological Programme</b> Where SPC Works are required on land subject to an existing and ongoing archaeological programme no works must commence until the archaeological works have been completed in accordance with the relevant Written Scheme of Investigation.

**SPC8 Archaeology Written Scheme of Investigation**

(1) No part of the SPC Works may commence until a Written Scheme of Investigation, relating to archaeological remains, historic buildings and historic landscapes, has been submitted to and approved by IACC.

(2) Construction of the SPC Works must be undertaken in accordance with the written scheme approved under sub-paragraph (1), unless otherwise approved.

**SPC9 Water treatment scheme**

(1) No construction of the SPC Works may commence until a scheme for water treatment relating to the cess pool and holding tanks associated with welfare facilities at the main site compound and the remediation processing compound has been submitted to IACC for approval.

(3) Construction of the SPC Works must be undertaken in accordance with the scheme approved under sub-paragraph (1), unless otherwise agreed.

**SPC10 Drainage scheme**

(1) No construction of the SPC Works may commence until a scheme for surface water drainage has been submitted to IACC for approval.

(4) Construction of the SPC Works must be undertaken in accordance with the scheme approved under sub-paragraph (1), unless otherwise agreed.

**SPC11 No Surface Water to Highway**

No surface water from hard surfaces approved as part of the SPC Works may discharge onto the County Highway.

**SPC12 Access**

(1) The first 8 metres from the nearside edge of the County Highway of each new access must be completed with a bitumen/concrete surface, with its gradient not exceeding 1 in 20 for the first 8 metres.

(5) Gates must be set back a distance of 8 metres from the nearside edge of the adjoining carriageway with the gates opening inwards.

**SPC13 Restoration scheme**

(1) In the event that the undertaker elects not to continue with the construction of the SPC Works and the authorised development, the undertaker must, within one month of its decision, serve notice in writing to IACC of the date of cessation of construction.

(6) Within 6 months of notice being served under sub-paragraph (1), a restoration scheme must be submitted to IACC for approval.

(7) The restoration scheme submitted under sub-paragraph (2) must include a Restoration Code of Construction Practice which sets out the methods and strategies to be followed by the undertaker in undertaking the restoration of those parts of the WNDA affected by the SPC Works or authorised development.

(8) Restoration of those parts of the WNDA affected by the SPC Works or authorised development must be undertaken in accordance with the restoration scheme approved under sub-paragraph (2) and completed within 12 months of approval, unless otherwise approved by IACC.

**Power Station Works - Work No. 1A-D, 1I-O, 2 and 4 (Wylfa Newydd Development Area)**

**85.**—(1) Except for Work No.12 and where otherwise indicated, Requirements WN1 to WN16 relate to the Power Station Works—

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*(1) Ref*      *(2) Requirement*

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**WN1 Power Station Main Site sub-CoCP**

(1) Except for Work No.s1J, the construction of the Power Station Works must be carried out in accordance with the Wylfa Newydd CoCP and the Power Station Main Site sub-CoCP, unless otherwise approved by IACC. In the event of conflict between

the Wylfa Newydd CoCP and Power Station Main Site sub-CoCP , the Power Station Main Site sub-CoCP will prevail.

(1) The construction of Work No.s 1J must be carried out in accordance with the Wylfa Newydd CoCP and the A5025 Off-Line Highway Improvements sub-CoCP, unless otherwise approved by IACC. In the event of conflict between the Wylfa Newydd CoCP and A5025 Off-Line Highway Improvements sub-CoCP, the A5025 Off-Line Highway Improvements sub-CoCP will prevail.

**WN2 Power Station Site Construction Parameter Plans**

The construction landforms, buildings and other structures identified in Tables WN2A, WN2B and WN2C must only be constructed within the relevant parameter zones shown on the Power Station Site Construction Parameter Plan (WN0902-HZDCO-MSP-DRG-00008) in Schedule 2 of this Order, and with maximum dimensions no greater than those shown in those tables for that landform, building or other structure—

**Table WN2A**

<i>Parameter Zone</i>	<i>Construction landform (temporary mounds)</i>	
	<i>Maximum height (m AOD)</i>	<i>Maximum gradient</i>
Zone C1	45	1:2
Zone C3	50	1:1
Zone C6	40	1:3

**Table WN2B**

<i>Parameter Zone</i>	<i>Construction landform (temporary mounds)</i>	<i>Temporary construction buildings and facilities</i>	<i>Cranes</i>
	<i>Maximum height (m AOD)</i>	<i>Maximum height (m AOD)</i>	<i>Maximum height (m AOD)</i>
Zone C2	45	60	265
Zone C5	35	60	255
Zone C7	22	52	292
Zone C8	14	20	234
Zone C9	14	48	234
Zone C10	22	37	242
Zone C11	23	33	243

**Table WN2C**

<i>Parameter Zone</i>	<i>Construction landform (temporary mounds)</i>	<i>Cranes</i>
	<i>Maximum height (m AOD)</i>	<i>Maximum height (m AOD)</i>
Zone C4	40	260

**WN3 Power Station detailed design approval**

(1) No construction may commence in respect of a building or other structure identified in Requirement WN4 and WN5 until plans and written details of the design (including size, external appearance, siting and materials) have been submitted to IACC for approval.

(2) The details submitted under sub-paragraph (1) must be prepared in accordance with the parameters and parameter plans identified in Requirements WN4 and WN5 and the design and landscaping principles relating to the Power Station in volume 2 of

the DAS.

(3) The construction of the Power Station Works must be carried out in accordance with the details approved under sub-paragraph (1), unless otherwise approved by IACC.

**WN4 Power Station Works parameters – buildings and structures**

(1) The buildings and other structures identified in Table WN4A may only be constructed within the relevant parameter zone shown on the Power Station Site Parameter Plan (WN0902-HZDCO-MSP-DRG-00002) and Marine Works Parameter Plan – Permanent Works (WN0902-HZDCO-MRN-DRG-00001) in Schedule 2 of this Order, and in accordance with the minimum and maximum dimensions shown in that table for that building or other structure—

**Table WN4A**

No.	Description	Parameter Zone	Maximum Parameter				Minimum Parameter		
			L (m)	W (m)	H (m)	H (m) AOD	L (m)	W (m)	H (m)
1-208	Cylinder Storage House	1A, 1M, 1L, 1K or 1C	30	30	7	25	-	-	-
2-208	Cylinder Storage House	1A, 1M, 1L, 1K or 1C	30	30	7	25	-	-	-
1-210	Discharge Water Sampling Building	1A	15	12	6	24	-	-	-
2-210	Discharge Water Sampling Building	1A	15	12	6	24	-	-	-
0-226	Maintenance Facility	1A	100	55	20	38	-	-	-
0-239	Underground Water Storage Pit	1A	81	26	0*	-	-	-	-
9-304	Main Gatehouse for Inner Fence	1A	100	49	22	43	-	-	-
9-305	Secondary Gatehouse for Inner Fence	1A	45	40	16	34	-	-	-
1-413	Seal Pit	1A	26	27	0*	-	-	-	-
2-413	Seal Pit	1A	26	27	0*	-	-	-	-
1-419	Ball Strainer Pit	1A	19	29	0*	-	-	-	-
2-419	Ball Strainer Pit	1A	19	29	0*	-	-	-	-
1-502	BBG Light Oil Tank	1A	Dia 13	-	11	32	-	-	-
2-502	BBG Light Oil Tank	1A	Dia 13	-	11	32	-	-	-
0-507	Nitrogen Gas Supply System Facility	1A	20	26	23	41	-	-	-
1-515 (a-k)	FLSS Water Storage Tank	1A	Dia 17	-	15	36	-	-	-
2-515 (a-k)	FLSS Water Storage Tank	1A	Dia 17	-	15	36	-	-	-
1-518	Auxiliary Standby Transformer	1A	17	21	10	28	-	-	-
2-518	Auxiliary Standby Transformer	1A	17	21	10	28	-	-	-
1-519	Cooling Tower	1A	52	132	31	49	-	-	-

No.	Description	Parameter Zone	Maximum Parameter				Minimum Parameter		
			L (m)	W (m)	H (m)	H (m AOD)	L (m)	W (m)	H (m)
2-519	Cooling Tower	1A	52	132	31	49	-	-	-
1-101	Reactor Building	1A-1	77	78	49	67	66	67	38
2-101	Reactor Building	1A-1	76	76	49	67	65	65	38
1-102	Control Building	1A-1	76	50	49	67	65	39	19
2-102	Control Building	1A-1	76	50	49	67	66	39	19
1-103	Heat Exchanger Building	1A-1	69	77	49	67	42	66	20
2-103	Heat Exchanger Building	1A-1	69	77	49	67	42	66	20
0-104	Radioactive Waste Building	1A-1	82	68	49	67	-	-	-
1-105	Filter Vent Building	1A-1	23	28	49	67	-	-	-
2-105	Filter Vent Building	1A-1	23	28	49	67	-	-	-
1-108	Turbine Building	1A-1	96	121	49	67	80	109	34
2-108	Turbine Building	1A-1	96	121	49	67	80	109	34
0-109	Service Building	1A-1	88	41	49	67	79	40	28
1-110a	Emergency Diesel Generator Building	1A-1	26	37	49	67	-	-	-
1-110b	Emergency Diesel Generator Building	1A-1	35	49	49	67	-	-	-
1-110c	Emergency Diesel Generator Building	1A-1	26	36	49	67	-	-	-
2-110a	Emergency Diesel Generator Building	1A-1	35	55	49	67	-	-	-
2-110b	Emergency Diesel Generator Building	1A-1	26	36	49	67	-	-	-
2-110c	Emergency Diesel Generator Building	1A-1	26	36	49	67	-	-	-
2-506b	Auxiliary Normal Transformer	1A	22	37	11	29	-	-	-
1-506b	Auxiliary Normal Transformer	1A	22	37	11	29	-	-	-
2-506a	Generator Transformer	1A	59	24	16	34	-	-	-
2-506c	Excitation Transformer	1A	11	11	8	26	-	-	-
2-506d	Spare Generator Transformer	1A	21	22	12	30	-	-	-
1-506a	Generator Transformer	1A	59	24	16	34	-	-	-
1-506c	Excitation Transformer	1A	11	11	8	26	-	-	-
1-506d	Spare Generator Transformer	1A	21	22	12	30	-	-	-
1-107, 2-107	Back-up Building	1A-2	86	67	37	58	-	-	-
0-207a	Fire Water Pump House	1B-2	10	15	5	23	-	-	-

No.	Description	Parameter Zone	Maximum Parameter				Minimum Parameter		
			L (m)	W (m)	H (m)	H (m) AOD	L (m)	W (m)	H (m)
0-207b	Fire Water Pump House	1B-2	10	15	5	23	-	-	-
0-219	Makeup Water Treatment Building	1B	21	37	8	26	-	-	-
9-222	Conventional and Hazardous Waste Building	1B	74	44	14	35	-	-	-
9-246	Lower Activity Waste Management Facility	1B	151	66	18	39	-	-	-
0-504a	Domestic and Fire Water Storage Tank	1B	Dia 41	-	10	28	-	-	-
0-504b	Domestic Water and Fire Water Storage Tank	1B	Dia 41	-	10	28	-	-	-
0-510a	Purified Water Storage Tank	1B	Dia 19	-	15	33	-	-	-
0-510b	Purified Water Storage Tank	1B	Dia 19	-	15	33	-	-	-
0-513	Light Oil Storage Tank	1B	Dia 14	-	10	28	-	-	-
9-718	Weigh Bridge	1B	20	20	5	26	-	-	-
0-218	Auxiliary Boiler Building	1B-1	90	34	17	35	-	-	-
0-204a	Garage for Mobile Emergency Cooling Related Vehicles	1C	93	22	15	36	-	-	-
0-204b	Garage for Mobile Emergency Cooling Related Vehicles	1C	93	22	15	36	-	-	-
9-220	Administration Building	1C	158	45	23	44	-	-	-
9-242	Emergency Response Centre	1C	83	38	16	37	-	-	-
9-306	Main Gatehouse for Outer Fence	1C	84	48	22	43	-	-	-
9-256	Auxiliary Standby Generator Building	1C-1	40	30	22	43	-	-	-
9-201	Spent Fuel Storage Facility	1D	150	190	27	48	-	-	-
9-202	Intermediate Level Waste Storage Facility	1D	150	49	19	40	-	-	-
9-248	Cask Transporter Garage	1C	57	36	22	43	-	-	-
0-416	Outfall Facility	1H-1	38	25	0*	-	-	-	-
9-904	Simulator and Training Building	1I	145	85	21	52	-	-	-
9-308	Vehicle Inspection Bay	1K or 1L	61	51	12	40	-	-	-
9-310	Search Building	1L	45	38	10	31	-	-	-



No.	Description	Parameter Zone	Maximum Parameter				Minimum Parameter		
			L (m)	W (m)	H (m)	H (m) AOD	L (m)	W (m)	H (m)
	Main Entrance								
9-240	Outage Building	1M	140	43	19	37	-	-	-
9-307	Secondary Gatehouse for Outer Fence	1M	45	45	10	28	-	-	-
9-311	Search Building	1M	45	38	10	28	-	-	-
1-253	Secondary Entrance Switchgear Building	1A-1	70	32	49	67	-	-	-
2-253	Switchgear Building	1A-1	70	32	49	67	-	-	-
1-411, 2-411	Intake Water Structure, includes Auxiliary Service water Structure 404	1G-1	174	97	25	32	-	-	-
9-206	Fuelling Station	1C	41	38	11	32	-	-	-
0-237	Biocide Plant	1G	35	24	15	22	-	-	-
9-254	Plant Logistics Warehouse	1K	35	105	13	41	-	-	-
1-404a, 1-404b, 2-404a, 2-404b	Intake Screen Structure for Auxiliary Service Water System**	1G-1	** Dimensions included as part of 1-411, 2-411 above.						
1-505	HPCF Water Storage Tank	1A-1	40	40	17	35	-	-	-
2-505	HPCF Water Storage Tank	1A-1	40	40	17	35	-	-	-
1-520	Variable Speed Drive Transformer	1A	27	25	10	28	-	-	-
2-520	Variable Speed Drive Transformer	1A	27	25	10	28	-	-	-
1-521	Step-down Transformer for RIP ASD Panel	1A	27	25	10	28	-	-	-
2-521	Step-down Transformer for RIP ASD Panel	1A	27	25	10	28	-	-	-
1-522	Step-down Transformer for Class 1M/C	1A	35	16	10	28	-	-	-
2-522	Step-down Transformer for Class 1M/C	1A	35	16	10	28	-	-	-
0-255	Domestic Water Pump House	1B	12	12	7	28	-	-	-
9-724	Foul Water Pumping Station	1M	12	12	5	23	-	-	-
9-719	Outage Accommodation Laydown	1M	60	15	8	26	-	-	-

The symbol \* indicates structures that are below ground.

(4) The stacks identified in Table WN4B may only be constructed within the locations identified for that stack on the Power Station Site Parameter Plan (WN0902-HZDCO-MSP-DRG-00002) in Schedule 2 of this Order, and in accordance with the minimum and maximum dimensions shown in that table for those stacks—

**Table WN4B**

<i>Stack Number</i>	<i>Description</i>	<i>Stack Location</i>		<i>Height (m AOD)</i>	
		<i>Coordinates (BNG)(m)</i>	<i>Stack Centre NS/EW Parameter</i>	<i>Maximum Parameter</i>	<i>Minimum Parameter</i>
S1	Emergency Diesel Generator Building (EDG Stack)	NS: 393159 EW: 234889	5m radius	70	55
S2	Emergency Diesel Generator Building (EDG Stack)	NS: 393126 EW: 234938	5m radius	70	55
S3	Emergency Diesel Generator Building (EDG Stack)	NS: 393082 EW: 235024	5m radius	70	55
S4	Emergency Diesel Generator Building (EDG Stack)	NS: 393048 EW: 235072	5m radius	70	55
S5	Main Stack (1-106)	NS: 393152 EW: 234890	5m radius	98	94
S6	Main Stack (2-106)	NS: 393075 EW: 235024	5m radius	95	91
S7	Emergency Diesel Generator Building (EDG Stack)	NS: 393075 EW: 234902	5m radius	70	38
S8	Emergency Diesel Generator Building (EDG Stack)	NS: 392997 EW: 235036	5m radius	70	38
S9	Backup Building (BBG Stack)	NS: 392971 EW: 234823	5m radius	61	51
S10	Backup Building (BBG Stack)	NS: 392962 EW: 234839	5m radius	61	51
S11	Backup Building (BBG Stack)	NS: 392957	5m radius	61	51

Stack Number Locations	Description	Stack Location		Height (m AOD)	
		Coordinates (BNG)(m)	Stack Centre NS/EW Parameter – Maximum radius	Maximum Parameter	Minimum Parameter
S12	Building (BBG Stack)	EW: 234847			
	Backup Building (BBG Stack)	NS: 392948 EW: 234863	5m radius	61	51
S13	Auxiliary Standby Generator Building	NS: 392864 EW: 234724	5m radius	51	42
	Auxiliary Boiler Building (North Stack)	NS: 393165 EW: 234746	5m radius	53	38
S15	Auxiliary Boiler Building (South Stack)	NS: 393135 EW: 234728	5m radius	53	38
S16	Fire Water Pumphouse (North Stack)	NS: 393171 EW: 234676	5m radius	26	21
	Fire Water Pumphouse (South Stack)	NS: 393158 EW: 234669	5m radius	26	21

**WN5 Platform parameters**

Any platform within the relevant parameter zone shown on the Power Station Site Parameter Plan (WN0902-HZDCO-MSP-DRG-00002) in Schedule 2 of this Order, must be constructed in accordance with the minimum and maximum dimensions shown in Table WN5 for that zone—

**Table WN5**

Parameter Zone	Platform height	
	Minimum (m AOD)	Maximum (m AOD)
1A	+6	+22
1B	+6	+22
1C	+19	+22
1D	+19	+22
1G	+6	+20
1I	+30	+34
1K	+26	+30
1L	+19	+22
1M	+14	+20
1N	+14	+22

**WN6 Grid Connection detailed design approval**

(1) No construction may commence in respect of the Grid Connection until plans and written details of the design (including size, external appearance, siting and materials) have been submitted to IACC for approval.

(5) The details submitted under sub-paragraph (1) must be prepared in accordance

with the parameters identified in Requirement WN7.

(6) The construction of the Grid Connection must be carried out in accordance with the details approved under sub-paragraph (1), unless otherwise approved by IACC.

**WN7 Grid Connection Parameters**

The structures identified in Tables WN7 may only be constructed in accordance with the minimum and maximum dimensions shown in that table for that structure—

**Table WN7**

<i>Structure Name</i>	<i>Maximum Parameter</i>		<i>Minimum Parameter</i>		
	<i>H (m)</i>	<i>W (m)</i>	<i>L (m)</i>	<i>W (m)</i>	<i>H (m)</i>
Conductor containment and support structures	15	7.5	-	-	-

**WN8 Construction Landscaping**

Except for SPC Works, any landscaping and habitat created or enhanced during construction of the authorised development must be provided in accordance with Requirements PW3 and WN2 and the principles in Chapter 4 of the LHMS, unless otherwise approved by IACC.

**WN9 Final Landscape and Habitat Scheme**

(1) 12 months prior to the anticipated Unit 2 Commissioning Date, a final landscape and habitat scheme for the Wnda during the operational phase of the authorised development must be submitted to IACC for approval.

(7) The final landscape and habitat scheme submitted under sub-paragraph (1) must be prepared in accordance with the overarching and operational principles in Chapter 4 of the LHMS, and the Wylfa Newydd Development Area Retention Plans and include details of—

- (a) the location, number, species, size and planting density of any proposed planting;
- (b) proposed permanent ground levels;
- (c) areas of permanent mounding and associated landscape treatments;
- (d) proposed permanent public access and recreational facilities;
- (e) proposed watercourse diversions and permanent drainage designs;
- (f) details of any existing landscapes (wetland, woodland, grassland, trees) to be retained;
- (g) details of any habitat created or enhanced; and
- (h) details of any hard landscaping, means of enclosure, lighting, street furniture and signage.

(8) The final landscape and habitat works must be carried out in accordance with the final landscape and habitat scheme approved under sub-paragraph (1), unless otherwise approved by IACC.

(9) Any tree or shrub planted as part of an approved landscaping and habitat scheme under sub-paragraph (1) that, within a period of five years after planting, is removed, dies or becomes, in the opinion of IACC, 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 IACC.

**WN10 Wylfa Newydd CoOP**

The operation and maintenance of the Power Station Works must be carried out in accordance with the Wylfa Newydd CoOP, unless otherwise approved by IACC.

**WN11 Landscape and Habitat Management Schemes**

(1) Prior to completion of the habitat and landscape works under Requirement WN8

and WN9(3), management schemes relating to management and maintenance of habitat and landscape works will be submitted to IACC for approval.

(10) The management schemes will be prepared and submitted under sub-paragraph (1) for the following habitat and landscape works or features—

- (a) existing habitats associated with watercourse diversions;
- (b) newly-created habitats and land returned to sympathetic agricultural use;
- (c) drainage channels and ponds;
- (d) Tre'r Gof SSSI;
- (e) Cae Gwyn SSSI /Great Crested Newt Receptor Site (relating to the small portion which will be owned by the undertaker when option land is purchased);
- (f) Wylfa Head (including the coastal strip which extends towards Cemaes);
- (g) woodland designed by Dame Sylvia Crowe for the Existing Power Station;
- (h) retained ancient woodland;
- (i) development buffer zones (around watercourses and designated sites); and
- (j) Wildlife structures (e.g. bat barns) and associated planting/buffers.

(11) Any management scheme submitted under sub-paragraph (1) must be prepared in accordance with the management principles in Chapter 7 of the LHMS and the relevant scheme approved under Requirement WN9 (for operation) and must include details of the management and maintenance measures relating to the specific habitat and landscape works and the monitoring of such measures.

(12) The management of habitat and landscape works identified under sub-paragraph (2) must be carried out in accordance with the relevant management scheme approved under sub-paragraph (1), unless otherwise approved by IACC.

**WN12 Notable Wildlife Enhancement Area**

(1) Within 12 months of the authorised development commencing, a management scheme for the long-term management of the Notable Wildlife Enhancement Area must be submitted to IACC for approval.

(13) The management scheme submitted under sub-paragraph (1) must be prepared in accordance with the management principles in Chapter 7 of the LHMS and include details of the management and maintenance of the Notable Wildlife Enhancement Area and the monitoring of such measures.

(14) The management of the Notable Wildlife Enhancement Area must be carried out in accordance with the management scheme approved under sub-paragraph (1) for the duration of the undertaker's interest in the Notable Wildlife Enhancement Area, unless otherwise approved by IACC.

**WN13 Reptile Receptor Site**

(1) Within 12 months of the authorised development commencing, a management scheme for the long-term management of the Reptile Receptor Site must be submitted to IACC for approval.

(15) The management scheme submitted under sub-paragraph (1) must be prepared in accordance with the management principles in Chapter 7 of the LHMS and include details of the management and maintenance of the Reptile Receptor Site and the monitoring of such measures.

(16) The management of the Reptile Receptor Site must be carried out in accordance with the management scheme approved under sub-paragraph (1) for the duration of the undertaker's interest in the Reptile Receptor Site, unless otherwise approved by IACC.

**WN14 Great Crested Newt Receptor Site**

(1) Within 12 months of the authorised development commencing, a management scheme for the long-term management of the Great Crested Newt Receptor Site must be submitted to IACC for approval.

(17) The management scheme submitted under sub-paragraph (1) must be prepared in accordance with the management principles in Chapter 7 of the LHMS and include details of the management and maintenance of the Great Crested Newt Receptor Site and the monitoring of such measures.

(18) The management of the Great Crested Newt Receptor Site must be carried out in accordance with the management scheme approved under sub-paragraph (1) for the duration of the undertaker's interest in the Great Crested Newt Receptor Site, unless otherwise approved by IACC.

**WN15 Construction car parking**

The number of car parking spaces to be provided and available within the WNDA for the duration of the construction of the authorised development must not exceed 1,900, excluding spaces allocated for disabled staff, unless otherwise agreed with IACC.

**WN16 Operational car parking**

(1) The number of car parking spaces to be provided and available for the duration of the operation of the Power Station Site must not exceed—

- (a) 700 parking spaces, including spaces allocated for disabled operational staff, in the southern car park (9-709a);
- (b) 200 permanent parking spaces and a maximum 650 temporary parking spaces in the northern car park (9-709b); and
- (c) 200 spaces at the simulator and training car park (9-709c),

unless otherwise approved by IACC.

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**Site Campus Works - Work No.3 (Wylfa Newydd Development Area)**

**86.**—(2) Requirements WN17 to WN25 apply to the Site Campus Works within the Wylfa Newydd Development Area—

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*(1) Ref (2) Requirement*

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**WN17 Power Station Main Site sub-CoCP**

The construction of the Site Campus Works must be carried out in accordance with the Wylfa Newydd CoCP and the Power Station Main Site sub-CoCP, unless otherwise approved by IACC. In the event of conflict between the Wylfa Newydd CoCP and Power Station Main Site sub-CoCP, the Power Station Main Site sub-CoCP will prevail.

**WN18 Site Campus health facility**

(1) The Site Campus must not be occupied until written details and designs for the provision of the Site Campus health facility has been submitted to IACC for approval.

(1) The details and designs submitted under sub-paragraph (1) will be developed in consultation with the nominated local health service provider and in accordance with applicable guidance and will include—

- (a) provision for GP and pharmacy dispensing services, primary care for minor injuries, and occupational healthcare and hygiene services and facilities; and
- (b) details of proposed hours of operation and access;
- (c) details of proposed service levels and staffing requirements; and
- (d) details of proposed access and transfer arrangements for emergency services and vehicles.

(2) The Site Campus health facility must be constructed and operated in accordance

with the approved details and designs under sub-paragraph (1), unless otherwise approved by IACC.

**WN19 Site Campus detailed design approval**

(1) No construction of the Site Campus may commence in respect of a building or other structure identified in Requirement WN20 until plans and written details of the design have been submitted to IACC for approval.

(3) The details submitted under sub-paragraph (1) must be prepared in accordance with the parameters and parameter plan identified in Requirement WN20 and the design principles relating to the Site Campus in volume 3 of DAS.

(4) The Site Campus must be constructed in accordance with the approved details under sub-paragraph (1), unless otherwise approved by IACC.

**WN20 Site Campus finished site parameter plans and maximum finished dimensions of buildings and other structures**

The buildings and other structures identified in Table WN20 may only be constructed within the relevant parameter zone shown on the Site Campus Wylfa Newydd Development Area Parameter Plan (WN0902-HZDCO-SCA-DRG-00001) in Schedule 2 of this Order, and no greater than the maximum dimensions shown in that table for that building or other structure—

**Table WN20**

<i>Description</i>	<i>Parameter Zone</i>	<i>Maximum Parameter</i>			<i>Minimum Parameter</i>		
		<i>L (m)</i>	<i>W (m)</i>	<i>H (m)</i>	<i>L (m)</i>	<i>W (m)</i>	<i>H (m)</i>
Accommodation Block	3A-1	75	13	18	-	-	-
Accommodation Block	3A-2	75	13	18	-	-	-
Accommodation Block	3A-3	75	13	18	-	-	-
Substation and bin enclosure	3A-4	10	5	5	-	-	-
Substation and bin enclosure	3A-5	10	5	5	-	-	-
Accommodation Block	3A-6	75	13	32	-	-	-
Accommodation Block	3A-7	75	13	18	-	-	-
Accommodation Block	3A-8	75	13	18	-	-	-
Substation and bin enclosure	3A-9	10	5	5	-	-	-
Substation and bin enclosure	3A-10	10	5	5	-	-	-
Substation and bin enclosure	3A-11	10	5	5	-	-	-
Accommodation Block	3A-12	75	13	32	-	-	-
Substation and bin enclosure	3A-13	10	5	5	-	-	-
Accommodation Block	3A-14	75	13	32	-	-	-
Substation and bin enclosure	3A-15	10	5	5	-	-	-
Accommodation Block	3A-16	75	13	18	-	-	-
Accommodation Block	3A-17	75	13	18	-	-	-
Substation and bin enclosure	3A-18	10	5	5	-	-	-
Substation	3A-19	10	6	5	-	-	-
Amenity Building	3A-19	95	63	14	-	-	-
Sprinkler Pump House, Compactor and External Bin Store for Amenity Building	3A-19	12	6	5	-	-	-
Cycle Store	3A-20	8	5	4	-	-	-
Accommodation Block	3A-21	75	13	32	-	-	-
Substation and bin enclosure	3A-22	10	5	5	-	-	-
Accommodation Block	3A-23	75	13	18	-	-	-
Accommodation Block	3A-24	75	13	18	-	-	-
Accommodation Block	3A-25	75	13	18	-	-	-
Substation and bin enclosure	3A-26	10	5	5	-	-	-

<i>Description</i>	<i>Parameter Zone</i>	<i>Maximum Parameter</i>			<i>Minimum Parameter</i>		
		<i>L (m)</i>	<i>W (m)</i>	<i>H (m)</i>	<i>L (m)</i>	<i>W (m)</i>	<i>H (m)</i>
Substation and bin enclosure	3A-27	10	5	5	-	-	-
Substation and bin enclosure	3A-28	10	5	5	-	-	-
MUGA	3A-29	Extent of Zone 3A-29			-	-	-
MUGA Equipment Store	3A-30	7	4	3	-	-	-
HV Switchroom	3A-31	11	4	5	-	-	-
Security Building	3A-32	7	5	4	-	-	-
Accommodation Block	3A-33	75	13	18	-	-	-
Accommodation Block	3A-34	75	13	23	-	-	-
Accommodation Block	3A-35	75	13	27	-	-	-
Accommodation Block-	3A-36	75	13	27	-	-	-
Substation and bin enclosure	3A-37	10	5	5	-	-	-
Substation and bin enclosure	3A-38	10	5	5	-	-	-
Substation and bin enclosure	3A-39	10	5	5	-	-	-
Substation and bin enclosure	3A-40	10	5	5	-	-	-
Accommodation Block	3A-41	75	13	23	-	-	-
Substation and bin enclosure	3A-42	10	5	5	-	-	-
Accommodation Block	3A-43	75	13	18	-	-	-
Accommodation Block	3A-44	75	13	27	-	-	-
Accommodation Block	3A-45	75	13	27	-	-	-
Accommodation Block	3A-46	75	13	23	-	-	-
Accommodation Block	3A-47	75	13	27	-	-	-
Substation and bin enclosure	3A-48	10	5	5	-	-	-
Substation and bin enclosure	3A-49	10	5	5	-	-	-
Substation and bin enclosure	3A-50	10	5	5	-	-	-
Substation and bin enclosure	3A-51	10	5	5	-	-	-
Substation and bin enclosure	3A-52	10	5	5	-	-	-
Accommodation Block	3A-53	75	13	18	-	-	-

## **WN21 Landscape Detailed Design**

(1) The occupation of the Site Campus may not commence until plans and written details of the landscape design have been submitted to IACC for approval.

(5) The details submitted under sub-paragraph (1) must be prepared in accordance with the landscape principles relating to the Site Campus in volume 3 of the DAS and include details of—

- (a) location, number, species, size and planting density of any proposed planting;
- (b) cultivation, importing of materials and other operations to ensure plant establishment;
- (c) proposed finished ground levels;
- (d) hard surfacing materials;
- (e) details of any means of enclosure, external and street lighting, signage and street furniture;
- (f) details of existing trees and hedges to be retained, with measures for their protection during the construction period; and
- (g) implementation timetables for all landscaping works.

(6) The landscaping of Site Campus must be undertaken in accordance with the details approved under sub-paragraph (1), unless otherwise approved by IACC.

(7) Any tree or shrub planted as part of an approved detailed design under sub-



paragraph (1) that, within a period of five years after planting, is removed, dies or becomes, in the opinion of IACC, 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 IACC.

**WN22 Access to Site Campus**

The Site Campus may not be occupied until the Site Campus Access Road has been established.

**WN23 Site Campus decommissioning strategy**

(1) Decommissioning of the Site Campus must not commence until a decommissioning strategy has been submitted to IACC for approval.

(8) A decommissioning strategy submitted under sub-paragraph (1) must be submitted to IACC for approval no later than six months prior to the anticipated Unit 2 Commissioning Date, unless otherwise agreed with IACC, and must include details of—

- (a) the timeframes and phasing of decommissioning, removal and restoration works; and
- (b) works to restore the site to agricultural use.

(9) Any decommissioning strategy submitted under sub-paragraph (2) must be in general accordance with the Wylfa Newydd CoCP and the Power Station Main Site sub-CoCP.

(10) Decommissioning of the Site Campus and restoration of the site must be undertaken in accordance with the decommissioning strategy approved under sub-paragraph (1), unless otherwise approved by IACC.

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**Marine Works - Work No.1E –H (Wylfa Newydd Development Area)**

**87.—(2) Requirements WN24 to WN28 apply to the Marine Work—**

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<i>(1) Ref</i>	<i>(2) Requirement</i>
<b>WN24</b>	<b>Marine sub-CoCP</b> The construction and operation of the Marine Works must be carried out in accordance with the Wylfa Newydd CoCP and the Marine Works sub-CoCP, unless otherwise approved by NRW. In the event of conflict between the Wylfa Newydd CoCP and Marine Works sub-CoCP, the Marine Works sub-CoCP will prevail.
<b>WN25</b>	<b>Marine Works detailed design approval</b> (1) No construction may commence in respect of a building, works, or other structure identified in Requirement WN27 until plans and written details of the design (including size, external appearance, and siting) have been submitted to NRW for approval. (1) The details submitted under sub-paragraph (1) must be prepared in accordance with the parameters and parameter plans identified in Requirement WN27 and design principles relating to the Marine Works in volume 2 of the DAS. (2) The Marine Works must be carried out in accordance with the details approved under sub-paragraph (1), unless otherwise approved by NRW.
<b>WN26</b>	<b>Marine Works parameter plans and maximum finished dimension of buildings and other structures</b> (1) The buildings, works, or other structures identified in Tables WN26A to WN26E may only be constructed within the relevant parameter zone shown on the parameter plans and in accordance with the maximum and minimum dimensions shown for that building, works or other structure in those tables—

- (a) Within the relevant parameter zone shown on Marine Works Parameter Plan - Permanent Works (WN0902-HZDCO-MRN-DRG-00001) in Schedule 2 of this Order, and in accordance with the maximum and minimum dimensions shown for the structures or works in Table WN26A—

**Table WN26A**

<i>Breakwater</i>	<i>Parameter Zone</i>	<i>Maximum Parameter</i>			<i>Minimum Parameter</i>		
		<i>L (Crest) (m)</i>	<i>W (Base) (m)</i>	<i>Height (Crest) (m AOD)</i>	<i>L (Crest)(m)</i>	<i>W (Base)(m)</i>	<i>Height (Crest) (m AOD)</i>
West Breakwater	1F-4	402	130	14	398	-	10
East Breakwater and Shore Protection	1F-5	240	100	13	150	-	9

- (b) Within the relevant parameter zone shown on Marine Works Parameter Plan - Dredging (WN0902-HZDCO-MRN-DRG-00003) in Schedule 2 of this Order, and the maximum dimensions shown for the structures or works in Table WN26B—

**Table WN26B**

<i>Dredging</i>	<i>Parameter Zone</i>	<i>Maximum Parameter</i>	
		<i>Dredge Depth (m AOD)</i>	<i>Dredged volume (m<sup>3</sup>) in situ volume</i>
Intake Channel	1F-1	-11	-
Berthing Pockets	1F-6	-13	-
Superficial deposits	1E-1, 1E-2, 1E-3	-	220,000

- (c) Within the relevant parameter zones shown on Marine Works Parameter Plan – Permanent Works (WN0902-HZDCO-MRN-DRG-00001) and Marine Works Parameter Plan – Temporary Works (WN0902-HZDCO-MRN-DRG-00002) in Schedule 2 of this Order, and in accordance with the maximum and minimum dimensions shown for the structures or works in Table WN26C—

**Table WN26C**

<i>Marine Facilities and associated structures</i>	<i>Off-Loading and Zone</i>	<i>Parameter Zone</i>	<i>Maximum Parameter</i>			<i>Minimum Parameter</i>		
			<i>L</i>	<i>W</i>	<i>H</i>	<i>L</i>	<i>W</i>	<i>H</i>
			<i>(m)</i>	<i>(m)</i>	<i>(m AOD)</i>	<i>(m)</i>	<i>(m)</i>	<i>(m AOD)</i>
Bulk MOLF		1F-7	To extents of Zone 1F-7		6	-	-	5
Land Reclamation		1F-7	To extents of Zone 1F-7		6	-	-	5
Mooring Dolphin		1F-7	6	6	6	2	2	5
Mooring Dolphin		1F-7	6	6	6	2	2	5
Mooring Dolphin		1F-7	6	6	6	2	2	5
Mooring Dolphin		1F-7	6	6	6	2	2	5
Mooring Dolphin		1F-7	6	6	6	2	2	5
Mooring Dolphin		1F-7	6	6	6	2	2	5
Mooring Dolphin		1F-7	6	6	6	2	2	5
Mooring Dolphin		1F-7	6	6	6	2	2	5
RoRo MOLF Quay		1F-7	To extent of Zone 1F-7		6	-	-	5
Lay-by Berth		1F-9	To extent of Zone 1F-9		6	-	-	5
Temporary Pontoon		1F-8	To extent of Zone 1F-8		-	-	-	-
Intake Skimmer Wall (0-428)		1G	210	10	10	-	-	-

- (d) Within the relevant parameter zones shown on Marine Works Parameter Plan – Permanent Works (WN0902-HZDCO-MRN-DRG-00001) and Marine Works Parameter Plan – Temporary Works (WN0902-HZDCO-MRN-DRG-00002) in Schedule 2 of this Order, and in accordance with the maximum and minimum dimensions for the structures in Table WN26D—

**Table WN26D**

<i>Temporary structures</i>	<i>Parameter Zone</i>	<i>Maximum Parameter</i>			<i>Minimum Parameter</i>		
		<i>L</i>	<i>W</i>	<i>H</i>	<i>L</i>	<i>W</i>	<i>H</i>
		<i>(m)</i>	<i>(m)</i>	<i>(m AOD)</i>	<i>(m)</i>	<i>(m)</i>	<i>(m AOD)</i>
Bund Cofferdam	1F-2	To extents of Zone 1F-2		10	-	-	-
Temporary Barge Berth	1F-3	To extents of Zone 1F-3		6	-	-	3
Intake Cofferdam	1G	260	30	10	-	-	-
Outfall Cofferdam	1H	240	85	10	-	-	-
Temporary Access Ramp	1E-4	200	20	-	-	-	-

**WN27 Operation and use of the Marine Off-Loading Facility**

(1) The undertaker must ensure that during construction of the authorised development at least 60% of all bulk materials required for the construction of the Power Station Works are delivered via the Marine Off-Loading Facility (Work No.1F).

(3) The undertaker must undertake monthly monitoring of bulk material deliveries and report compliance with sub-paragraph (1) to IACC on a quarterly basis.

**WN28 Disposal of Dredged Material**  
 Any surplus dredged material arising from the authorised development that cannot be re-used must be disposed of at Holyhead North, unless otherwise agreed with NRW.

**Off-Site Power Station Facilities - Work No.5**

**88.**—(2) Requirements OSPF1 to OPSF5 apply to the Off-Site Power Station Facilities at Llanfaethlu (Work No.5)—

*(1) Ref*      *(2) Requirement*

**OPSF1 Off-Site Power Station Facilities Sub-CoCP**  
 The construction of the Off-Site Power Station Facilities must be carried out in accordance with the Wylfa Newydd CoCP and the Off-Site Power Station Facilities sub-CoCP, unless otherwise approved by IACC. In the event of conflict between the Wylfa Newydd CoCP and Off-Site Power Station Facilities sub-CoCP, the Off-Site Power Station Facilities sub-CoCP will prevail.

**OPSF2 Off-Site Power Station Facilities detailed design approval**  
 (1) No construction may commence in respect of any building or other structure identified in Requirement OPSF3 until plans and written details of the design (including size, external appearance, and siting) have been submitted to IACC for approval.

(1) The details submitted under sub-paragraph (1) must be prepared in accordance with the parameters and parameter plan identified in Requirement OPSF3 and the design and landscaping principles relating to the Off-Site Power Station Facilities in volume 3 of the DAS.

(2) Construction of the Off-Site Power Station Facilities must be undertaken in accordance with the details approved under sub-paragraph (1), unless otherwise approved by IACC.

(3) Any tree or shrub planted as part of an approved detailed design under sub-paragraph (1) that, within a period of five years after planting, is removed, dies or becomes, in the opinion of IACC, 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 IACC.

**OPSF3 Off-Site Power Station Facilities parameter plans and maximum dimension of buildings and other structures**  
 The buildings and other structures identified in the Table OPFS3 may only be constructed within the relevant parameter zone shown on Off-Site Power Station Facilities Llanfaethlu - Parameter Plan (WN0902-HZDCO-ADV-DRG-00001) in Schedule 2 of this Order, and with maximum dimensions no greater than those shown in that table for that building or other structure—

**Table OPSF3**

<i>Building Name</i>	<i>Parameter Zone</i>	<i>Maximum Parameter</i>			<i>Minimum Parameter</i>		
		<i>L</i>	<i>W</i>	<i>H</i>	<i>L</i>	<i>W</i>	<i>H</i>
		<i>(m)</i>	<i>(m)</i>	<i>(m)</i>	<i>(m)</i>	<i>(m)</i>	<i>(m)</i>
MEEG/AECC Building	5-1	55	25	14	-	-	-
ESL Building	5-2	30	19	8	-	-	-

**OPSF4 Wylfa Newydd CoOP**  
 The Off-Site Power Station Facilities must be operated in accordance with the Wylfa Newydd CoOP, unless otherwise agreed by IACC.

**OPSF5 Operational car and cycle parking**  
 (1) Except in an emergency, the number of parking spaces to be provided and

available during the operation of the Off-Site Power Station Facilities must not exceed 67 spaces, including spaces allocated for disabled operational staff, unless otherwise approved by IACC.

(4) For the purposes of this requirement, an “emergency” means an event where the Off-Site Power Station Facilities will be operational due to an emergency event occurring at the Power Station Site, which makes the primary emergency response facilities at the Power Station Site inoperable or in use to support the emergency response on the Power Station Site and/or prevents access to the Power Station Site.

**Park and Ride facility - Work No.6**

**89.—(2) Requirements PR1 and PR6 apply to the Park and Ride facility—**

<i>(1) Ref</i>	<i>(2) Requirement</i>
<b>PR1</b>	<p><b>Dalar Hir Park and Ride sub-CoCP</b></p> <p>The construction and operation of the Park and Ride facility must be carried out in accordance with the Wylfa Newydd CoCP and the Dalar Hir Park and Ride sub-CoCP, unless otherwise approved by IACC. In the event of conflict between the Wylfa Newydd CoCP and the Dalar Hir Park and Ride sub-CoCP, the Dalar Hir Park and Ride sub-CoCP will prevail.</p>
<b>PR2</b>	<p><b>Detailed Design Drawings</b></p> <p>The construction of the Park and Ride facility must be carried out in accordance with the Detailed Design Drawings relating to the Park and Ride facility in Schedule 2 of this Order, except where Requirements PR3 and PR4 apply.</p>
<b>PR3</b>	<p><b>Park and Ride facility detailed design approval</b></p> <p>(1) In the event that the undertaker elects not to construct the Park and Ride facility in accordance with the approved Detailed Design Drawings relating to the Park and Ride facility in Schedule 2 of this Order, no construction may commence in respect of a building or other structure identified within Requirement PR4 until plans and written details of the design of such building or other structure (including size, siting and external appearance) have been submitted to IACC for approval.</p> <p>(1) The details submitted under sub-paragraph (1) must be prepared in accordance with the parameters and parameter plans identified in Requirement PR4 and the design and landscaping principles relating to the Park and Ride facility in volume 3 of the DAS.</p> <p>(2) Construction of the Park and Ride facility must be undertaken in accordance with the details approved under sub-paragraph (1).</p> <p>(3) Any tree or shrub planted as part of an approved detailed design under sub-paragraph (1) that, within a period of five years after planting, is removed, dies or becomes, in the opinion of IACC, 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 IACC.</p>
<b>PR4</b>	<p><b>Park and Ride facility parameter plans and maximum dimension of buildings and other structures</b></p> <p>Where Requirement PR4 applies, the buildings and other structures identified in Table PR4 below may only be constructed within the parameter zone shown on the Park and Ride - Dalar Hir Parameter Plan (WN0902-HZDCO-ADV-DRG-00032) in Schedule 2 of this Order, and in accordance with the maximum and minimum dimensions shown in that table for that building or other structure—</p>

**Table PR4**

<i>Building Name</i>	<i>Parameter Zone</i>	<i>Maximum Parameter</i>			<i>Minimum Parameter</i>		
		<i>L</i>	<i>W</i>	<i>H</i>	<i>L</i>	<i>W</i>	<i>H</i>
		<i>(m)</i>	<i>(m)</i>	<i>(m)</i>	<i>(m)</i>	<i>(m)</i>	<i>(m)</i>

Car Park Area 2	6-1	Extent of Zone 6-1	-	-	-	-
Car Park Area 3	6-2	Extent of Zone 6-2	-	-	-	-
Car Park Area 4	6-3	Extent of Zone 6-3	-	-	-	-
Bus Shelter - long	6-4	70	5	5	-	-
Bus Shelter - short	6-4	54	5	5	-	-
Bus waiting/pick up/drop off zone	6-4	Extent of Zone 6-4	-	-	-	-
Bus Terminal Building	6-5	30	13	5	-	-
Cycle Shelter/Bin Store	6-6	11	7	5	-	-
Staff and Accessible Parking Area	6-7	Extent of Zone 6-7	-	-	-	-
Car Park Area 1	6-8	Extent of Zone 6-8	-	-	-	-
Car Park Area 5	6-9	Extent of Zone 6-9	-	-	-	-
Roundabout	6-10	Extent of Zone 6-10	-	-	-	-

**PR5 Operational car and cycle parking**

(1) The number of car parking spaces to be provided and available during the operation of the Park and Ride facility must not exceed 1,900, including spaces allocated for disabled operational staff but excluding spaces for minibuses and motorcycles, unless otherwise approved by IACC.

(4) A total of 25 cycle storage spaces will be provided and available during the operation of the Park and Ride facility, unless otherwise approved by IACC.

**PR6 Park and Ride facility decommissioning strategy**

(1) Decommissioning of the Park and Ride facility must not commence until a decommissioning strategy has been approved by IACC.

(5) A decommissioning strategy under sub-paragraph (1) must be submitted to IACC for approval no later than three months prior to the anticipated Unit 2 Commissioning Date, unless otherwise agreed with IACC, and must include details of—

- (a) the timeframes for decommissioning, removal, restoration and maintenance works;
- (b) restoration and maintenance of structures to remain within watercourse;
- (c) reinstatement of habitats affected by the Park and Ride facility;
- (d) proposed works to return the land to agricultural use; and
- (e) the handover environmental management plan agreed with IACC.

(6) Any decommissioning strategy submitted under sub-paragraph (2) must be in general accordance with the Wylfa Newydd CoCP and the Park and Ride facility sub-CoCP.

(7) Decommissioning of the Park and Ride facility and restoration of the site must be undertaken in accordance with the decommissioning strategy approved under sub-paragraph (1), unless otherwise approved by IACC.

(8) A decommissioning strategy will not be required to be submitted under sub-paragraph (2) where IACC has granted, or resolved to grant, a planning permission for the ongoing use of the Park and Rule facility.

## Logistics Centre - Work No.7

90.—(2) Requirements LC1 and LC7 apply to the Logistics Centre (Work No.7)—

<i>(1) Ref</i>	<i>(2) Requirement</i>
<b>LC1</b>	<p><b>Parc Cybi Logistics Centre Sub-CoCP</b></p> <p>The construction and operation of the authorised development on the Logistics Centre must be carried out in accordance with the Wylfa Newydd CoCP and the Parc Cybi Logistics Centre sub-CoCP, unless otherwise approved by IACC. In the event of conflict between the Wylfa Newydd CoCP and the Parc Cybi Logistics Centre sub-CoCP, the Parc Cybi Logistics Centre sub-CoCP will prevail.</p>
<b>LC2</b>	<p><b>Detailed Design Drawings</b></p> <p>The construction of the Logistics Centre must be carried out in accordance with the approved Detailed Design Drawings relating to the Logistics Centre in Schedule 2 of this Order, except where Requirements LC3 and LC4 apply.</p>
<b>LC3</b>	<p><b>Logistics Centre detailed design approval</b></p> <p>(1) In the event that the undertaker elects not to construct the Logistics Centre in accordance with the Detailed Design Drawings for the Logistics Centre in Schedule 2 of this Order, no construction may commence in respect of any building or other structure identified within Requirement LC4 until plans and written details of the design of such building or other structure (including size, siting and external appearance) have been submitted to and approved by IACC.</p> <p>(1) The details submitted under sub-paragraph (1) must be prepared in accordance with the parameters and parameter plan identified in Requirement LC4 and the design principles relating to the Logistics Centre in volume 3 of the DAS.</p> <p>(2) Construction of the Logistics Centre must be undertaken in accordance with the details approved under sub-paragraph (1), unless otherwise approved by IACC.</p> <p>(3) Any tree or shrub planted as part of an approved detailed design under sub-paragraph (1) that, within a period of five years after planting, is removed, dies or becomes, in the opinion of IACC, 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 IACC.</p>
<b>LC4</b>	<p><b>Logistics Centre parameter plans and maximum dimension of buildings and other structures</b></p> <p>Where Requirement LC3 applies, the buildings and other structures identified in Table LC4 may only be constructed within the parameter zone shown on the Logistics Centre Parc Cybi - Parameter Plan (WN0902-HZDCO-ADV-DRG-00014) in Schedule 2 of this Order, and in accordance with the maximum and minimum dimensions shown in that table for that building or other structure—</p>

**Table LC4**

<i>Building Name</i>	<i>Parameter Zone</i>	<i>Maximum Parameter</i>			<i>Minimum Parameter</i>		
		<i>L</i>	<i>W</i>	<i>H</i>	<i>L</i>	<i>W</i>	<i>H</i>
		<i>(m)</i>	<i>(m)</i>	<i>(m)</i>	<i>(m)</i>	<i>(m)</i>	<i>(m)</i>
Inspection Bay	7-1	23	13	6	-	-	-
Welfare/Security Building	7-2	29	16	4	-	-	-
Vehicle Scanner	7-3	10	10	7	-	-	-
HGV Information Kiosk	7-4	7	5	4	-	-	-
Site Entrance Kiosk	7-5	6	6	4	-	-	-

<b>LC5</b>	<p><b>Operational car and cycle parking</b></p> <p>The number of car parking spaces to be provided and available during the operation of the Logistics Centre must not exceed 12 spaces, including spaces allocated for</p>
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disabled operational staff, unless otherwise approved by IACC.

**LC6 Operational HGV parking**

(1) Except in an emergency, the number of parking spaces for HGVs provided and available during the operation of the Logistics Centre site must not exceed 100 spaces, excluding spaces allocated for search and screening facilities, waiting, and inspections.

(4) For the purposes of this requirement, an emergency would be an event that prevents or seriously impacts on HGV movements to or from the Wylfa Newydd Development Area and results in HGVs remaining at the Logistics Centre until deliveries or movements can be resumed.

**LC7 Logistics decommissioning strategy**

(1) Decommissioning of the Logistics Centre must not commence until a decommissioning strategy has been approved by IACC.

(5) A decommissioning strategy submitted under sub-paragraph (1) must be submitted to IACC for approval later than three months to the anticipated Unit 2 Commissioning Date, unless otherwise agreed with IACC, and must include details of—

- (a) the timeframes and hours of decommissioning, removal and restoration works for legacy use;
- (b) retainment of views between the Ty Mawr Standing Stone and the Trefignath Burial Chamber Scheduled Monuments; and
- (c) the retention of any buildings or structures, where appropriate; and
- (d) the retention of any existing landscaping works and features.

(6) Any decommissioning strategy submitted under sub-paragraph (2) must be in general accordance with the Wylfa Newydd CoCP and Parc Cybi Logistics Centre sub-CoCP.

(7) Decommissioning of the Logistics Centre and restoration of the site must be undertaken in accordance with the decommissioning strategy approved under sub-paragraph (1), unless otherwise approved by IACC.

(8) A decommissioning strategy will not be required to be submitted under sub-paragraph (2) where IACC has granted, or resolved to grant, a planning permission for the ongoing use or redevelopment of the Logistics Centre.

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**A5025 Off-Line Highway Improvements (Work No.s 8 – 11)**

**91.**—(2) Requirements OH1 to OH10 apply to the A5025 Off-Line Highway Improvement Works. Where a Requirement applies only to a particular work comprising the A5025 Off-Line Highway Improvements, that work is expressly referred to in the Requirement—

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<i>(1) Ref</i>	<i>(2) Requirement</i>
<b>OH1</b>	<b>A5025 Off-Line Highway Improvements Sub-CoCP</b> The construction of the A5025 Off-Line Highway Improvements and Work No.1J must be carried out in accordance with the Wylfa Newydd CoCP and the A5025 Off-Line Highway Improvements sub-CoCP, unless otherwise approved by IACC. In the event of conflict between the Wylfa Newydd CoCP and the A5025 Off-Line Highway Improvements sub-CoCP, the A5025 Off-Line Highway Improvements sub-CoCP will prevail.
<b>OH2</b>	<b>Detailed Design Drawings - Work No.s 8, 9A, 10 and 11</b>

(1) The construction of Work No.s 8, 9, 10 and 11 must be carried out in accordance with the approved Detailed Design Drawings in Schedule 2 of this Order, except where Requirement OH3 applies

(1) This requirement does not apply to the approval of detailed designs for any



viaduct, overbridge and underpass comprised in Work No.s 9, 10 and 11.

**OH3 Detailed design approval**

(1) In the event that the undertaker elects not to construct Work No.s 8, 9, 10 and 11 (excluding any viaduct, overbridge or underpass comprised in those Works) in accordance with the Detailed Design Drawings for those works in Schedule 2 of this Order, construction of that work may not commence until plans and written details of the design (including size, external appearance, and siting) have been submitted to IACC for approval.

(2) The details submitted under sub-paragraph (1) must be prepared in accordance with the limits of deviation for that work in article 4 of the Order and the design and landscape principles relating to the A5025 Off-Line Highway Improvements in volume 3 of the DAS.

(3) Construction of Work No.s 8, 9, 10 and 11 (excluding any viaduct, overbridge or underpass comprised in those Works), must be undertaken in accordance with the details approved under sub-paragraph (1).

**OH4 Boundary Treatment Design**

(1) No construction of any fencing along the boundaries of the A5025 Off-Line Highway Improvements may commence until plans and written details of the design (including size, siting, and external appearance) have been submitted to IACC for approval.

(4) The details submitted under sub-paragraph (1) must be prepared in accordance with the design principles relating to the A5025 Off-Line Highway Improvements in volume 3 of the DAS.

(5) The construction of any fence comprised in the A5025 Off-Line Highway Improvements must be undertaken in accordance with the details approved under sub-paragraph (1), unless otherwise approved by IACC.

**OH5 Detailed design approval: viaduct, overbridges and underpasses**

(1) No construction may commence in respect of any viaduct, overbridge or underpass comprised in Work No.s 9, 10 or 11 until plans and written details of the design of that structure (including size, siting, and external appearance) have been submitted to IACC for approval.

(6) The details submitted under sub-paragraph (1) must be prepared in accordance with—

- (a) the design principles relating to the A5025 Off-Line Highway Improvements in volume 3 of the DAS;
- (b) the limits of deviation for that work in article 4 of the Order; and
- (c) the maximum dimensions identified in Requirement OH6.

(7) The construction of any viaduct, overbridge or underpass comprised in Work No.s 9, 10 or 11 must be undertaken in accordance with the details approved under sub-paragraph (1), unless otherwise approved by IACC.

**OH6 Maximum dimensions of structures: viaduct, overbridges and underpasses**

The viaducts, overbridges and underpasses identified in Table OH6 may only be constructed and in accordance with the maximum and minimum dimensions shown in that table for those structures—

**Table OH6**

<i>Work No.</i>	<i>Structure description</i>	<i>Maximum Parameter</i>			<i>Minimum Parameter</i>		
		<i>L</i>	<i>W</i>	<i>H</i>	<i>L</i>	<i>W</i>	<i>H</i>
		<i>(m)</i>	<i>(m)</i>	<i>(m above finish d</i>	<i>(m)</i>	<i>(m)</i>	<i>(m above finish</i>

				<i>highway level)</i>		<i>ed highway level)</i>
9A	Viaduct	135	14	10	100	9
9A	Underpass	40	6	3.5	35	3
9B	Overbridge	30	11	8.5	20	8
10B	Underpass	50	6	3.5	40	3
11	Underpass	35	6	3.5	30	3
11	Overbridge	25	6.5	9.5	11	8.5

**OH7 Construction parking**

The number of parking spaces to be provided and available within the construction compound of each part of the A5025 Off-Line Highway Improvement Works must not exceed 60 spaces, unless otherwise approved by IACC.

**OH8 Landscape Detailed Design**

(1) The operation of Work No.s 8, 9, 10 or 11 may not commence until plans and written details of the landscape design (including location species and planting density, finished ground levels and materials) have been submitted to IACC for approval.

(8) The details submitted under sub-paragraph (1) must be prepared in accordance with the landscape principles relating to the A5025 Off-Line Highway Improvements in volume 3 of the DAS and include details of —

- (a) location, number, species, size and planting density of any proposed planting;
- (b) cultivation, importing of materials and other operations to ensure plant establishment;
- (c) proposed finished ground levels;
- (d) hard surfacing materials;
- (e) details of existing trees to be retained, with measures for their protection during the construction period;
- (f) details of any street lighting and signage; and
- (g) implementation timetables for all landscaping works.

(9) The landscaping of Works No. 8, 9, 10 and 11 must be undertaken in accordance with the details approved under sub-paragraph (1), unless otherwise approved by IACC.

(10) Any tree or shrub planted as part of an approved detailed design under sub-paragraph (1) that, within a period of five years after planting, is removed, dies or becomes, in the opinion of IACC, 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 IACC.

**OH9 Water vole enhancement areas: Valley**

(1) Prior to completion of construction of Work No.8, plans and written details of the design of the Valley Water Vole Enhancement Area will be submitted to IACC for approval.

(11) The details submitted under sub-paragraph (1) must be prepared in accordance with the principles relating to the Valley Water Vole Enhancement Area in the A5025 Off-Line Highway Improvements in volume 3 of the DAS.

(12) The construction of the Valley Water Vole Enhancement Area must be undertaken in accordance with the details approved under sub-paragraph (1), unless otherwise approved by IACC.

**OH10 Water vole enhancement areas: Llanfachraeth**

(1) Prior to completion of construction of Work No.9, plans and written details of the design for the Llanfachraeth Vole Enhancement Area will be submitted to IACC for approval.

(13) The details submitted under sub-paragraph (1) must be prepared in accordance with the principles relating to the Llanfachraeth Vole Enhancement Area in the A5025 Off-Line Highway Improvements in volume 3 of the DAS.

(14) The construction of the Llanfachraeth Vole Enhancement Area must be undertaken in accordance with the details approved under sub-paragraph (1), unless otherwise approved by IACC.

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### **Ecological Compensation Sites — Work No.s 13, 14 and 15**

**92.—(2) Requirements ECS1 and ECS4 apply to the Ecological Compensation Sites at Cors Gwawr, Cae Canol-dydd and Tŷ Du —**

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<i>(1) Ref</i>	<i>(2) Requirement</i>
<b>ECS1</b>	<b>Wylfa Newydd CoCP</b> The construction of the Ecological Compensation Sites must be carried out in accordance with the Wylfa Newydd CoCP, unless otherwise approved by IACC.
<b>ECS2</b>	<b>Ecological Compensation Sites - detailed design approval</b> <p>(1) No construction may commence in respect of any of the Ecological Compensation Sites until plans and written details of the habitat design (including location species and planting density, finished ground levels and materials) have been submitted to IACC for approval.</p> <p>(1) The details submitted under sub-paragraph (1) must be prepared in accordance with the habitat and landscape principles relating to the Ecological Compensation Sites in Chapter 4 of the LHMS and include details of—</p> <ul style="list-style-type: none"><li>(a) constructed wetlands;</li><li>(b) public access infrastructure;</li><li>(c) access and management infrastructure;</li><li>(d) adaptive management approach;</li><li>(e) topsoil stripping, storage and reuse;</li><li>(f) drainage modifications;</li><li>(g) vegetation establishment methods;</li><li>(h) disposal of hedgerow material; and</li><li>(i) timing of works.</li></ul> <p>(2) Construction of the Ecological Compensation Sites must be undertaken in accordance with the details approved for each work under sub-paragraph (1), unless otherwise approved by IACC.</p>
<b>ECS3</b>	<b>Landscape and Habitat Management Scheme</b> <p>(1) Prior to completion of the each of the Ecological Compensation Sites, management schemes relating to management and maintenance of each Ecological Compensation Site must be submitted to IACC for approval.</p> <p>(3) Any management scheme submitted under sub-paragraph (1) must be prepared in accordance with the management principles in Chapter 7 of the LHMS.</p> <p>(4) The management of each Ecological Compensation Site identified under sub-paragraph (2) must be carried out in accordance with the relevant management scheme approved under sub-paragraph (1), unless otherwise approved by IACC.</p>
<b>ECS4</b>	<b>Pre-commencement monitoring</b> <p>(1) No construction of the Ecological Compensation Sites at Cae Canol-dydd or</p>

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Cors Gwawr may commence until hydrological and hydrogeological monitoring has been undertaken comprising—

- (a) ground investigations to identify soils and geology of the sites; and
- (b) hydrological monitoring comprising installation of boreholes, piezometers, surface water monitoring and any other relevant installations.

(5) No construction of the Ecological Compensation Sites at Cae Canol-dydd or Cors Gwawr may commence until plans and written details of the design of the drainage works have been submitted to IACC for approval.

(6) The details submitted under sub-paragraph (2) must be prepared in accordance with the data collected as part of the monitoring undertaken under sub-paragraph 1(a) and (b).

(7) Construction of drainage works at Cae Canol-dydd or Cors Gwawr must be undertaken in accordance with the details approved under sub-paragraph (2), unless otherwise approved by IACC.

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## SCHEDULE 4

Article 5

### DEEMED APPROVAL

<i>(1) TCPA Ref</i>	<i>(2) [Draft] Site preparation permission condition</i>	<i>(3) Order Ref</i>	<i>(4) Requirement</i>
1	The Development and works hereby permitted shall be commenced before the expiration of three years from the date of this permission.	<b>PW1</b>	<b>Time limits for commencement of the authorised development</b> The authorised development must commence within 5 years of the date on which this Order is made.
2	The Development and works hereby permitted shall be carried out in accordance with the approved drawings and documents as follows: [TBC]	-	<i>Note: Horizon will have Detailed Design Drawings for the SPC Works approved as part of the Order.</i>
3	<b>Code of Construction Practice</b> No development shall commence until an amended Site Preparation and Clearance Code of Construction Practice has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be undertaken in accordance with the Site Preparation and Clearance Code of Construction Practice approved by the Local Planning Authority under this condition.	<b>SPC3</b>	<b>Power Station Main Site sub-CoCP</b> The construction of the SPC Works must be carried out in accordance with the Wylfa Newydd CoCP and the Power Station Main Site sub-CoCP , unless otherwise approved by IACC. In the event of conflict between the Wylfa Newydd CoCP and Power Station Main Site sub-CoCP , the Power Station Main Site sub-CoCP will prevail.
		<b>PW7</b>	<b>Wylfa Newydd CoCP</b> The construction of the authorised development, and the operation of Work No.s 3, 6 and 7, must be carried out in accordance with the Wylfa Newydd CoCP and the relevant sub-CoCP relating to a specific site identified in Requirements WN1, WN17, OPSF1, PR1, LC1 and OH1, unless otherwise approved by the IACC.
4	<b>Construction and Environmental Management Plan</b> No development shall commence until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be undertaken in accordance with the CEMP approved by the Local Planning Authority under	<b>PW7</b>	<i>Note: CEMPs are required under the Wylfa Newydd CoCP for all works.</i>

(1) TCPA Ref	(2) [Draft] Site preparation permission condition	(3) Order Ref	(4) Requirement
	this condition.		
5	<p><b>Construction Method Statement</b></p> <p>No development shall commence until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be undertaken in accordance with the Construction Method Statement approved by the Local Planning Authority under this condition.</p>	PW3	<p><b>Construction Method Statement</b></p> <p>(1) The construction of the Power Station Works, Site Campus Works, and Marine Works must be carried out in general accordance with the phasing and construction methodologies set out in Construction Method Statement, unless otherwise approved by IACC.</p> <p>(2) The construction of Power Station Works, Site Campus Works, and Marine Works will not be in general accordance with the Construction Method Statement to the extent that any departure from the timing and methodologies identified in the Construction Method Statement gives rise to any materially new or materially different environmental effects from those assessed in the Environmental Statement.</p>
6	<p><b>Construction Traffic Management Plan</b></p> <p>No works shall commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be undertaken in accordance with the Construction Traffic Management Plan approved by the Local Planning Authority under this condition.</p>	PW7	<p><i>Note: Construction Traffic Management Strategy is set out under the Wylfa Newydd CoCP for all works.</i></p>
7	<p><b>Dust Monitoring Plan</b></p> <p>No works shall commence until a Dust Monitoring Plan has been submitted to and approved in writing by the Local Planning Authority. The Dust Monitoring Plan shall detail the monitoring locations, system and appropriate alert thresholds. The development hereby permitted shall be undertaken in accordance with the Dust Monitoring Plan approved by the Local Planning Authority under this condition.</p>	PW7	<p><i>Note: Dust monitoring measures are set out under the Wylfa Newydd CoCP.</i></p>
8	<p><b>Noise and Vibration Monitoring Plan</b></p> <p>No works shall commence until a Noise and Vibration Monitoring Plan has been submitted to and</p>	PW7	<p><i>Note: Noise and vibration monitoring measures are set out under the Wylfa Newydd CoCP.</i></p>

(1) TCPA Ref	(2) [Draft] Site preparation permission condition	(3) Order Ref	(4) Requirement
	approved in writing by the Local Planning Authority. The Noise and Vibration Monitoring Plan shall detail the monitoring locations, system and appropriate alert thresholds. The development hereby permitted shall be undertaken in accordance with the Noise and Vibration Monitoring Plan approved by the Local Planning Authority under this condition.		
9	<p><b>Biosecurity Risk Assessment and Method Statement</b></p> <p>No works shall commence until a Biosecurity Risk Assessment and Method Statement has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be undertaken in accordance with the Biosecurity Risk Assessment and Method Statement approved by the Local Planning Authority under this condition.</p>	PW7	<i>Note: Biodiversity measures are set out under the Wylfa Newydd CoCP.</i>
10	<p><b>Working Hours</b></p> <p>No development, works or construction activity whatsoever associated with work phases A, B, C, E, F and G shall take place outside the hours of 07:00 to 19:00 Mondays to Fridays and 08:00 to 13:00 on Saturdays. There shall be no working outside of these hours, or at all on Sundays and public holidays. For the avoidance of doubt, this condition shall not apply where the developer has demonstrated to the satisfaction of the Local Planning Authority that there are Exceptional Circumstances i.e. emergency works, or Security and Maintenance activities (so far as required to be carried out outside these hours).</p>	PW7	<i>Note: Working hours are set out under the Wylfa Newydd CoCP for all works.</i>
11	<p><b>Delivery Hours</b></p> <p>Save where the applicant has demonstrated to the satisfaction of the Local Planning Authority that there are Exceptional Circumstances, no deliveries associated with work phases A, B,</p>	PW7	<i>Note: Delivery hours are set out under the Wylfa Newydd CoCP for all works.</i>

(1) TCPA Ref	(2) [Draft] Site preparation permission condition	(3) Order Ref	(4) Requirement
12	<p>C, E, F and G shall arrive, be received or dispatched from the site outside the hours of 07.00 to 19.00 Monday to Friday (including Bank Holidays) and 08.00 to 13.00 on Saturdays. For the avoidance of doubt there shall be no deliveries outside these time or at all on Sundays, unless otherwise agreed in writing with the Local Planning Authority.</p> <p><b>School arrival and departure times</b></p> <p>Traffic movements associated with the development; i.e. shift patterns, construction traffic routes, deliveries, etc. on school arrival and departure routes shall be undertaken outside the hours of 08:00 to 09:00 and 15:00 to 16:00 weekdays.</p>	PW7	<p><i>Note: Controls to traffic movements during school start and end times are set out under the under the Wylfa Newydd CoCP.</i></p>
13	<p><b>Lighting Strategy</b></p> <p>No works that require the use of artificial lighting shall commence until a Lighting Strategy for those works has been submitted to and agreed in writing with the Local Planning Authority</p>	PW7	<p><i>Note: Site lighting measures and controls are set out under the under the Wylfa Newydd CoCP.</i></p>
14	<p><b>Temporary Lighting</b></p> <p>Prior to the commencement of relevant works and development where temporary construction lighting is proposed, details of any temporary construction lighting to be installed at the Site (including measures to prevent light spillage) to ensure safe working practices are adhered to shall be submitted to and approved by the Local Planning Authority. The temporary lighting shall be installed and operated in accordance with the temporary lighting details approved by the Local Planning Authority under this condition.</p>	PW7	<p><i>Note: Site lighting measures and controls are set out under the under the Wylfa Newydd CoCP.</i></p>
15	<p><b>Protected Species Licence Requirement</b></p> <p>No development of a phase or a component part of the development shall commence until the Local Planning Authority has been provided with and has</p>	SPC4	<p><b>European Protected Species: pre-commencement surveys</b></p> <p>(1) No part of the SPC Works may commence until pre-commencement surveys have been carried out by or on behalf of the ECoW to establish whether any European Protected Species are</p>



(1) TCPA Ref	(2) [Draft] Site preparation permission condition	(3) Order Ref	(4) Requirement
	<p>confirmed in writing that either:</p> <p>(a) A licence issued by the relevant licensing body pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010 (as amended) (or any Statutory Instrument replacing these Regulations) authorising the specified development to go ahead is required; or</p> <p>(b) A statement in writing from the relevant licensing body to the effect that a protected species license is not required for that Phase or a component part of the development.</p>		<p>present on any of the land affected, or are likely to be affected, by any part of the authorised development or in any of the trees or shrubs to be lopped or felled as part of construction of that part.</p> <p>(2) Where a European Protected Species is shown to be present, construction of that part of SPC Works must not commence until, after consultation with NRW and IACC, the undertaker has obtained the necessary European Protected Species licence(s).</p>
16	<p><b>Bat Mitigation Compliance</b></p> <p>The development shall be undertaken in accordance with the bat mitigation and compensation measures as specified in Appendix 14-23 of the Environmental Statement - ‘EPS Mitigation Licence Method Statement Delivery Information’</p>	PW7	<p><i>Note: Controls to avoid disturbance of bats are set out under the under the Wylfa Newydd CoCP.</i></p>
17	<p><b>GCN Mitigation Details</b></p> <p>No works in areas identified as sensitive habitat for great crested newt (GCN) shall commence until detailed mitigation measures relating to GCN have been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be undertaken in accordance with the GCN mitigation measures approved by the Local Planning Authority under this condition.</p>	PW7	<p><i>Note: Controls to avoid disturbance of GCN are set out under the under the Wylfa Newydd CoCP.</i></p>
18	<p><b>Otters Mitigation Details</b></p> <p>No works in areas identified as sensitive habitat for otter shall commence until detailed mitigation measures relating to otter, including Reasonable Avoidance Measures, have been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be undertaken in accordance with the otter mitigation measures</p>	PW7	<p><i>Note: Controls to avoid disturbance of otters are set out under the under the Wylfa Newydd CoCP.</i></p>

(1) TCPA Ref	(2) [Draft] Site preparation permission condition	(3) Order Ref	(4) Requirement
	approved by the Local Planning Authority under this condition.		
19	<b>Water Voles Compliance</b> Works shall be undertaken in accordance with the water vole mitigation and compensation measures as specified in Appendix 14-21 of the Environmental Statement - 'Water Vole Licence Method Statement'.	<b>PW7</b>	Note: Controls to avoid disturbance of otters are set out under the under the Wylfa Newydd CoCP.
20	<b>Red Squirrel Mitigation Details</b> No works in areas identified as sensitive habitat for red squirrel shall commence until detailed mitigation measures relating to red squirrel, including Reasonable Avoidance Measures, have been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be undertaken in accordance with the red squirrel mitigation measures approved by the Local Planning Authority under this condition.	<b>PW7</b>	<i>Note: Controls to avoid disturbance of red squirrels are set out under the under the Wylfa Newydd CoCP.</i>
21	<b>Schedule 1 Birds Mitigation Details</b> No works in areas identified as sensitive habitat for Schedule 1 Birds shall commence until detailed mitigation measures relating to Schedule 1 Birds, including Reasonable Avoidance Measures, have been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be undertaken in accordance with the Schedule 1 birds mitigation measures approved by the Local Planning Authority under this condition.	<b>PW7</b>	<i>Note: Controls to avoid disturbance of Schedule 1 Birds are set out under the under the Wylfa Newydd CoCP.</i>
22	<b>Terns</b> No development [to be defined] shall be undertaken on land to the west of Afon Cafnan as identified on [X] during the tern breeding period [X].	<b>SPC5</b>	<b>Terns</b> The SPC Works may not be undertaken on land to the west of Afon Cafnan as identified on drawing [X] during the [X] tern breeding period [X].
23	<b>Demolition of AECC /DSL [in full]</b> Demolition of the existing Magnox AECC and DSL shall not commence until an operational,	<b>SPC6</b>	<b>Demolition of Alternative Emergency Control Centre/District Survey Laboratory</b> Demolition of the existing Magnox alternative emergency control centre and

(1) TCPA Ref	(2) [Draft] Site preparation permission condition	(3) Order Ref	(4) Requirement
	replacement AECC and DSL have been provided.		district survey laboratory must not commence until an operational, replacement alternative emergency control centre and district survey laboratory have been provided.
24	<p><b>Existing Archaeological Programme</b></p> <p>Where SPC works are required on land subject to the ongoing archaeological programme no works shall commence until the archaeological works have been completed in accordance with the relevant WSI.</p>	SPC7	<p><b>Existing Archaeological Programme</b></p> <p>Where SPC Works are required on land subject to an existing and ongoing archaeological programme no works must commence until the archaeological works have been completed in accordance with the relevant Written Scheme of Investigation.</p>
25	<p><b>Archaeology WSIs</b></p> <p>No works in the vicinity of features of archaeological interest shall commence until a Written Scheme of Investigation (WSI), relating to archaeological remains, historic buildings and historic landscapes, has been submitted to and agreed with the Local Planning Authority. The development hereby permitted shall be undertaken in accordance with the programme of archaeological works approved by the Local Planning Authority under this condition.</p>	SPC8	<p><b>Archaeology Written Scheme of Investigation</b></p> <p>(1) No part of the SPC Works may commence until a Written Scheme of Investigation, relating to archaeological remains, historic buildings and historic landscapes, has been submitted to IACC for approval.</p> <p>(2) Construction of the SPC Works must be undertaken in accordance with the Written Scheme of Investigation approved under sub-paragraph (1), unless otherwise approved.</p>
26	<p><b>Water Treatment Scheme</b></p> <p>No works shall commence until a scheme for water treatment relating to the cess pool and holding tanks associated with welfare facilities at the main site compound and the Remediation Processing Compound has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be undertaken in accordance with the scheme for water treatment approved by the Local Planning Authority under this condition.</p>	SPC9	<p><b>Water Treatment Scheme</b></p> <p>(1) No construction of the SPC Works may commence until a scheme for water treatment relating to the cess pool and holding tanks associated with welfare facilities at the main site compound and the Remediation processing compound has been submitted to and approved by IACC.</p> <p>(2) Construction of the SPC Works must be undertaken in accordance with the scheme approved under sub-paragraph (1), unless otherwise agreed.</p>
27	<p><b>Drainage Scheme</b></p> <p>No works shall commence until a scheme for surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted</p>	SPC10	<p><b>Drainage Scheme</b></p> <p>(1) No construction of the SPC Works may commence until a scheme for surface water drainage has been submitted to and approved by IACC.</p> <p>(2) Construction of the SPC Works must be undertaken in accordance with the</p>

(1) TCPA Ref	(2) [Draft] Site preparation permission condition	(3) Order Ref	(4) Requirement
	shall be undertaken in accordance with the scheme for surface water drainage approved by the Local Planning Authority under this condition.		scheme approved under sub-paragraph (1), unless otherwise agreed.
28	<p><b>Ordinary Watercourse Management and Maintenance Plan</b></p> <p>No works shall commence until an Ordinary Watercourse Management and Maintenance Plan has been submitted to and approved in writing by the Local Planning Authority which details the monitoring of the operation of ordinary watercourses. The development hereby permitted shall be undertaken in accordance with the Ordinary Watercourse Management and Maintenance Plan approved by the Local Planning Authority under this condition.</p>	PW7	<i>Note: Controls relating to watercourses and monitoring are set out under the under the Wylfa Newydd CoCP.</i>
29	<p><b>No Surface Water to Highway</b></p> <p>No surface water from hard surfaces approved as part of the SPC works shall discharge onto the County Highway</p>	SPC11	<p><b>No Surface Water to Highway</b></p> <p>No surface water from hard surfaces approved as part of the SPC Works may discharge onto the county highway.</p>
30	<p><b>Access</b></p> <p>The first 8 metres from the nearside edge of the County Highway of each new access shall be completed with a bitumen/concrete surface, with its gradient not exceeding 1 in 20 for the first 8 metres. Gates shall be set back a distance of 8 metres from the nearside edge of the adjoining carriageway with the gates opening inwards.</p>	SPC12	<p><b>Access</b></p> <p>(1) The first 8 metres from the nearside edge of the county highway of each new access must be completed with a bitumen/concrete surface, with its gradient not exceeding 1 in 20 for the first 8 metres.</p> <p>(2) Gates must be set back a distance of 8 metres from the nearside edge of the adjoining carriageway with the gates opening inwards.</p>
31	<p><b>Interim Management Strategy</b></p> <p>Prior to the completion of the SPC works an Interim Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Interim Management Plan shall detail the management and maintenance of the development site from the completion of the SPC works to the commencement of the DCO or the commencement of the Restoration Scheme</p>	-	<i>Note: Not applicable as commencement of the SPC Works will be commencement of the authorised development pursuant to the Order.</i>

(1) TCPA Ref	(2) [Draft] Site preparation permission condition	(3) Order Ref	(4) Requirement
32	<p><b>Compliance with Landscape Mitigation</b></p> <p>Works shall be undertaken in accordance with the embedded, good practice and additional mitigation identified in the LVIA (Chapter 16, paras 16.4.59 and 16.4.60 and Table 16-21), unless otherwise agreed in writing with the Local Planning Authority.</p>	PW7	<p><i>Note: Controls relating to landscape are set out under the under the Wylfa Newydd CoCP.</i></p>
33	<p><b>Contaminated Land Verification Report</b></p> <p>Following completion of the SPC works a Contaminated Land Verification Report shall be submitted to and agreed in writing with the Local Planning Authority.</p>	PW7	<p><i>Note: Controls relating to contamination are set out under the under the Wylfa Newydd CoCP.</i></p>
34	<p><b>Restoration</b></p> <p>In the event that the DCO is not granted or the Wylfa Newydd Project does not proceed the Local Planning Authority will be given Written Notification of this decision within one calendar month of the decision being made. A Restoration Scheme shall be submitted to the Local Planning Authority within six months of the Written Notification being given. The Restoration Scheme shall be implemented and completed within 12 months of the approval of the submitted details</p>	SPC13	<p><b>Restoration Scheme</b></p> <p>(1) In the event that the undertaker elects not to continue with the construction of the SPC Works and the authorised development, the undertaker must, within one month of its decision, serve notice in writing to IACC of the date of cessation of construction.</p> <p>(2) Within 6 months of notice being served under sub-paragraph (1), a restoration scheme must be submitted to IACC for approval.</p> <p>(3) The Restoration Scheme submitted under sub-paragraph (2) must include a Restoration Code of Construction Practice which sets out the methods and strategies to be followed by the undertaker in undertaking the restoration of those parts of the WNDA affected by the SPC Works or authorised development.</p> <p>(4) Restoration of those parts of the WNDA affected by the SPC Works or authorised development must be undertaken in accordance with the restoration scheme approved under sub-paragraph (2) and completed within 12 months of approval, unless otherwise approved by IACC.</p>
35	<p><b>Restoration CoCP</b></p> <p>In the event that the DCO is not granted or a decision is made not to proceed with the development a Restoration Code of Construction Practice for the Restoration works</p>	-	<p><i>Note: This condition has been included as part of Requirement SPC13(3).</i></p>

<i>(1) TCPA Ref</i>	<i>(2) [Draft] Site preparation permission condition</i>	<i>(3) Order Ref</i>	<i>(4) Requirement</i>
	<p>shall be submitted to and agreed in writing with the Local Planning Authority, within 6 months of that decision being formally notified to the IACC, and shall form part of the Restoration Scheme required under Condition [34]. The Restoration Scheme shall be undertaken in accordance with the methods and strategies outlined within the Restoration Code of Construction Practice approved by the Local Planning Authority under this condition.</p>		

## SCHEDULE 5

Article 11

### Streets subject to alteration of layout

#### PART 1

#### STREETS SUBJECT TO ALTERATION OF LAYOUT

<i>(1) Relevant Site</i>	<i>(2) Streets subject to alteration</i>	<i>(3) Description of alteration</i>	<i>(4) Reference</i>
Park and Ride	A5 – R2/1 to R2/2	Realignment of Road to allow the introduction of a roundabout	WN0902-HZDCO-ROW-DRG-00012
Park and Ride	A5 – R2/7 to R2/6	Realignment of Road to allow the introduction of a roundabout	WN0902-HZDCO-ROW-DRG-00012
Park and Ride	A5 – R2/6 to R2/8	Realignment of Road to allow the introduction of a roundabout	WN0902-HZDCO-ROW-DRG-00012
A5025 Off-Line Highway Improvements – Section 1 – Valley	A5025	Construction of junction of realigned A5025 and A5 London Road and tie in of realigned A5025 to existing A5025	WN0902-HZDCO-ROW-DRG-00007
A5025 Off-Line Highway Improvements – Section 1 – Valley	A5 London Road	Construction of junction of realigned A5025 and A5 London Road	WN0902-HZDCO-ROW-DRG-00007
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	A5025	Construction of junction of realigned A5025 with the severed section of existing A5025 and tie in of realigned A5025 to existing A5025.	WN0902-HZDCO-ROW-DRG-00008
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	C116	Construction of side road crossing of the realigned A5025, and tie ins to existing highway	WN0902-HZDCO-ROW-DRG-00008
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	Unclassified road known as ‘Parc Llynonn’	Realignment to tie into realigned C116	WN0902-HZDCO-ROW-DRG-00008
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	A5025	Construction of junction of realigned A5025 with the severed section of existing A5025 and tie	WN0902-HZDCO-ROW-DRG-00009

<i>(1) Relevant Site</i>	<i>(2) Streets subject to alteration</i>	<i>(3) Description of alteration</i>	<i>(4) Reference</i>
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	C213	in of realigned A5025 to existing A5025 Realignment of side road to tie in to the proposed junction of the realigned A5025 with the severed section of the A5025	WN0902-HZDCO-ROW-DRG-00009
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	U250	Realignment of side road to tie in to realigned A5025	WN0902-HZDCO-ROW-DRG-00009
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	A5025	Construction of junction of realigned A5025 with the severed sections of existing A5025 and tie in of realigned A5025 to existing A5025. Construction of turning head at end of severed section of A5025.	WN0902-HZDCO-ROW-DRG-00011
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	Unclassified service road adjacent to A5025	Construction of turning head at end of severed section of A5025.	WN0902-HZDCO-ROW-DRG-00011
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	C115	Construction of junction with realigned A5025.	WN0902-HZDCO-ROW-DRG-00011
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	A5025	Construction of junctions of realigned A5025 with the severed sections of existing A5025 and tie in of realigned A5025 to existing A5025.	WN0902-HZDCO-ROW-DRG-00029
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	C111	Construction of junction with realigned A5025	WN0902-HZDCO-ROW-DRG-00029
A5025 Off-Line Highway Improvements – Section 9 – Power Station Access Road Junction (Work No.1J)	A5025	Tie in of realigned A5025 to existing A5025. Provision of service road to maintain access to adjacent land.	WN0902-HZDCO-ROW-DRG-00030
A5025 Off-Line Highway	Unclassified service road adjacent to	Construction of junction with the	WN0902-HZDCO-ROW-DRG-00030



<i>(1) Relevant Site</i>	<i>(2) Streets subject to alteration</i>	<i>(3) Description of alteration</i>	<i>(4) Reference</i>
Improvements – Section 9 – Power Station Access Road Junction (Work No.1J)	A5025	realigned A5025.	

## PART 2

### STREETS SUBJECT TO TEMPORARY ALTERATION

<i>(1) Relevant Site</i>	<i>(2) Streets subject to alteration</i>	<i>(3) Description of alteration</i>	<i>(4) Reference</i>
A5025 Off-Line Highway Improvements – Section 1 – Valley	A5025	Temporary alterations as may be required during the execution of works to facilitate	WN0902-HZDCO- ROW-DRG-00007
A5025 Off-Line Highway Improvements – Section 1 – Valley	A5 London Road	the permanent highway works, including but not limited to, temporary diversions, changes in cross-section, signal control, stopping up, creation of highways	WN0902-HZDCO- ROW-DRG-00007
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	A5025	works accesses or stopping up of adjacent footways	WN0902-HZDCO- ROW-DRG-00008
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	C116		WN0902-HZDCO- ROW-DRG-00008
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	Unclassified road known as 'Parc Llynnon'		WN0902-HZDCO- ROW-DRG-00008
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	A5025		WN0902-HZDCO- ROW-DRG-00009
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	C213		WN0902-HZDCO- ROW-DRG-00009
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	U250		WN0902-HZDCO- ROW-DRG-00009
A5025 Off-Line Highway Improvements – Section 5 –	A5025		WN0902-HZDCO- ROW-DRG-00011

Llanfaethlu A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	Unclassified service road adjacent to A5025	WN0902-HZDCO- ROW-DRG-00011
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	C115	WN0902-HZDCO- ROW-DRG-00011
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	A5025	WN0902-HZDCO- ROW-DRG-00029
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	C111	WN0902-HZDCO- ROW-DRG-00029
A5025 Off-Line Highway Improvements – Section 9 – Power Station Access Road Junction (Work No.1J)	A5025	WN0902-HZDCO- ROW-DRG-00030
A5025 Off-Line Highway Improvements – Section 9 – Power Station Access Road Junction (Work No.1J)	Unclassified service road adjacent to A5025	WN0902-HZDCO- ROW-DRG-00030

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## SCHEDULE 6

Article 12

### STREETS SUBJECT TO STREET WORKS

<i>(1) Relevant site</i>	<i>(2) Streets subject to street works</i>	<i>(3) Reference</i>
A5025 Off-Line Highway Improvements – Section 1 – Valley	A5025	WN0902-HZDCO-ROW-DRG-00007
A5025 Off-Line Highway Improvements – Section 1 – Valley	A5 London Road	WN0902-HZDCO-ROW-DRG-00007
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	A5025	WN0902-HZDCO-ROW-DRG-00008
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	C116	WN0902-HZDCO-ROW-DRG-00008
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	Unclassified road known as ‘Parc Llynnon’	WN0902-HZDCO-ROW-DRG-00008
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	A5025	WN0902-HZDCO-ROW-DRG-00009
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	C213	WN0902-HZDCO-ROW-DRG-00009
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	U250	WN0902-HZDCO-ROW-DRG-00009
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	A5025	WN0902-HZDCO-ROW-DRG-00011
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	Unclassified service road adjacent to A5025	WN0902-HZDCO-ROW-DRG-00011
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	C115	WN0902-HZDCO-ROW-DRG-00011
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	A5025	WN0902-HZDCO-ROW-DRG-00029
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	C111	WN0902-HZDCO-ROW-DRG-00029
A5025 Off-Line Highway Improvements – Section 9 – Power Station Access Road Junction (Work No.1J)	A5025	WN0902-HZDCO-ROW-DRG-00030
A5025 Off-Line Highway Improvements – Section 9 – Power Station Access Road Junction (Work No.1J)	Unclassified service road adjacent to A5025	WN0902-HZDCO-ROW-DRG-00030

SCHEDULE 7

Article 14

STREETS OR PRIVATE MEANS OF ACCESS TO BE PERMANENTLY STOPPED UP OR EXTINGUISHED

PART 1

BEING A STREET TO BE STOPPED UP OR PRIVATE MEANS OF ACCESS TO BE EXTINGUISHED FOR WHICH A SUBSTITUTE IS TO BE PROVIDED

<i>(1) Relevant Site</i>	<i>(2) Street to be stopped up or private means to be extinguished</i>	<i>(3) Extent of stopping up or extinguishment</i>	<i>(4) New street or private means to be substituted</i>	<i>(5) Reference</i>		
<b>Streets</b>						
A5025 Off-Line Highway Improvements – Section 1 - Valley	A5025	229886, 379615 [S1/3]	230151, 379821 [S1/4]	229734, 379156 [N1/1]	230152, 379820 [N1/2]	WN0902-HZDCO-ROW-DRG-00007
A5025 Off-Line Highway Improvements – Section 1 - Valley	A5 London Road	229611, 379177 [S1/1]	229825, 379055 [S1/2]	229732, 379155 [N1/3]	229732, 379155 [N1/4]	WN0902-HZDCO-ROW-DRG-00007
A5025 Off-Line Highway Improvements – Section 1 - Valley	A5 London Road	229611, 379177 [S1/1]	229825, 379055 [S1/2]	229611, 379177 [N1/5]	229694, 379136 [N1/6]	WN0902-HZDCO-ROW-DRG-00007
A5025 Off-Line Highway Improvements – Section 1 - Valley	A5 London Road	229611, 379177 [S1/1]	229825, 379055 [S1/2]	229738, 379121 [N1/7]	229825, 379055 [N1/8]	WN0902-HZDCO-ROW-DRG-00007
A5025 Off-Line Highway Improvements – Section 1 - Valley	A5025	229886, 379615 [S1/3]	230151, 379821 [S1/4]	229886, 379615 [N1/9]	229906, 379630 [N1/10]	WN0902-HZDCO-ROW-DRG-00007
A5025 Off-Line Highway Improvements – Section 1 - Valley	A5025	229886, 379615 [S1/3]	230151, 379821 [S1/4]	229896, 379623 [N1/11]	229909, 379607 [N1/12]	WN0902-HZDCO-ROW-DRG-00007
A5025 Off-Line Highway Improvements – Section 3 - Llanfachraeth	A5025	231750, 381505 [S2/1]	231744, 381673 [S2/2]	231750, 381505 [N2/1]	231676, 382667 [N2/2]	WN0902-HZDCO-ROW-DRG-00008
				231744, 381673 [N2/3]	231790, 381628 [N2/4]	WN0902-HZDCO-ROW-DRG-00008

<i>(1) Relevant Site</i>	<i>(2) Street to be stopped up or private means to be extinguished</i>	<i>(3) Extent of stopping up or extinguishment</i>	<i>(4) New street or private means to be substituted</i>	<i>(5) Reference</i>		
A5025 Off-Line Highway Improvements – Section 3 - Llanfachraeth	C116	231579, 382472 [S2/3]	231827, 382627 [S2/4]	231579, 382472 [N2/5]	231827, 382627 [N2/6]	WN0902-HZDCO-ROW-DRG-00008
A5025 Off-Line Highway Improvements – Section 3 - Llanfachraeth	Unclassified road known as ‘Parc Llynnon’	231616, 382493 [S2/5]	231613, 382498 [S2/6]	231616, 382493 [N2/7]	231613, 382498 [N2/8]	WN0902-HZDCO-ROW-DRG-00008
A5025 Off-Line Highway Improvements – Section 3 - Llanfachraeth	A5025	231557, 383396 [S3/1]	231652, 383569 [S3/2]	231676, 382667 [N3/1]	231652, 383569 [N3/2]	WN0902-HZDCO-ROW-DRG-00009
				231557, 383396 [N3/3]	231616, 383417 [N3/4]	WN0902-HZDCO-ROW-DRG-00009
A5025 Off-Line Highway Improvements – Section 3 - Llanfachraeth	U250	231652, 383538 [S3/3]	231683, 383530 [S3/4]	231652, 383538 [N3/5]	231683, 383530 [N3/6]	WN0902-HZDCO-ROW-DRG-00009
A5025 Off-Line Highway Improvements – Section 3 - Llanfachraeth	C213	231563, 383412 [S3/5]	231551, 383418 [S3/6]	231563, 383412 [N3/7]	231551, 383418 [N3/8]	WN0902-HZDCO-ROW-DRG-00009
A5025 Off-Line Highway Improvements – Section 5 - Llanfaethlu	A5025	231912, 386170 [S4/1]	231527, 386852 [S4/2]	231910, 386169 [N4/1]	231640, 387243 [N4/2]	WN0902-HZDCO-ROW-DRG-00011
				231884, 386377 [N4/3]	231980, 386463 [N4/4]	WN0902-HZDCO-ROW-DRG-00011
				231932, 386378 [N4/5]	231932, 386354 [N4/6]	WN0902-HZDCO-ROW-DRG-00011
				231527, 386852 [N4/7]	231630, 386844 [N4/8]	WN0902-HZDCO-ROW-DRG-00011
A5025 Off-Line Highway Improvements – Section 5 - Llanfaethlu	A5025	231509, 387055 [S4/3]	231640, 387243 [S4/4]	231509, 387055 [N4/9]	231551, 387115 [N4/10]	WN0902-HZDCO-ROW-DRG-00011
				231519, 387069 [N4/11]	231532, 387059 [N4/12]	WN0902-HZDCO-ROW-DRG-

<i>(1) Relevant Site</i>	<i>(2) Street to be stopped up or private means to be extinguished</i>	<i>(3) Extent of stopping up or extinguishment</i>	<i>(4) New street or private means to be substituted</i>	<i>(5) Reference</i>		
A5025 Off-Line Highway Improvements – Section 5 - Llanfaethlu	Unclassified service road adjacent to A5025	231525, 387057 [S4/5]	231607, 387184 [S4/6]	231509, 387055 [N4/9]  231519, 387069 [N4/11]	231551, 387115 [N4/10]  231532, 387059 [N4/12]	00011 WN0902- HZDCO- ROW-DRG- 00011 WN0902- HZDCO- ROW-DRG- 00011
A5025 Off-Line Highway Improvements – Section 5 - Llanfaethlu	C115	231964, 386432 [S4/7]	231980, 386463 [S4/8]	231884, 386377 [N4/3]	231980, 386463 [N4/4]	WN0902- HZDCO- ROW-DRG- 00011
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	A5025	233752, 389689 [S5/1]	233895, 389790 [S5/2]	233752, 389689 [N5/1]  233852, 389796 [N5/3]	234179, 390825 [N5/2]  233895, 389790 [N5/4]	WN0902- HZDCO- ROW-DRG- 00029 WN0902- HZDCO- ROW-DRG- 00029
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	C111	234050, 390200 [S5/3]	234154, 390201 [S5/4]	234050, 390200 [N5/5]	234105, 390175 [N5/6]	WN0902- HZDCO- ROW-DRG- 00029
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	A5025	234229, 390543 [S5/5]	234179, 390825 [S5/6]	234171, 390659 [N5/7]	234229, 390543 [N5/8]	WN0902- HZDCO- ROW-DRG- 00029
A5025 Off-Line Highway Improvements – Section 9 – Power Station Access Road Junction (Work No.1J)	A5025	235109, 391666 [S6/1]	235321, 392003 [S6/2]	235109, 391666 [N6/1]  235202, 391886 [N6/3]  235175, 391880 [N6/5]  235251, 391918 [N6/7]  235173, 391881 [N6/9]	235190, 391854 [N6/2]  235321, 392003 [N6/4]  235175, 391880 [N6/6]  235246, 391897 [N6/8]  235161, 391889 [N6/10]	WN0902- HZDCO- ROW-DRG- 00030 WN0902- HZDCO- ROW-DRG- 00030 WN0902- HZDCO- ROW-DRG- 00030 WN0902- HZDCO- ROW-DRG-

<i>(1) Relevant Site</i>	<i>(2) Street to be stopped up or private means to be extinguished</i>	<i>(3) Extent of stopping up or extinguishment</i>	<i>(4) New street or private means to be substituted</i>	<i>(5) Reference</i>		
A5025 Off-Line Highway Improvements – Section 9 – Power Station Access Road Junction (Work No.1J)	Unclassified service road adjacent to A5025	235160, 391778 [S6/3]	235179, 391799 [S6/4]	235160, 391778 [N6/11]	235168, 391780 [N6/12]	00030 WN0902- HZDCO- ROW-DRG- 00030
A5025 Off-Line Highway Improvements – Section 9 – Power Station Access Road Junction (Work No.1J)	Unclassified service road adjacent to A5025	235168, 391785 [S6/5]	235178, 391778 [S6/6]	235160, 391778 [N6/11]	235168, 391780 [N6/12]	WN0902- HZDCO- ROW-DRG- 00030
<b>Footpaths</b>						
Logistics Centre	Land Adjacent to A5025	225744, 380650 [S3/1]	225725, 380653 [S3/2]	235725, 380653 [NF 3/2]	225767, 380627 [NF 3/5]	WN0902- HZDCO- ROW-DRG- 00013
Logistics Centre	Land Adjacent to A5026	225748, 380644 [S3/5]	225779, 380573 [S3/6]	235768, 380629 [NF 3/1]	225784, 380600 [NF 3/3]	WN0902- HZDCO- ROW-DRG- 00013
Park and Ride	-	-	-	235763, 380599 [NF 3/6]	235780, 380570 [NF 3/4]	WN0902- HZDCO- ROW-DRG- 00012
Park and Ride	-	-	-	232460, 378400 [NF2/1]	232485, 378431 [NF2/2]	WN0902- HZDCO- ROW-DRG- 00012
Park and Ride	-	-	-	232492, 378433 [NF2/3]	232506, 378433 [NF2/4]	WN0902- HZDCO- ROW-DRG- 00012
Park and Ride	-	-	-	232518, 378429 [NF2/5]	232853, 378293 [NF2/6]	WN0902- HZDCO- ROW-DRG- 00012
Park and Ride	-	-	-	232790, 378291 [NF2/7]	232813, 378286 [NF2/8]	WN0902- HZDCO- ROW-DRG- 00012
A5025 Off-Line Highway Improvements – Section 3 - Llanfachraeth	49/014/2	231765, 381591 [X2/1]	231804, 381589 [X2/2]	231797, 381590 [NF2/1]	231804, 381589 [NF2/2]	WN0902- HZDCO- ROW-DRG- 00008
A5025 Off-	27/018/1	231738,	231787,	231738,	231787,	WN0902-

<i>(1) Relevant Site</i>	<i>(2) Street to be stopped up or private means to be extinguished</i>	<i>(3) Extent of stopping up or extinguishment</i>	<i>(4) New street or private means to be substituted</i>	<i>(5) Reference</i>		
Line Highway Improvements – Section 3 - Llanfachraeth		382230 [X2/3]	382276 [X2/4]	382230 [NF2/3]	382276 [NF2/4]	HZDCO- ROW-DRG- 00008
A5025 Off-Line Highway Improvements – Section 3 - Llanfachraeth	27/020/1	231635, 382783 [X3/1]	231671, 382807 [X3/2]	231635, 382783 [NF3/1]	231644, 382774 [NF3/2]	WN0902- HZDCO- ROW-DRG- 00009
A5025 Off-Line Highway Improvements – Section 3 - Llanfachraeth	27/012/1	231580, 383413 [X3/3]	231647, 383416 [X3/4]	231767, 383421 [NF3/7] (Footway)	231651, 383533 [NF3/8] (Footway)	WN0902- HZDCO- ROW-DRG- 00009
A5025 Off-Line Highway Improvements – Section 3 - Llanfachraeth	27/012/1	231647, 383416 [X3/5]	231767, 383421 [X3/6]	231767, 383421 [NF3/7]	231651, 383533 [NF3/8]	WN0902- HZDCO- ROW-DRG- 00009
A5025 Off-Line Highway Improvements – Section 5 - Llanfaethlu	29/009/1	231600, 387150 [X4/3]	231698, 387107 [X4/4]	231600, 387150 [NF4/1]	231698, 387107 [NF4/2]	WN0902- HZDCO- ROW-DRG- 00011
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	18/063/4	233739, 389707 [X5/1]	233756, 389702 [X5/2]	233739, 389707 [NF5/1]	233756, 389702 [NF5/2]	WN0902- HZDCO- ROW-DRG- 00029
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	18/018/1	234063, 390007 [X5/3]	234086, 390172 [X5/4]	234095, 390183 [NF5/3]	234117, 390224 [NF5/4]	WN0902- HZDCO- ROW-DRG- 00029
				Replaced by footways NF5/5 to <u>NF5/6</u> , NF5/7 to NF5/8, and <u>NF5/9</u> to <u>NF5/10</u> , as described below		WN0902- HZDCO- ROW-DRG- 00029
				234117, 390224 [NF5/5]	234142, 390260 [NF5/6]	WN0902- HZDCO- ROW-DRG- 00029
				234150, 390258 [NF5/7]	234180, 390302 [NF5/8]	WN0902- HZDCO- ROW-DRG- 00029
				234180, 390302 [NF5/9]	234065, 390006 [NF5/10]	WN0902- HZDCO- ROW-DRG- 00029

## Footways



<i>(1) Relevant Site</i>	<i>(2) Street to be stopped up or private means to be extinguished</i>	<i>(3) Extent of stopping up or extinguishment</i>	<i>(4) New street or private means to be substituted</i>	<i>(5) Reference</i>		
A5025 Off-Line Highway Improvements – Section 1 - Valley	Footway adjacent to northbound carriageway of the A5, between the access to the Freight Yard and Valley.	229477, 379248 [X1/1]	229685, 379129 [X1/2]	229477, 379248 [NF1/1] (Footway/ Cycleway)	229696, 379118 [NF1/2] (Footway/ Cycleway)	WN0902- HZDCO- ROW-DRG- 00007
A5025 Off-Line Highway Improvements – Section 1 - Valley	Footway adjacent to northbound carriageway of the A5, between the access to the Freight Yard and A55 J3.	229723, 379108 [X1/3]	230033, 378878 [X1/4]	229712, 379110 [NF1/3] (Footway/ Cycleway)	230033, 378878 [NF1/4] (Footway/ Cycleway)	WN0902- HZDCO- ROW-DRG- 00007
A5025 Off-Line Highway Improvements – Section 3 - Llanfachraeth	-	-	-	231739, 381673 [NF2/5]	231771, 381618 [NF2/6]	WN0902- HZDCO- ROW-DRG- 00008
A5025 Off-Line Highway Improvements – Section 3 - Llanfachraeth	-	-	-	231794, 381617 [NF2/7]	231797, 381590 [NF2/8]	WN0902- HZDCO- ROW-DRG- 00008
A5025 Off-Line Highway Improvements – Section 3 - Llanfachraeth	-	-	-	231644, 382774 [NF3/3]	231653, 382775 [NF3/4]	WN0902- HZDCO- ROW-DRG- 00009
A5025 Off-Line Highway Improvements – Section 3 - Llanfachraeth	-	-	-	231663, 382776 [NF3/5]	231671, 382807 [NF3/6]	WN0902- HZDCO- ROW-DRG- 00009
A5025 Off-Line Highway Improvements – Section 3 - Llanfachraeth	Footway adjacent to the southbound carriageway of the A5025 to the north of Llanfachraeth.	231565, 383399 [X3/7]	231648, 383531 [X3/8]	231570, 383419 [NF3/9]	231639, 383535 [NF3/10]	WN0902- HZDCO- ROW-DRG- 00009
<b>Footway/Cycleways</b>						
A5025 Off-Line Highway Improvements – Section 1 -	-	-	-	229685, 379149 [NF1/5]	229732, 379168 [NF1/6]	WN0902- HZDCO- ROW-DRG- 00007

<i>(1) Relevant Site</i>	<i>(2) Street to be stopped up or private means to be extinguished</i>	<i>(3) Extent of stopping up or extinguishment</i>	<i>(4) New street or private means to be substituted</i>	<i>(5) Reference</i>	
Valley A5025 Off-Line Highway Improvements – Section 1 - Valley	-	-	229746, 379157 [NF1/7]	229752, 379121 [NF1/8]	WN0902-HZDCO-ROW-DRG-00007
Valley A5025 Off-Line Highway Improvements – Section 1 - Valley	-	-	229712, 379110 [NF1/9]	229741, 379106 [NF1/10]	WN0902-HZDCO-ROW-DRG-00007
Valley A5025 Off-Line Highway Improvements – Section 1 - Valley	-	-	229905, 379632 [NF1/11]	230016, 379718 [NF1/12]	WN0902-HZDCO-ROW-DRG-00007
Valley A5025 Off-Line Highway Improvements – Section 1 - Valley	-	-	230016, 379718 [NF1/13]	230033, 379724 [NF1/14]	WN0902-HZDCO-ROW-DRG-00007
Valley A5025 Off-Line Highway Improvements – Section 1 - Valley	-	-	230042, 379718 [NF1/15]	230075, 379751 [NF1/16]	WN0902-HZDCO-ROW-DRG-00007
Llanfaethlu A5025 Off-Line Highway Improvements – Section 5 - Llanfaethlu	-	-	231955, 386424 [NF4/3]	231890, 386409 [NF4/4]	WN0902-HZDCO-ROW-DRG-00011
Llanfaethlu A5025 Off-Line Highway Improvements – Section 5 - Llanfaethlu	-	-	231878, 386407 [NF4/5]	231610, 386826 [NF4/6]	WN0902-HZDCO-ROW-DRG-00011
Llanfaethlu A5025 Off-Line Highway Improvements – Section 5 - Llanfaethlu	-	-	231549, 387116 [NF4/7]	231570, 387141 [NF4/8]	WN0902-HZDCO-ROW-DRG-00011
Llanfaethlu A5025 Off-Line Highway Improvements – Section 5 - Llanfaethlu	-	-	231580, 387136 [NF4/9]	231588, 387148 [NF4/10]	WN0902-HZDCO-ROW-DRG-00011
Llanfaethlu A5025 Off-Line Highway Improvements – Section 5 - Llanfaethlu	-	-	231593, 387160 [NF4/11]	231614, 387198 [NF4/12]	WN0902-HZDCO-ROW-DRG-00011

<i>(1) Relevant Site</i>	<i>(2) Street to be stopped up or private means to be extinguished</i>	<i>(3) Extent of stopping up or extinguishment</i>	<i>(4) New street or private means to be substituted</i>	<i>(5) Reference</i>		
A5025 Off-Line Highway Improvements – Section 9 – Power Station Access Road Junction (Work No.1J)	-	-	-	235105, 391669 [NF6/1]	235119, 391688 [NF6/2]	WN0902-HZDCO-ROW-DRG-00030
A5025 Off-Line Highway Improvements – Section 9 – Power Station Access Road Junction (Work No.1J)	-	-	-	235130, 391703 [NF6/3]	235165, 391776 [NF6/4]	WN0902-HZDCO-ROW-DRG-00030
A5025 Off-Line Highway Improvements – Section 9 – Power Station Access Road Junction (Work No.1J)	-	-	-	235170, 391789 [NF6/5]	235158, 391878 [NF6/6]	WN0902-HZDCO-ROW-DRG-00030
<b>Private means of access</b>						
Logistics Centre	Access to Logistics Centre with Parc Cybi	225733, 380637 [S3/3]	2225751, 380651 [S3/4]	225773, 380624 [N3/1]	225781, 380608 [N3/2]	WN0902-HZDCO-ROW-DRG-00013
				225781, 380608 [N3/3]	225763, 380595 [N3/4]	
A5025 Off-Line Highway Improvements – Section 1 - Valley	Access to Freight Yard from A5 London Road	229704, 379116 [AX1/1]	229692, 379102 [AX1/1]	229704, 379116 [A1/1]	229692, 379102 [A1/1]	WN0902-HZDCO-ROW-DRG-00007
A5025 Off-Line Highway Improvements – Section 1 - Valley	Land to east of A5 London Road severed by realigned A5025	-	-	229571, 379220 [A1/2]	229574, 379225 [A1/2]	WN0902-HZDCO-ROW-DRG-00007
A5025 Off-Line Highway Improvements – Section 1 - Valley	Land to east of A5 London Road severed by realigned A5025	-	-	229936, 379554 [A1/3]	229942, 379550 [A1/3]	WN0902-HZDCO-ROW-DRG-00007
A5025 Off-Line Highway Improvements – Section 1 - Valley	Land to east of A5 London Road severed by realigned A5025	-	-	229911, 379605 [A1/4]	229914, 379601 [A1/4]	WN0902-HZDCO-ROW-DRG-00007

<i>(1) Relevant Site</i>	<i>(2) Street to be stopped up or private means to be extinguished</i>	<i>(3) Extent of stopping up or extinguishment</i>	<i>(4) New street or private means to be substituted</i>	<i>(5) Reference</i>		
A5025 Off-Line Highway Improvements – Section 3 - Llanfachraeth	Field access to land to the east of the A5025	231764, 381589 [AX2/1]	231767, 381589 [AX2/1]	231736, 381760 [A2/1]	231768, 381756 [A2/1]	WN0902-HZDCO-ROW-DRG-00008
				231768, 381756 [A2/2]	231771, 381755 [A2/2]	WN0902-HZDCO-ROW-DRG-00008
				231765, 381758 [A2/3]	231767, 381766 [A2/3]	WN0902-HZDCO-ROW-DRG-00008
				231775, 382074 [A2/4]	231800, 381584 [A2/4]	WN0902-HZDCO-ROW-DRG-00008
A5025 Off-Line Highway Improvements – Section 3 - Llanfachraeth	Access track to Bedo from C116	231776, 382569 [AX2/2]	231792, 382550 [AX2/2]	231790, 382553 [A2/5]	231792, 382550 [A2/5]	WN0902-HZDCO-ROW-DRG-00008
				A5025 Off-Line Highway Improvements – Section 3 - Llanfachraeth	Field access from the C116 to land to the north of the C116.	231771, 382577 [AX2/3]
231712, 382630 [A2/7]	231709, 382634 [A2/7]	WN0902-HZDCO-ROW-DRG-00008				
231718, 382623 [A2/8]	231711, 382619 [A2/8]	WN0902-HZDCO-ROW-DRG-00008				
231649, 382508 [A2/9]	231646, 382511 [A2/9]	WN0902-HZDCO-ROW-DRG-00008				
A5025 Off-Line Highway Improvements – Section 3 - Llanfachraeth	-	-	-	231640, 382480 [A2/10]	231641, 382477 [A2/10]	WN0902-HZDCO-ROW-DRG-00008
A5025 Off-Line Highway Improvements – Section 3 - Llanfachraeth	Part of access track from the existing A5025 to land to the south and east of the existing A5025.	231540, 383369 [AX3/1]	231646, 383105 [AX3/1]	231660, 382969 [A3/1]	231656, 382971 [A3/1]	WN0902-HZDCO-ROW-DRG-00009
				231656, 382971 [A3/2]	231668, 383530 [A3/2]	WN0902-HZDCO-ROW-DRG-00009
				231668,	231675,	WN0902-

<i>(1) Relevant Site</i>	<i>(2) Street to be stopped up or private means to be extinguished</i>	<i>(3) Extent of stopping up or extinguishment</i>	<i>(4) New street or private means to be substituted</i>	<i>(5) Reference</i>		
			383521 [A3/3]	383517 [A3/3]	HZDCO- ROW-DRG- 00009	
			231540, 383369 [A3/4]	231600, 383083 [A3/4]	WN0902- HZDCO- ROW-DRG- 00009	
			231577, 383253 [A3/5]	231573, 383251 [A3/5]	WN0902- HZDCO- ROW-DRG- 00009	
			231572, 383289 [A3/6]	231635, 383247 [A3/6]	WN0902- HZDCO- ROW-DRG- 00009	
			231641, 383260 [A3/7]	231643, 383260 [A3/7]	WN0902- HZDCO- ROW-DRG- 00009	
			231643, 383410 [A3/8]	231646, 383410 [A3/8]	WN0902- HZDCO- ROW-DRG- 00009	
A5025 Off-Line Highway Improvements – Section 5 - Llanfaethlu	Field access to land to the west of the existing A5025	231900, 386199 [AX4/1]	231892, 386197 [AX4/1]	231917, 386654 [A4/1]	231885, 386209 [A4/1]	WN0902- HZDCO- ROW-DRG- 00011
A5025 Off-Line Highway Improvements – Section 5 - Llanfaethlu	Field access to land to the west of the existing A5025	231889, 386526 [AX4/2]	231882, 386520 [AX4/2]	231887, 386514 [A4/2]	231895, 386507 [A4/2]	WN0902- HZDCO- ROW-DRG- 00011
A5025 Off-Line Highway Improvements – Section 5 - Llanfaethlu	Field access to land to the west of the existing A5025	231836, 386582 [AX4/3]	231829, 386576 [AX4/3]	231854, 386482 [A4/3]	231849, 386502 [A4/3]	WN0902- HZDCO- ROW-DRG- 00011
A5025 Off-Line Highway Improvements – Section 5 - Llanfaethlu	Field access to land to the west of the existing A5025	231830, 386593 [AX4/4]	231823, 386587 [AX4/4]	231809, 386611 [A4/4]	231699, 386567 [A4/4]	WN0902- HZDCO- ROW-DRG- 00011
A5025 Off-Line Highway Improvements – Section 5 - Llanfaethlu	Field access to land to the east of the existing A5025	231725, 386745 [AX4/5]	231732, 386751 [AX4/5]	231632, 386880 [A4/5]	231646, 386879 [A4/5]	WN0902- HZDCO- ROW-DRG- 00011
A5025 Off-Line Highway Improvements	Access track to Tan-y-Bryn	231679, 386767 [AX4/6]	231674, 386760 [AX4/6]	231606, 386821 [A4/6]	231674, 386760 [A4/6]	WN0902- HZDCO- ROW-DRG-

<i>(1) Relevant Site</i>	<i>(2) Street to be stopped up or private means to be extinguished</i>	<i>(3) Extent of stopping up or extinguishment</i>	<i>(4) New street or private means to be substituted</i>	<i>(5) Reference</i>		
– Section 5 - Llanfaethlu				00011		
A5025 Off-Line Highway Improvements – Section 5 - Llanfaethlu	Access track to sewage works	231600, 387150 [AX4/7]	231698, 387107 [AX4/7]	231600, 387150 [A4/7]	231698, 387107 [A4/7]	WN0902-HZDCO-ROW-DRG-00011
			231698, 387107 [A4/8]	231781, 387155 [A4/8]	WN0902-HZDCO-ROW-DRG-00011	
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	Access track to Bod-hedd	233739, 389707 [AX5/1]	233756, 389702 [AX5/1]	233739, 389707 [A5/1]	233756, 389702 [A5/1]	WN0902-HZDCO-ROW-DRG-00029
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	Field access to land to the west of the existing A5025	234081, 390174 [AX5/2]	234079, 390170 [AX5/2]	234085, 390182 [A5/2]	233981, 390005 [A5/2]	WN0902-HZDCO-ROW-DRG-00029
			234080, 390180 [A5/3]	234062, 390184 [A5/3]	WN0902-HZDCO-ROW-DRG-00029	
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	Field access to land to the west of the existing A5025	234186, 390329 [AX5/3]	234182, 390329 [AX5/3]	234142, 390489 [A5/5]	234154, 390422 [A5/5]	WN0902-HZDCO-ROW-DRG-00029
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	Field access to land to the west of the existing A5025	234222, 390566 [AX5/4]	234218, 390565 [AX5/4]	234223, 390564 [A5/4]	234142, 390489 [A5/4]	WN0902-HZDCO-ROW-DRG-00029
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	Field access to land to the west of the existing A5025	234190, 390681 [AX5/5]	234186, 390679 [AX5/5]	234159, 390646 [A5/6]	234154, 390645 [A5/6]	WN0902-HZDCO-ROW-DRG-00029
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	-	-	-	233844, 389747 [A5/7]	233865, 389851 [A5/7]	WN0902-HZDCO-ROW-DRG-00029
A5025 Off-Line Highway Improvements – Section 9 – Power Station Access Road Junction (Work No.1J)	Field access to land to the east of the existing A5025	235202, 391813 [AX6/1]	235204, 391812 [AX6/1]	235250, 391899 [A6/1]	235252, 391897 [A6/1]	WN0902-HZDCO-ROW-DRG-00030

<i>(1) Relevant Site</i>	<i>(2) Street to be stopped up or private means to be extinguished</i>	<i>(3) Extent of stopping up or extinguishment</i>	<i>(4) New street or private means to be substituted</i>	<i>(5) Reference</i>
A5025 Off-Line Highway Improvements – Section 9 – Power Station Access Road Junction (Work No.1J)	-	-	235161, 391889 [A6/2]	235134, 391909 [A6/2] WN0902-HZDCO-ROW-DRG-00030

## PART 2

### BEING A STREET TO BE STOPPED UP OR PRIVATE MEANS OF ACCESS TO BE EXTINGUISHED FOR WHICH NO SUBSTITUTE IS TO BE PROVIDED

<i>(1) Relevant Site</i>	<i>(2) Street or public right of way to be stopped up or private means to be extinguished</i>	<i>(3) Extent of stopping up or extinguishment</i>	<i>(4) Reference</i>
<b>Streets</b>			
Wylfa Newydd Development Area	Cemlyn Road	234264, 393096 [S3/1]	235612, 393690 [S3/2] WN0902-HZDCO-ROW-DRG-00014 WN0902-HZDCO-ROW-DRG-00015 WN0902-HZDCO-ROW-DRG-00016 WN0902-HZDCO-ROW-DRG-00017 WN0902-HZDCO-ROW-DRG-00018
Wylfa Newydd Development Area	Road to Fisherman's Car Park	235593, 393809 [S3/3]	235756, 392948 [S3/4] WN0902-HZDCO-ROW-DRG-00015 WN0902-HZDCO-ROW-DRG-00016 WN0902-HZDCO-ROW-DRG-00018
<b>Footpaths</b>			
Wylfa Newydd Development Area	20/057/2	235558, 394154 [X3/1]	235515, 394093 [X3/2] WN0902-HZDCO-ROW-DRG-00015 WN0902-HZDCO-ROW-DRG-00018
Wylfa Newydd Development Area	20/057/1	235516, 394093 [X3/3]	235594, 393810 [X3/4] WN0902-HZDCO-ROW-DRG-00015 WN0902-HZDCO-ROW-DRG-00016 WN0902-HZDCO-ROW-DRG-00018
Wylfa Newydd Development Area	20/002/1	236096, 393681 [X3/5]	235591, 393815 [X3/6] WN0902-HZDCO-ROW-DRG-00018 WN0902-HZDCO-ROW-DRG-00016 WN0902-HZDCO-ROW-DRG-00015
Wylfa Newydd Development Area	20/004/5	236437, 393581 [X3/7]	236631, 393744 [X3/8] WN0902-HZDCO-ROW-DRG-00018
Wylfa Newydd	20/006/1	236437, 393581	236268, WN0902-HZDCO-ROW-DRG-00018

<i>(1) Relevant Site</i>	<i>(2) Street or public right of way to be stopped up or private means to be extinguished</i>	<i>(3) Extent of stopping up or extinguishment</i>		<i>(4) Reference</i>
Development Area		[X3/9]	393734	WN0902-HZDCO-ROW-DRG-00016
Wylfa Newydd	20/004/4	236593, 393484	[X3/10] 236437, 393581	WN0902-HZDCO-ROW-DRG-00015 WN0902-HZDCO-ROW-DRG-00018
Development Area		[X3/11]	[X3/12]	
Wylfa Newydd	20/004/2	236765, 393429	236579, 393473	WN0902-HZDCO-ROW-DRG-00018
Development Area		[X3/13]	[X3/14]	
Wylfa Newydd	20/005/2	236579, 393474	236593, 393484	WN0902-HZDCO-ROW-DRG-00018
Development Area		[X3/15]	[X3/16]	
Wylfa Newydd	20/005/2	236579, 393474	236292, 393240	WN0902-HZDCO-ROW-DRG-00018 WN0902-HZDCO-ROW-DRG-00016 WN0902-HZDCO-ROW-DRG-00015
Development Area		[X3/17]	[X3/18]	
Wylfa Newydd	20/003/2	236292, 393239	236243, 393350	WN0902-HZDCO-ROW-DRG-00018 WN0902-HZDCO-ROW-DRG-00016 WN0902-HZDCO-ROW-DRG-00015
Development Area		[X3/19]	[X3/20]	
Wylfa Newydd	20/003/3	236243, 393350	236096, 393682	WN0902-HZDCO-ROW-DRG-00018 WN0902-HZDCO-ROW-DRG-00016 WN0902-HZDCO-ROW-DRG-00015
Development Area		[X3/21]	[X3/22]	
Wylfa Newydd	20/003/1	236330, 393133	236292, 393239	WN0902-HZDCO-ROW-DRG-00018 WN0902-HZDCO-ROW-DRG-00016 WN0902-HZDCO-ROW-DRG-00015
Development Area		[X3/23]	[X3/24]	
Wylfa Newydd	20/039/2	236243, 393350	236073, 393299	WN0902-HZDCO-ROW-DRG-00018 WN0902-HZDCO-ROW-DRG-00016 WN0902-HZDCO-ROW-DRG-00015
Development Area		[X3/25]	[X3/26]	
Wylfa Newydd	20/039/1	236073, 393299	236121, 393173	WN0902-HZDCO-ROW-DRG-00018 WN0902-HZDCO-ROW-DRG-00016 WN0902-HZDCO-ROW-DRG-00015
Development Area		[X3/27]	[X3/28]	
Wylfa Newydd	20/039A/1	236073, 393299	235852, 393245	WN0902-HZDCO-ROW-DRG-00018 WN0902-HZDCO-ROW-DRG-00016 WN0902-HZDCO-ROW-DRG-00015
Development Area		[X3/29]	[X3/30]	
Wylfa Newydd	20/038/2	235878, 392980	235852, 393245	WN0902-HZDCO-ROW-DRG-00018 WN0902-HZDCO-ROW-DRG-00016 WN0902-HZDCO-ROW-DRG-00015
Development Area		[X3/31]	[X3/32]	
Wylfa Newydd	20/038/1	235852, 393245	235539, 393509	WN0902-HZDCO-ROW-DRG-00018 WN0902-HZDCO-ROW-DRG-00016



<i>(1) Relevant Site</i>	<i>(2) Street or public right of way to be stopped up or private means to be extinguished</i>	<i>(3) Extent of stopping up or extinguishment</i>		<i>(4) Reference</i>
Development Area		[X3/33]	[X3/34]	WN0902-HZDCO-ROW-DRG-00015
Wylfa Newydd Development Area	20/030/2	235564, 392975	235698, 392852	WN0902-HZDCO-ROW-DRG-00018 WN0902-HZDCO-ROW-DRG-00016
Development Area		[X3/35]	[X3/36]	
Wylfa Newydd Development Area	20/029/1	235607, 393055	235564, 392975	WN0902-HZDCO-ROW-DRG-00018 WN0902-HZDCO-ROW-DRG-00016
Development Area		[X3/37]	[X3/38]	
Wylfa Newydd Development Area	20/029/2	235561, 392977	235458, 392836	WN0902-HZDCO-ROW-DRG-00018, WN0902-HZDCO-ROW-DRG-00016
Development Area		[X3/39]	[X3/40]	
Wylfa Newydd Development Area	20/030/1	235515, 393124	235564, 392975	WN0902-HZDCO-ROW-DRG-00018 WN0902-HZDCO-ROW-DRG-00016 WN0902-HZDCO-ROW-DRG-00015
Development Area		[X3/41]	[X3/42]	
Wylfa Newydd Development Area	20/031/1	235509, 393146	235449, 393233	WN0902-HZDCO-ROW-DRG-00018 WN0902-HZDCO-ROW-DRG-00016 WN0902-HZDCO-ROW-DRG-00015
Development Area		[X3/43]	[X3/44]	
Wylfa Newydd Development Area	38/034A/2	234884, 393352	235449, 393233	WN0902-HZDCO-ROW-DRG-00018 WN0902-HZDCO-ROW-DRG-00016 WN0902-HZDCO-ROW-DRG-00015
Development Area		[X3/45]	[X3/46]	WN0902-HZDCO-ROW-DRG-00014
Wylfa Newydd Development Area	38/034/3	234755, 393333	234867, 393137	WN0902-HZDCO-ROW-DRG-00014 WN0902-HZDCO-ROW-DRG-00015 WN0902-HZDCO-ROW-DRG-00016
Development Area		[X3/47]	[X3/48]	
Wylfa Newydd Development Area	38/034A/1	234884, 393352	234753, 393334	WN0902-HZDCO-ROW-DRG-00014 WN0902-HZDCO-ROW-DRG-00015 WN0902-HZDCO-ROW-DRG-00016
Development Area		[X3/49]	[X3/50]	
Wylfa Newydd Development Area	38/034/2	234671, 393360	234753, 393334	WN0902-HZDCO-ROW-DRG-00014 WN0902-HZDCO-ROW-DRG-00015 WN0902-HZDCO-ROW-DRG-00016
Development Area		[X3/51]	[X3/52]	
Wylfa Newydd Development Area	38/035A/1	234705, 393437	234881, 393552	WN0902-HZDCO-ROW-DRG-00014 WN0902-HZDCO-ROW-DRG-00015 WN0902-HZDCO-ROW-DRG-00016
Development Area		[X3/53]	[X3/54]	
Wylfa Newydd Development Area	38/035/2	234791, 393629	234705, 393437	WN0902-HZDCO-ROW-DRG-00014 WN0902-HZDCO-ROW-DRG-00015 WN0902-HZDCO-ROW-DRG-00016
Development Area		[X3/55]	[X3/56]	
Wylfa Newydd	38/035/1	234705, 393437	234671, 393360	WN0902-HZDCO-ROW-DRG-00014 WN0902-HZDCO-ROW-DRG-00015

<i>(1) Relevant Site</i>	<i>(2) Street or public right of way to be stopped up or private means to be extinguished</i>	<i>(3) Extent of stopping up or extinguishment</i>		<i>(4) Reference</i>
Development Area		[X3/57]	[X3/58]	WN0902-HZDCO-ROW-DRG-00016
Wylfa Newydd Development Area	38/034/1	234511, 393397	234671, 393360	WN0902-HZDCO-ROW-DRG-00014 WN0902-HZDCO-ROW-DRG-00015
Development Area		[X3/59]	[X3/60]	WN0902-HZDCO-ROW-DRG-00016
Wylfa Newydd Development Area	38/036/1	234389, 393080	234133, 392307	WN0902-HZDCO-ROW-DRG-00014 WN0902-HZDCO-ROW-DRG-00015
Development Area		[X3/61]	[X3/62]	WN0902-HZDCO-ROW-DRG-00016
Wylfa Newydd Development Area	20/050/1	235456, 392609	235577, 392596	WN0902-HZDCO-ROW-DRG-00016 WN0902-HZDCO-ROW-DRG-00017
Development Area		[X3/63]	[X3/64]	WN0902-HZDCO-ROW-DRG-00018
Wylfa Newydd Development Area	38/038/1	235456, 392609	235386, 292613	WN0902-HZDCO-ROW-DRG-00016 WN0902-HZDCO-ROW-DRG-00017
Development Area		[X3/65]	[X3/66]	WN0902-HZDCO-ROW-DRG-00018
Wylfa Newydd Development Area	38/037/1	234909, 392527	235360, 392855	WN0902-HZDCO-ROW-DRG-00014 WN0902-HZDCO-ROW-DRG-00016
Development Area		[X3/67]	[X3/68]	WN0902-HZDCO-ROW-DRG-00017 WN0902-HZDCO-ROW-DRG-00018
Park and Ride	Footpath in layby on A5	232974, 378239	233057, 378215	WN0902-HZDCO-ROW-DRG-00012
A5025 Off-Line Highway Improvements – Section 3 - Llanfachraeth	27/017/1	231796, 382586	231801, 382584	WN0902-HZDCO-ROW-DRG-00008
		[X2/5]	[X2/6]	
A5025 Off-Line Highway Improvements – Section 3 - Llanfachraeth	27/012/1	231580, 383413	231801, 382584	WN0902-HZDCO-ROW-DRG-00009
Development Area		[X3/3]	[X3/4]	
A5025 Off-Line Highway Improvements – Section 3 - Llanfachraeth	27/012/1	231647, 383416	231767, 383421	WN0902-HZDCO-ROW-DRG-00009
Development Area		[X3/5]	[X3/6]	
A5025 Off-Line Highway Improvements – Section 5 - Llanfaethlu	29/014/2	231825, 386580	231832, 386588	WN0902-HZDCO-ROW-DRG-00011
Development Area		[X4/1]	[X4/2]	
<b>Private Means of Access</b>				
Park and Ride	Access to properties	232598, 378239	232555, 378405	WN0902-HZDCO-ROW-DRG-00012

<i>(1) Relevant Site</i>	<i>(2) Street or public right of way to be stopped up or private means to be extinguished</i>	<i>(3) Extent of stopping up or extinguishment</i>	<i>(4) Reference</i>	
Park and Ride	on the Dalar Hir site Access to properties on the Dalar Hir site	[AX2/1] 232564, 378471 [AX2/3]	[AX2/2] 232564, 378485 [AX2/4]	WN0902-HZDCO-ROW-DRG-00012
A5025 Off-Line Highway Improvements – Section 7	Field access to land to the east of the existing A5025	234199, 390684 [AX5/6]	234200, 390684 [AX5/6]	WN0902-HZDCO-ROW-DRG-00029

## SCHEDULE 8

Article 15

### STATUS OF FOOTPATHS CREATED OR IMPROVED

<i>(1) Relevant site</i>	<i>(2) Existing or new footpath</i>	<i>(3) New status</i>	<i>(4) Reference</i>
Park and Ride	NF 2/1 to NF2/2	Footpath	WN0902-HZDCO-ROW-DRG-00012
Park and Ride	NF 2/3 to NF2/4	Footpath	WN0902-HZDCO-ROW-DRG-00012
Park and Ride	NF 2/5 to NF2/6	Footpath	WN0902-HZDCO-ROW-DRG-00012
Park and Ride	NF 2/7 to NF2/8	Footpath	WN0902-HZDCO-ROW-DRG-00012
Logistics Centre	NF3/2 to NF 3/5	Footpath	WN0902-HZDCO-ROW-DRG-00012
Logistics Centre	NF3/1 to NF3/3	Footpath	WN0902-HZDCO-ROW-DRG-00012
Logistics Centre	NF3/6 to NF3/4	Footpath	WN0902-HZDCO-ROW-DRG-00012
A5025 Off-Line Highway Improvements – Section 1 - Valley	NF1/1 to NF1/2	Footway/cycleway	WN0902-HZDCO-ROW-DRG-00007
A5025 Off-Line Highway Improvements – Section 1 - Valley	NF1/3 to NF1/4	Footway/cycleway	WN0902-HZDCO-ROW-DRG-00007
A5025 Off-Line Highway Improvements – Section 1 - Valley	NF1/5 to NF1/6	Footway/cycleway	WN0902-HZDCO-ROW-DRG-00007
A5025 Off-Line Highway Improvements – Section 1 - Valley	NF1/7 to NF1/8	Footway/cycleway	WN0902-HZDCO-ROW-DRG-00007
A5025 Off-Line Highway Improvements – Section 1 - Valley	NF1/9 to NF1/10	Footway/cycleway	WN0902-HZDCO-ROW-DRG-00007
A5025 Off-Line Highway Improvements – Section 1 - Valley	NF1/11 to NF1/12	Footway/cycleway	WN0902-HZDCO-ROW-DRG-00007
A5025 Off-Line Highway Improvements – Section 1 - Valley	NF1/13 to NF1/14	Footway/cycleway	WN0902-HZDCO-ROW-DRG-00007
A5025 Off-Line Highway Improvements – Section 1 - Valley	NF1/15 to NF1/16	Footway/cycleway	WN0902-HZDCO-ROW-DRG-00007
A5025 Off-Line Highway	NF2/1 to NF2/2	Footpath	WN0902-HZDCO-ROW-DRG-00008

<i>(1) Relevant site</i>	<i>(2) Existing or new footpath</i>	<i>(3) New status</i>	<i>(4) Reference</i>
Improvements – Section 3 – Llanfachraeth A5025 Off-Line Highway	NF2/3 to NF2/4	Footpath	WN0902-HZDCO-ROW- DRG-00008
Improvements – Section 3 - Llanfachraeth A5025 Off-Line Highway	NF2/5 to NF2/6	Footway	WN0902-HZDCO-ROW- DRG-00008
Improvements – Section 3 - Llanfachraeth A5025 Off-Line Highway	NF2/7 to NF2/8	Footway	WN0902-HZDCO-ROW- DRG-00008
Improvements – Section 3 - Llanfachraeth A5025 Off-Line Highway	NF3/1 to NF3/2	Footpath	WN0902-HZDCO-ROW- DRG-00009
Improvements – Section 3 - Llanfachraeth A5025 Off-Line Highway	NF3/3 to NF3/4	Footway	WN0902-HZDCO-ROW- DRG-00009
Improvements – Section 3 - Llanfachraeth A5025 Off-Line Highway	NF3/5 to NF3/6	Footway	WN0902-HZDCO-ROW- DRG-00009
Improvements – Section 3 - Llanfachraeth A5025 Off-Line Highway	NF3/7 to NF3/8	Footway	WN0902-HZDCO-ROW- DRG-00009
Improvements – Section 3 - Llanfachraeth A5025 Off-Line Highway	NF3/9 to NF/10	Footway	WN0902-HZDCO-ROW- DRG-00009
Improvements – Section 3 - Llanfachraeth A5025 Off-Line Highway	NF4/1 to NF4/2	Footpath	WN0902-HZDCO-ROW- DRG-00011
Improvements – Section 5 - Llanfaethlu A5025 Off-Line Highway	NF4/3 to NF4/4	Footway/cycleway	WN0902-HZDCO-ROW- DRG-00011
Improvements – Section 5 - Llanfaethlu A5025 Off-Line	NF4/5 to NF4/6	Footway/cycleway	WN0902-HZDCO-ROW-

<i>(1) Relevant site</i>	<i>(2) Existing or new footpath</i>	<i>(3) New status</i>	<i>(4) Reference</i>
Highway Improvements – Section 5 – Llanfaethlu			DRG-00011
A5025 Off-Line Highway Improvements – Section 5 - Llanfaethlu	NF4/7 to NF4/8	Footway/cycleway	WN0902-HZDCO-ROW- DRG-00011
A5025 Off-Line Highway Improvements – Section 5 - Llanfaethlu	NF4/9 to NF4/10	Footway/cycleway	WN0902-HZDCO-ROW- DRG-00011
A5025 Off-Line Highway Improvements – Section 5 - Llanfaethlu	NF4/11 to NF4/12	Footway/cycleway	WN0902-HZDCO-ROW- DRG-00011
A5025 Off-Line Highway Improvements – Section 5 - Llanfaethlu	NF5/1 to NF5/2	Footpath	WN0902-HZDCO-ROW- DRG-00029
A5025 Off-Line Highway Improvements – Section 7	NF5/3 to NF5/4	Footpath	WN0902-HZDCO-ROW- DRG-00029
A5025 Off-Line Highway Improvements – Section 7	NF5/5 to NF5/6	Footway	WN0902-HZDCO-ROW- DRG-00029
A5025 Off-Line Highway Improvements – Section 7	NF5/7 to NF5/8	Footway	WN0902-HZDCO-ROW- DRG-00029
A5025 Off-Line Highway Improvements – Section 7	NF5/9 to NF5/10	Footway	WN0902-HZDCO-ROW- DRG-00029
A5025 Off-Line Highway Improvements – Section 9 – Power Station Access Road Junction (Work No.1J)	NF6/1 to NF6/2	Footway/cycleway	WN0902-HZDCO-ROW- DRG-00030
A5025 Off-Line Highway Improvements – Section 9 – Power Station Access Road Junction (Work No.1J)	NF6/3 to NF6/4	Footway/cycleway	WN0902-HZDCO-ROW- DRG-00030
A5025 Off-Line	NF6/5 to NF6/6	Footway/cycleway	WN0902-HZDCO-ROW-

<i>(1) Relevant site</i>	<i>(2) Existing or new footpath</i>	<i>(3) New status</i>	<i>(4) Reference</i>
Highway Improvements – Section 9 – Power Station Access Road Junction (Work No.1J)			DRG-00030

SCHEDULE 9

Article 16

STREETS TO BE TEMPORARILY STOPPED UP

<i>(1) Relevant Site</i>	<i>(2) Street to be stopped up</i>	<i>(3) Extent of Stopping up</i>	<i>(4) Reference</i>	
<b>Footpaths</b>				
Ecological Compensation Site- Cors Gwawr	23/035/1	249526, 376959 [23/035/1 (North)]	249734, 376727 [23/035/1 (South)]	WN0902-HZDCO-ROW-DRG-00031
Ecological Compensation Site- Cors Gwawr	23/036/1	249734, 376727 [23/036/1 (East)]	249257, 376523 [23/036/1 (West)]	WN0902-HZDCO-ROW-DRG-00031
Ecological Compensation Site – Cae Canol-Dydd	23/016/1	247832, 378342 [23/016/1 (North)]	247380, 377472 [23/025/1 (South)]	WN0902-HZDCO-ROW-DRG-00032
Ecological Compensation Site- Tŷ Du	20/019/1	239392, 394147 [20/019/1 (North)]	239431, 393987 [20/019/1 (South)]	WN0902-HZDCO-ROW-DRG-00033
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	27/018/1	231643, 382202 [T2/1]	231738, 382230 [T2/2]	WN0902-HZDCO-ROW-DRG-00008
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	27/018/1	231787, 382276 [T2/3]	231905, 382357 [T2/4]	WN0902-HZDCO-ROW-DRG-00008
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	27/018/1	231905, 382357 [T2/5]	232144, 382404 [T2/6]	WN0902-HZDCO-ROW-DRG-00008
<b>Highway</b>				
Park and Ride	A5	232452, 378448 [TH2/1]	233470, 378419 [TH2/2]	WN0902-HZDCO-ROW-DRG-00012
<b>Cyclepaths</b>				
Logistics Centre	Lôn Trefignath cycle path	225690, 380719 (North)	225690, 380719 (South)	WN0902-HZDCO-ROW-DRG-00013



# SCHEDULE 10

Article 21

## TRAFFIC REGULATION MEASURES

### PART 1

#### TRAFFIC REGULATIONS MEASURES

<i>(1) Relevant site</i>	<i>(2) Street</i>	<i>(3) Extent</i>		<i>(4) Notes</i>
Park and Ride	A5 Holyhead Road, including dumbbell roundabouts forming part of A55 Junction 4.	232362, 378266	233242, 378166	30mph speed restriction. The speed restriction must not include the on-slip and off-slip road connections to the A55.
Park and Ride	Minfford Road	232405, 378240	232399, 378225	30mph speed restriction.
Park and Ride	The road running north east from the A5 / A55 junction 4 to Bodedern	232439, 378519	232447, 378587	30mph speed restriction.
Park and Ride	A diversion to the road running north east from the A5 / A55 junction 4 to Bodedern. Includes new roundabout.	232498, 378427	232439, 378519	30mph speed restriction.
				All sections of the 30mph speed restriction form one continuous speed restriction section through the area.
Park and Ride	The road running north east from the A5 / A55 junction 4 to Bodedern	232472, 378416	232453, 378448	Restriction of all vehicles.
A5025 Off-Line Highway Improvements – Section 1 - Valley	Severed section of existing A5025	229883, 379613	229906, 379631	Permanent Mandatory 30mph Speed Limit
A5025 Off-Line Highway Improvements – Section 3 - Llanfachraeth	Severed section of existing A5025	231775, 381634	231695, 381904	Permanent Mandatory 40mph Speed Limit
A5025 Off-Line Highway Improvements – Section 3 - Llanfachraeth	Classified Road C116	231576, 382471	231828, 382628	Permanent Mandatory 30mph Speed Limit
A5025 Off-Line Highway Improvements – Section 3 - Llanfachraeth	Severed section of existing A5025 and realigned carriageway to form a junction with the realigned A5025	231556, 383396	231604, 383419	Permanent Mandatory 30mph Speed Limit
A5025 Off-Line Highway	Realigned A5025	231772, 386683	231653, 387262	Permanent Mandatory 40mph Speed Limit

<i>(1) Relevant site</i>	<i>(2) Street</i>	<i>(3) Extent</i>		<i>(4) Notes</i>
Improvements – Section 5 – Llanfaethlu				
A5025 Off-Line Highway Improvements	Severed section of existing A5025 and realigned carriageway to form a junction with the realigned A5025	231619, 386836	231527, 386852	Permanent Mandatory 30mph Speed Limit
– Section 5 – Llanfaethlu				
A5025 Off-Line Highway Improvements	Severed section of existing A5025	231509, 387055	231551, 387115	Permanent Mandatory 30mph Speed Limit
– Section 5 – Llanfaethlu				

## PART 2

### STREETS SUBJECT TO TRAFFIC REGULATION MEASURES OUTSIDE THE ORDER LIMITS

<i>(1) Relevant site</i>	<i>(2) Street</i>	<i>(3) Extent</i>		<i>(4) Notes</i>
Park and Ride	The road running north east from the A5 / A55 junction 4 to Bodedern	232447, 378587	232456, 378635	30mph speed restriction.
Park and Ride	The road running north east from the A5 / A55 junction 4 to Bodedern	232456, 378635	TBC	There will be speed restriction buffers east and north of the 30mph speed restriction. The extents and speed limits have yet to be agreed by IACC. (They will be either 40mph or 50mph.)
A5025 Off-Line Highway Improvements	Severed section of existing A5025	229565, 379365	229883, 379613	Permanent Mandatory 30mph Speed Limit
– Section 1 – Valley				
A5025 Off-Line Highway Improvements	Severed section of existing A5025	231695, 381904	231645, 382145	Permanent Mandatory 40mph Speed Limit
– Section 3 – Llanfachraeth				
A5025 Off-Line Highway Improvements	Severed section of existing A5025	231432, 383253	231556, 383396	Permanent Mandatory 30mph Speed Limit
– Section 3 – Llanfachraeth				
A5025 Off-Line Highway Improvements	Severed section of existing A5025	231527, 386852	231509, 387055	Permanent Mandatory 30mph Speed Limit
– Section 5 –				

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<i>(1) Relevant site</i>	<i>(2) Street</i>	<i>(3) Extent</i>	<i>(4) Notes</i>
Llanfaethlu			

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SCHEDULE 11

Article 27

LAND IN WHICH ONLY RIGHTS ETC. MAY BE ACQUIRED

<i>(1) Relevant site</i>	<i>(2) Plot Reference (as shown on the Land Plans)</i>	<i>(3) Purpose for which new rights may be acquired</i>	<i>(4) Total Area (square meters)</i>
Wylfa Newydd Development Area	60	Drainage rights in relation to Work No.2C	145
Wylfa Newydd Development Area	62	Drainage rights in relation to Work No.2C	181
Wylfa Newydd Development Area	71	Access rights in relation to Work No.4	2,063
Wylfa Newydd Development Area	73	Access rights in relation to Work No.s 1H, 4 and 12	1,841
Wylfa Newydd Development Area	80	Access rights in relation to Work No.4	3,434
Wylfa Newydd Development Area	82	Access rights in relation to Work No.4	3,428
Logistics Centre	201	Drainage rights in relation to Work No.7	1,217
A5025 Off-Line Highway Improvements – Section 1 – Valley	419	Drainage rights in relation to Work No.8	1,425
A5025 Off-Line Highway Improvements – Section 1 – Valley	421	Drainage rights and access to carry out flood mitigation works in relation to Work No.8 Imposition of restrictive covenant in respect of such flood mitigation works.	31,018
A5025 Off-Line Highway Improvements – Section 1 – Valley	422	Drainage rights in relation to Work No.8	954
A5025 Off-Line Highway Improvements – Section 1 – Valley	429	Access rights to carry out flood mitigation works in relation to Work No.8 Imposition of restrictive covenant in respect of such flood mitigation works.	4,782
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	509	Drainage and access rights in relation to Work No.9	12,780
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	510	Access rights in relation to Work No.9	840
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	511	Drainage rights in relation to Work No.9	263
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	513	Drainage rights in relation to Work No.9	1,312
A5025 Off-Line Highway Improvements – Section	514	Access rights to carry out flood mitigation works in relation to	2,244

<i>(1) Relevant site</i>	<i>(2) Plot Reference (as shown on the Land Plans)</i>	<i>(3) Purpose for which new rights may be acquired</i>	<i>(4) Total Area (square meters)</i>
3 – Llanfachraeth		Work No.9 Imposition of restrictive covenant in respect of such flood mitigation works.	
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	515	Access rights to carry out flood mitigation works in relation to Work No.9	123
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	516	Imposition of restrictive covenant in respect of such flood mitigation works. Access rights to carry out flood mitigation works in relation to Work No.9	125
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	517	Imposition of restrictive covenant in respect of such flood mitigation works. Access rights to carry out flood mitigation works in relation to Work No.9	5,546
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	518	Imposition of restrictive covenant in respect of such flood mitigation works. Access rights to carry out flood mitigation works in relation to Work No.9	3,581
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	529	Access rights for drainage in relation to Work No.9	618
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	557	Access rights in relation to Work No.9	3,406
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	559	Drainage rights in relation to Work No.9	470
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	560	Access rights in relation to Work No.9	1,046
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	575	Access rights to carry out flood mitigation works in relation to Work No.9 Imposition of restrictive covenant in respect of such flood mitigation works.	5,546
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	576	Access rights to carry out flood mitigation works in relation to Work No.9 Imposition of restrictive covenant in respect of such flood mitigation works.	5,546

<i>(1) Relevant site</i>	<i>(2) Plot Reference (as shown on the Land Plans)</i>	<i>(3) Purpose for which new rights may be acquired</i>	<i>(4) Total Area (square meters)</i>
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	623	Access rights to maintain structure in relation to Work No.10	223
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	624	Access rights to attenuation pond in relation to Work No.10	690
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	625	Access rights to construct and maintain drainage in relation to Work No.10	48
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	628	Access rights to construct and maintain drainage in relation to Work No.10	5,495
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	640	Access rights to construct and maintain drainage and retain access to drainage asset in relation to Work No.10	1,164
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	667	Access rights to construct and maintain drainage and retain access to drainage asset in relation to Work No.10	11
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	668	Access rights to construct and maintain drainage and retain access to drainage asset in relation to Work No.10	644
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	669	Access and drainage rights in relation to Work No.10	31
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	670	Access and drainage rights in relation to Work No.10	88
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	671	Access and drainage rights in relation to Work No.10	32
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	673	Drainage rights to construct and maintain outfall in relation to Work No.10	224
Off-Site Power Station Facilities	673	Drainage rights in relation to Work No.5	224
Off-Site Power Station Facilities	676	Access rights in relation to Work No.5	39
Off-Site Power Station Facilities	681	Access rights in relation to Work No.5	1
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	703	Access rights in relation to Work No.11	293
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	706	Access rights in relation to Work No.11	146
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	720	Access rights to construct and maintain drainage in relation to Work No.11	34
A5025 Off-Line Highway	721	Access rights to construct and	38

<i>(1) Relevant site</i>	<i>(2) Plot Reference (as shown on the Land Plans)</i>	<i>(3) Purpose for which new rights may be acquired</i>	<i>(4) Total Area (square meters)</i>
Improvements – Section 7 – Cefn Coch		maintain drainage in relation to Work No.11	
A5025 Off-Line Highway	734	Access rights in relation to Work No.11	286
Improvements – Section 7 – Cefn Coch			
A5025 Off-Line Highway	743	Access and maintenance rights for ecological mitigation works	4,126
Improvements – Section 7 – Cefn Coch			

**MODIFICATION OF COMPENSATION AND COMPULSORY  
PURCHASE ENACTMENTS FOR CREATION OF NEW RIGHTS  
AND RESTRICTIVE COVENANTS**

**Compensation enactments**

**1.** The enactments for the time being in force with respect to compensation for the compulsory purchase of land apply, with the necessary modifications as respects compensation, in the case of a compulsory acquisition under this Order of a right by the creation of a new right or the imposition of a restrictive covenant as they apply in respects compensation on the compulsory purchase of land and interests in land.

**93.**—(1) Without limiting paragraph (1), the Land Compensation Act 1973(a) has effect subject to the modifications set out in sub-paragraphs (2) and (3).

(1) In section 44(1) (compensation for injurious affection), as it applies to compensation for injurious affection under section 7 of the 1965 Act as substituted by paragraph 5—

- (a) for “land is acquired or taken” substitute “a right or restrictive covenant over land is purchased from or imposed on”; and
- (b) for “acquired or taken from him” substitute “over which the right is or the restrictive covenant enforceable”.

(2) In section 58(1) (determination of material detriment where part of house etc. proposed for compulsory acquisition), as it applies to determinations under section 8 (other provisions as to divided land) of the 1965 Act as substituted by paragraph 6—

- (a) for “part” in paragraphs (a) and (b) substitute “a right or restrictive covenant affecting land consisting”; and
- (b) for “severance” substitute “right or restrictive covenant over or affecting the whole of the park or garden”.

**94.**—(1) Without limitation on the scope of paragraph 1, the Land Compensation Act 1961 has effect subject to the modification set out in sub-paragraph (2).

(2) For section 5A(5A) of the 1961 Act, after “if” substitute—

- “(a) the acquiring authority enters on land for the purpose of exercising a right in pursuance of a notice of entry under section 11(1) of the 1965 Act;
- (b) the acquiring authority is subsequently required by a determination under paragraph 13 of Schedule 2A to the 1965 Act (as substituted by paragraph 11 of Schedule 12 to the Wylfa Newydd (Nuclear Generating Station) Order 201[X]) to acquire an interest in the land; and
- (c) the acquiring authority enters on and takes possession of that land,

the authority is deemed for the purposes of subsection (3)(a) to have entered on that land where it entered on that land for the purpose of exercising that right.”

**Application of the 1965 Act**

**95.**—(1) The 1965 Act has effect with the modifications necessary to make it apply to the compulsory acquisition under this Order of a right by the creation of a new right, or to the imposition under this Order of a restrictive covenant, as it applies to the compulsory acquisition

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(a) 1973 c.26.



under this Order of land, so that, in appropriate contexts, references in that Act to land must be read (according to the requirements of the particular context) as referring to, or as including references to—

- (a) the right acquired or to be acquired, or the restriction imposed or to be imposed; or
- (b) the land over which the right is or is to be exercisable, or the restriction is or is to be enforceable.

(2) Without limitation on the scope of sub-paragraph (1), Part 1 of the 1965 Act applies in relation to the compulsory acquisition under this Order of a right by the creation of a new right or, in relation to the imposition of a restriction, with the modifications specified in the following provisions of this Schedule.

**96.** For section 7 of the 1965 Act (measure of compensation) substitute—

“7. In assessing the compensation to be paid by the acquiring authority under this Act, regard must be had not only to the extent (if any) to which the value of the land over which the right is to be acquired or the restrictive covenant is to be imposed is depreciated by the acquisition of the right or the imposition of the covenant but also to the damage (if any) to be sustained by the owner of the land by reason of its severance from other land of the owner, or injuriously affecting that other land by the exercise of the powers conferred by this or the special Act.”

**97.** For section 8 of the 1965 Act (other provisions as to divided land) there is substituted the following section—

“8.—(1) Where in consequence of the service on a person under section 5 of this Act of a notice to treat in respect of a right over land consisting of a house or building or of a park or garden belonging to a house (“the relevant land”)—

- (a) a question of disputed compensation in respect of the purchase of the right would apart from this section fall to be determined by the Upper Tribunal (“the tribunal”); and
- (b) before the tribunal has determined that question the tribunal is satisfied that the person has an interest in the whole of the relevant land and is able and willing to sell that interest, and—
- (c) where that land consists of a house or building, that the right cannot be purchased without material detriment to that land; or
- (d) where that land consists of such a park or garden, that the right cannot be purchased without seriously affecting the amenity or convenience of the house to which that land belongs,

the Wylfa Newydd (Nuclear Generating Station) Order 201[X] (“the Order”), in relation to that person, ceases to authorise the purchase of the right and is deemed to authorise the purchase of that person’s interest in the whole of the relevant land including, where the land consists of such a park or garden, the house to which it belongs, and the notice is deemed to have been served in respect of that interest on such date as the tribunal directs.

(2) Any question as to the extent of the land in which the Order is deemed to authorise the purchase of an interest by virtue of subsection (1) of this section is to be determined by the tribunal.

(3) Where in consequence of a determination of the tribunal that it is satisfied as mentioned in subsection (1) of this section the Order is deemed by virtue of that subsection to authorise the purchase of an interest in land, the acquiring authority may, at any time within the period of 6 weeks beginning with the date of the determination, withdraw the notice to treat in consequence of which the determination was made; but nothing in this subsection prejudices any other power of the authority to withdraw the notice.”

**98.**—(1) The following provisions of the 1965 Act (which state the effect of a deed poll executed in various circumstances where there is no conveyance by persons with interests in the land), that is to say—

- (a) section 9(4) (failure by owners to convey);
- (b) paragraph 10(3) of Schedule 1 (owners under incapacity);
- (c) paragraph 2(3) of Schedule 2 (absent and untraced owners); and
- (d) paragraphs 2(3) and 7(2) of Schedule 4 (common land),

are modified to secure that, as against persons with interests in the land which are expressed to be overridden by the deed, the right which is to be compulsorily acquired or the restrictive covenant which is to be imposed is vested absolutely in the acquiring authority.

**99.** Section 11 of the 1965 Act (powers of entry) is modified to secure that, as from the date on which the acquiring authority has served notice to treat in respect of any right or restriction, it has power, exercisable in equivalent circumstances and subject to equivalent conditions, to enter for the purpose of exercising that right or enforcing that restrictive covenant (which is deemed for this purpose to have been created on the date of service of the notice); and sections 12 (penalty for unauthorised entry) and 13 (entry on warrant in the event of obstruction) of the 1965 Act are modified correspondingly.

**100.** Section 20 of the 1965 Act (protection for interests of tenants at will, etc.) applies with the modifications necessary to secure that persons with such interests in land as are mentioned in that section are compensated in a manner corresponding to that in which they would be compensated on a compulsory acquisition under this Order of that land, but taking into account only the extent (if any) of such interference with such an interest as is actually caused, or likely to be caused, by the exercise of the right or the enforcement of the restrictive covenant in question.

**101.** Section 22 (interests omitted from purchase) of the 1965 Act is modified so as to enable the acquiring authority, in circumstances corresponding to those referred to in that section, to continue to be entitled to exercise the right acquired, subject to compliance with that section as respects compensation.

**102.** For Schedule 2A of the 1965 Act substitute—

## “SCHEDULE 2A

### COUNTER-NOTICE REQUIRING PURCHASE OF LAND

#### **Introduction**

**1.** This Schedule applies where an acquiring authority serve a notice to treat in respect of a right over, or restrictive covenant affecting, the whole or part of a house, building or factory and have not executed a general vesting declaration under section 4 of the 1981 Act as applied by article 13 (application of the Compulsory Purchase (Vesting Declarations) Act 1981) in respect of the land to which the notice to treat relates.

**2.** In this Schedule, “house” includes any park or garden belonging to a house.

#### **Counter-notice requiring purchase of land**

**3.** A person who is able to sell the house, building or factory (“the owner”) may serve a counter-notice requiring the authority to purchase the owner’s interest in the house, building or factory.

**4.** A counter-notice under paragraph 3 must be served within the period of 28 days beginning with the day on which the notice to treat was served.

### **Response to counter-notice**

5. On receiving a counter-notice, the acquiring authority must decide whether to—

- (a) withdraw the notice to treat;
- (b) accept the counter-notice; or
- (c) refer the counter-notice to the Upper Tribunal.

6. The authority must serve notice of their decision on the owner within the period of 3 months beginning with the day on which the counter-notice is served (“the decision period”).

7. If the authority decides to refer the counter-notice to the Upper Tribunal they must do so within the decision period.

8. If the authority does not serve notice of a decision within the decision period they are to be treated as if they had served notice of a decision to withdraw the notice to treat at the end of that period.

9. If the authority serves notice of a decision to accept the counter-notice, the compulsory purchase order and the notice to treat are to have effect as if they included the owner’s interest in the house, building or factory.

### **Determination by Upper Tribunal**

10. On a referral under paragraph 7, the Upper Tribunal must determine whether the acquisition of the right or the imposition of the restrictive covenant would—

- (a) in the case of a house, building or factory, cause material detriment to the house, building or factory; or
- (b) in the case of a park or garden, seriously affect the amenity or convenience of the house to which the park or garden belongs.

11. In making its determination, the Upper Tribunal must take into account—

- (a) the effect of the acquisition of the right or the imposition of the covenant;
- (b) the use to be made of the right or covenant proposed to be acquired or imposed; and
- (c) if the right or covenant is proposed to be acquired or imposed for works or other purposes extending to other land, the effect of the whole of the works and the use of the other land.

12. If the Upper Tribunal determines that the acquisition of the right or the imposition of the covenant would have either of the consequences described in paragraph 10, it must determine how much of the house, building or factory the authority ought to be required to take.

13. If the Upper Tribunal determines that the authority ought to be required to take some or all of the house, building or factory, the compulsory purchase order and the notice to treat are to have effect as if they included the owner’s interest in that land.

14.—(1) If the Upper Tribunal determines that the authority ought to be required to take some or all of the house, building or factory, the authority may at any time within the period of 6 weeks beginning with the day on which the Upper Tribunal makes its determination withdraw the notice to treat in relation to that land.

(2) If the acquiring authority withdraws the notice to treat under this paragraph they must pay the person on whom the notice was served compensation for any loss or expense caused by the giving and withdrawal of the notice.

(3) Any dispute as to the compensation is to be determined by the Upper Tribunal.”

SCHEDULE 13

Article 32

LAND OF WHICH ONLY SUBSOIL MORE THAN 9 METRES  
BENEATH THE SURFACE MAY BE ACQUIRED

<i>(1) Relevant Site</i>	<i>(2) Plot Reference (as shown on the Land Plans)</i>	<i>(3) Total Area (square metres)</i>
Wylfa Newydd Development Area	88	2,316

SCHEDULE 14

Article 35 and 36

LAND OF WHICH ONLY TEMPORARY POSSESSION MAY BE  
TAKEN

<i>(1) Relevant site</i>	<i>(2) Reference shown on the Land Plans)</i>	<i>(3) Plot (as temporary possession may be taken</i>	<i>(4) Purpose for which temporary possession may be taken</i>	<i>(4) Total Area (approximate square metres)</i>
Wylfa Newydd Development Area	23		Temporary access to ecological works	26,600
Wylfa Newydd Development Area	24		Temporary access to ecological works	294
Wylfa Newydd Development Area	25		Temporary access to ecological works	4
Wylfa Newydd Development Area	70		Temporary access to carry out works	364
Wylfa Newydd Development Area	75		Temporary access to carry out works in relation to Work No.4	12,722
Wylfa Newydd Development Area	77		Temporary access to carry out works in relation to Work No.4	1,060
Wylfa Newydd Development Area	84		Temporary access to carry out works	2,717
Logistics Centre	203		Temporary lay down area and works to cycle path in relation to Work No.7	1,117
Logistics Centre	204		Temporary access to works in relation to Work No.7	368
Logistics Centre	215		Temporary access to carry out works in respect of third party access in relation to Work No.7	869
A5025 Off-Line Highway Improvements – Section 1 – Valley	409		Temporary access to carry out works in relation to Work No.8	285
A5025 Off-Line Highway Improvements – Section 1 – Valley	412		Temporary working area in relation to Work No.8	86
A5025 Off-Line Highway Improvements – Section 1 – Valley	424		Temporary working area in relation to Work No.8	466
A5025 Off-Line Highway Improvements – Section 1 – Valley	425		Temporary working and laydown area in relation to Work No.8	4,064
A5025 Off-Line Highway Improvements – Section 1 – Valley	426		Temporary construction compound and access to works in relation to Work No.8	2,838
A5025 Off-Line Highway Improvements – Section 1 – Valley	431		Temporary working and construction compound in relation to Work No.8	2,446
A5025 Off-Line	433		Temporary working and	8,704

<i>(1) Relevant site</i>	<i>(2) Reference shown on the Land Plans)</i>	<i>Plot (as the</i>	<i>(3) Purpose for which temporary possession may be taken</i>	<i>(4) Total Area (approximate square metres)</i>
Highway Improvements – Section 1 – Valley			construction compound in relation to Work No.8	
A5025 Off-Line	434		Temporary working and construction compound in relation to Work No.8	5,197
Highway Improvements – Section 1 – Valley			Temporary access to carry out and maintain works in relation to Work No.9	95
A5025 Off-Line	504			
Highway Improvements – Section 3 – Llanfachraeth			Temporary access to carry out works in relation to Work No.9	497
A5025 Off-Line	505			
Highway Improvements – Section 3 – Llanfachraeth			Temporary construction compound and access to works in relation to Work No.9	15,079
A5025 Off-Line	512			
Highway Improvements – Section 3 – Llanfachraeth			Temporary working area in relation to Work No.9	17
A5025 Off-Line	523			
Highway Improvements – Section 3 – Llanfachraeth			Temporary working area in relation to Work No.9	8
A5025 Off-Line	524			
Highway Improvements – Section 3 – Llanfachraeth			Temporary working area in relation to Work No.9	355
A5025 Off-Line	526			
Highway Improvements – Section 3 – Llanfachraeth			Temporary working area in relation to Work No.9	236
A5025 Off-Line	528			
Highway Improvements – Section 3 – Llanfachraeth			Temporary access to carry out works in relation to Work No.9	129
A5025 Off-Line	541			
Highway Improvements – Section 3 – Llanfachraeth			Temporary access to carry out works in relation to Work No.9	101
A5025 Off-Line	542			
Highway Improvements – Section 3 – Llanfachraeth			Temporary access to carry out works in relation to Work No.9	225
A5025 Off-Line	543			
Highway Improvements – Section 3 – Llanfachraeth			Temporary working area in relation to Work No.9	221
A5025 Off-Line	550			
Highway Improvements – Section 3 – Llanfachraeth			Temporary working area in relation to Work No.9	167
A5025 Off-Line	552			
Highway Improvements – Section 3 –				

<i>(1) Relevant site</i>	<i>(2) Reference shown on the Land Plans)</i>	<i>Plot (as the</i>	<i>(3) Purpose for which temporary possession may be taken</i>	<i>(4) Total Area (approximate square metres)</i>
Llanfachraeth A5025 Off-Line Highway Improvements – Section 3 –	553		Temporary construction compound in relation to Work No.9	1,664
Llanfachraeth A5025 Off-Line Highway Improvements – Section 3 –	554		Temporary working area in relation to Work No.9	297
Llanfachraeth A5025 Off-Line Highway Improvements – Section 3 –	556		Temporary access to carry out works in relation to Work No.9	208
Llanfachraeth A5025 Off-Line Highway Improvements – Section 3 –	561		Temporary working area in relation to Work No.9	522
Llanfachraeth A5025 Off-Line Highway Improvements – Section 3 –	562		Temporary working area in relation to Work No.9	569
Llanfachraeth A5025 Off-Line Highway Improvements – Section 3 –	568		Temporary access to carry out works in relation to Work No.9	465
Llanfachraeth A5025 Off-Line Highway Improvements – Section 3 –	569		Temporary access to carry out works in relation to Work No.9	476
Llanfachraeth Off-Line Highway Improvement Works – Section 3	574		Temporary working area in relation to Work No.9	174
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	600		Temporary working area and laydown area in relation to Work No.10	310
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	602		Temporary working area in relation to Work No.10	279
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	618		Temporary working area in relation to Work No.10	153
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	620		Temporary working area in relation to Work No.10	168
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	621		Temporary Working area and construction of embankment in relation to Work No.10	1,107
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	622		Temporary Working area and construction of embankment in relation to Work No.10	2,892

<i>(1) Relevant site</i>	<i>(2) Reference shown on the Land Plans)</i>	<i>Plot (as the</i>	<i>(3) Purpose for which temporary possession may be taken</i>	<i>(4) Total Area (approximate square metres)</i>
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	626		Temporary access to carry out works in relation to Work No.10	390
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	627		Temporary construction compound in relation to Work No.10	7,524
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	629		Temporary construction compound in relation to Work No.10	4,491
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	634		Temporary access to carry out works in relation to Work No.10	41
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	639		Temporary working area in relation to Work No.10	156
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	641		Temporary working area in relation to Work No.10	197
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	643		Temporary working area in relation to Work No.10	214
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	644		Temporary working area in relation to Work No.10	659
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	645		Temporary access to carry out works in relation to Work No.10	1,492
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	646		Temporary access to carry out works in relation to Work No.10	55
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	647		Temporary access to carry out works in relation to Work No.10	3
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	648		Temporary access to carry out works in relation to Work No.10	Less than 1
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	654		Temporary access to carry out works in relation to Work No.10	934
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	701		Temporary access to construction compound in relation to Work No.11	863
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	702		Temporary construction compound in relation to Work No.11	13,098
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	705		Temporary access to carry out works in relation to Work No.11	501
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	707		Temporary access to carry out works in relation to Work No.11	517
A5025 Off-Line	708		Temporary access to carry	41



<i>(1) Relevant site</i>	<i>(2) Reference shown on the Land Plans)</i>	<i>Plot (as the</i>	<i>(3) Purpose for which temporary possession may be taken</i>	<i>(4) Total Area (approximate square metres)</i>
Highway Improvements – Section 7 – Cefn Coch A5025 Off-Line	710		out works in relation to Work No.11 Temporary access to carry	59
Highway Improvements – Section 7 – Cefn Coch A5025 Off-Line	714		out works in relation to Work No.11 Temporary working and	2,325
Highway Improvements – Section 7 – Cefn Coch A5025 Off-Line	716		laydown area in relation to Work No.11 Temporary working area in	194
Highway Improvements – Section 7 – Cefn Coch A5025 Off-Line	733		relation to Work No.11 Temporary working area in	828
Highway Improvements – Section 7 – Cefn Coch A5025 Off-Line	735		relation to Work No.11 Temporary working area in	1,133
Highway Improvements – Section 7 – Cefn Coch A5025 Off-Line	742		relation to Work No.11 Temporary working and	1,601
Highway Improvements – Section 7 – Cefn Coch			laydown area in relation to Work No.11	

## PROTECTIVE PROVISIONS

## PART 1

PROTECTION FOR ELECTRICITY, GAS, WATER AND SEWERAGE  
UNDERTAKERS**Application**

1. The provisions of this Part have effect for the protection of the statutory undertakers referred to in this Part, unless otherwise agreed in writing between the undertaker and the statutory undertaker concerned.

**Interpretation**

103. In this Part—

“alternative apparatus” means alternative apparatus adequate to enable the statutory undertaker in question to fulfil its statutory functions in a manner not less efficient than previously;

“apparatus” means—

- (a) in the case of a statutory undertaker within paragraph (a) of the definition of that term, electric lines or electrical plant (as defined in the Electricity Act 1989<sup>(a)</sup>), belonging to or maintained by the statutory undertaker for the purposes of electricity supply;
- (b) in the case of a statutory undertaker within paragraph (b) of the definition of that term, any mains, pipes or other apparatus belonging to or maintained by the statutory undertaker for the purposes of gas supply;
- (c) in the case of a statutory undertaker within paragraph (c) of the definition of that term, mains, pipes or other water apparatus belonging to or maintained by the statutory undertaker for the purposes of water supply; and
- (d) in the case of a sewerage undertaker—
  - (i) any drain or works vested in the sewerage undertaker under the Water Industry Act 1991; and
  - (ii) any sewer which is so vested or is the subject of a notice of intention to adopt given under section 102(4) of that Act or an agreement to adopt made under section 104 of that Act, and

includes a sludge main, disposal main (within the meaning of section 219 of that Act) or sewer outfall and any manholes, ventilating shafts, pumps or other accessories forming part of any such sewer, drain or works, and in each case includes any structure in which apparatus is or is to be lodged or which gives or will give access to apparatus;

“in” in a context referring to apparatus or alternative apparatus in land includes a reference to apparatus or alternative apparatus under, over or upon land;

“statutory undertaker” means—

- (e) any licence holder within the meaning of Part 1 of the Electricity Act 1989;
- (f) a gas transporter within the meaning of Part 1 of the Gas Act 1986<sup>(a)</sup>;

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(a) 1989 c.29. The definition of “electric plant” was amended by paragraph 38(3) of Part II of Schedule 6 to the Utilities Act 2000 (c.27). There are other amendments to the Electricity Act 1989 which are not relevant to this Order.

- (g) a water undertaker within the meaning of the Water Industry Act 1991;
- (h) a sewerage undertaker; and
- (i) for the area of the authorised development, and in relation to any apparatus, means the statutory undertaker to whom it belongs or by whom it is maintained.

### **On-street apparatus**

**104.** This Part does not apply to apparatus in respect of which the relations between the undertaker and the statutory undertaker are regulated by Part 3 of the 1991 Act.

### **Acquisition of apparatus**

**105.** Despite any provision in this Order or anything shown on the land plans, the undertaker must not acquire any apparatus otherwise than by agreement.

### **Removal of apparatus**

**106.**—(1) If, in the exercise of the powers conferred by this Order, the undertaker acquires any interest in any land in which any apparatus is placed, that apparatus must not be removed under this Part of this Schedule and any right of a statutory undertaker to maintain that apparatus in that land and to gain access to it will not be extinguished until, if so required by the statutory undertaker, alternative apparatus has been constructed and is in operation to the reasonable satisfaction of the statutory undertaker in question.

(2) If, for the purpose of executing any works in, on or under any land purchased, held, appropriated or used under this Order, the undertaker requires the removal of any apparatus placed in that land, it must give to the statutory undertaker in question 28 days' written notice of that requirement, together with a plan and section of the work proposed and of the proposed position of the alternative apparatus to be provided or constructed and in that case (or if in consequence of the exercise of any of the powers conferred by this Order a statutory undertaker reasonably needs to remove any of its apparatus) the undertaker must, subject to sub-paragraph (3), afford to the statutory undertaker the necessary facilities and rights for the construction of alternative apparatus in other land of the undertaker and subsequently for the maintenance of that apparatus.

(3) If alternative apparatus or any part of such apparatus is to be constructed as a consequence of the removal of apparatus placed on land other than the undertaker, or the undertaker is unable to afford such facilities and rights as are mentioned in subparagraph (2), the statutory undertaker in question, must on receipt of a written notice to that effect from the undertaker, as soon as reasonably possible use its best endeavours to obtain the necessary facilities and rights in other land in which the alternative apparatus is to be constructed.

(4) Any alternative apparatus to be constructed in land of the undertaker under this Part of this Schedule must be constructed in such manner and in such line or situation as may be agreed between the statutory undertaker in question and the undertaker or in default of agreement settled by arbitration in accordance with article 78 (Arbitration).

(5) The statutory undertaker in question must, after the alternative apparatus to be provided or constructed has been agreed or settled by arbitration in accordance with article 78 (Arbitration), and after the grant to the statutory undertaker of any such facilities and rights as are referred to in sub-paragraph (2) and (3), proceed without unnecessary delay to construct and bring into operation the alternative apparatus and subsequently to remove any apparatus required by the undertaker to be removed under this Part of this Schedule.

(6) Despite anything in sub-paragraph (5), if the undertaker gives notice in writing to the statutory undertaker in question that it desires itself to execute any work, or part of any work in connection with the construction or removal of apparatus, that work, instead of being executed by

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(a) 1986 c.44.

the statutory undertaker, must be executed by the undertaker without unnecessary delay under the superintendence, if given, and to the reasonable satisfaction of the statutory undertaker.

(7) Nothing in sub-paragraph (6) authorises the undertaker to execute the placing, installation, bedding, packing, removal, connection or disconnection of any apparatus, or execute any filling around the apparatus (where the apparatus is laid in a trench) within 300 millimetres of the apparatus without the prior approval of the statutory undertaker (such approval not to be unreasonably withheld or delayed).

### **Facilities and rights for alternative apparatus**

**107.**—(1) Where, in accordance with the provisions of this Part of this Schedule, the undertaker affords to a statutory undertaker facilities and rights for the construction and maintenance in land of the undertaker for alternative apparatus in substitution for apparatus to be removed, those facilities and rights will be granted upon such terms and conditions as may be agreed between the undertaker and the statutory undertaker in question or in default of agreement settled by arbitration in accordance with article 78 (Arbitration).

(2) In settling those terms and conditions in respect of alternative apparatus to be constructed in the land of the undertaker, the arbitrator will—

- (a) give effect to all reasonable requirements of the undertaker for ensuring the safety and efficient operation of the authorised development and for securing any subsequent alterations or adaptations of the alternative apparatus which may be required to prevent interference with any proposed works of the undertaker; and
- (b) so far as it may be reasonable and practicable to do so in the circumstances of the particular case, give effect to the terms and conditions, if any, applicable to the apparatus constructed in or the land for which the alternative apparatus is to be substituted.

(3) If the facilities and rights to be afforded by the undertaker in respect of any alternative apparatus, and the terms and conditions subject to which those facilities and rights are to be granted, are in the opinion of the arbitrator less favourable on the whole to the statutory undertaker in question than the facilities and rights enjoyed by it in respect of the apparatus to be removed and the terms and conditions to which those facilities and rights are subject, the arbitrator may make such provision for the payment of compensation by the undertaker to that statutory undertaker as appears to the arbitrator to be reasonable having regard to all the circumstances of the particular case.

### **Retained apparatus: protection**

**108.**—(1) Not less than 28 days before starting the execution of any authorized works authorized by this Order that are near to, or will or may affect, or where construction access is to be taken over, any apparatus the removal of which has not been required by the undertaker under paragraph 6(2), the undertaker must submit to the statutory undertaker in question a plan, section and description of the works to be executed.

(2) Those works must be executed only in accordance with the plan, section and description submitted under sub-paragraph (1) and in accordance with such reasonable requirements as may be made in accordance with sub-paragraph (3) by the statutory undertaker for the alteration or otherwise for the protection of the apparatus, or for securing access to it, and the statutory undertaker is entitled to watch and inspect the execution of those works.

(3) Any requirements made by a statutory undertaker under sub-paragraph (2) must be made within a period of 21 days beginning with the date on which a plan, section and description under sub-paragraph (1) are submitted to it.

(4) If a statutory undertaker in accordance with sub-paragraph (3) and in consequence of the works proposed by the undertaker, reasonably requires the removal of any apparatus and gives written notice to the undertaker of that requirement, paragraph 6 applies as if the removal of the apparatus had been required by the undertaker under sub-paragraph (2) of that paragraph.

(5) Nothing in this paragraph precludes the undertaker from submitting at any time or from time to time, but in no case less than 28 days before commencing the execution of any works, a new plan, section and description instead of the plan, section and description previously submitted, and having done so the provisions of this paragraph apply to and in respect of the new plan, section and description.

(6) The undertaker is not required to comply with sub-paragraph (2) in a case of emergency but in that case it must give to the statutory undertaker in question notice as soon as is reasonably practicable and a plan, section and description of those works as soon as reasonably practicable subsequently and must comply with sub-paragraph (2) in so far as is reasonably practicable in the circumstances.

### **Compensation**

**109.**—(1) Subject to sub-paragraphs (2) and (3), if by reason or in consequence of the construction of any of the works referred to in paragraph 5(2), any damage is caused to any apparatus (other than apparatus the repair of which is not reasonably necessary in view of its intended removal for the purposes of those works) or property of a statutory undertaker, or there is any interruption in any service provided, or in the supply of any goods, by any statutory undertaker, the undertaker must—

- (a) bear and pay on demand the cost reasonably incurred by that statutory undertaker in making good such damage or restoring the supply; and
- (b) make reasonable compensation to that statutory undertaker for any other expenses, loss, demands or proceedings, damages, claims, penalty or costs incurred by the statutory undertaker,

by reason or in consequence of any such damage or interruption.

(2) Nothing in sub-paragraph (1) must impose any liability on the undertaker with respect to any damage or interruption to the extent that it is attributable to the neglect or default of a statutory undertaker, its officers, servants, contractors or agents.

(3) A statutory undertaker must give the undertaker reasonable prior written notice of any claim or demand, and no settlement or compromise may be made without the consent of the undertaker.

### **Expenses**

**110.**—(1) Subject to the following provisions of this paragraph, the undertaker must pay to the statutory undertaker in question the reasonable expenses incurred by that statutory undertaker in, or in connection with, the inspection, removal, alteration or protection of any apparatus.

(2) The value of any apparatus removed under this Part is to be deducted from any sum payable under sub-paragraph (1), that value being calculated after removal.

(3) If in accordance with this Part—

- (a) apparatus of better type, of greater capacity or of greater dimensions is placed in substitution for existing apparatus of worse type, of smaller capacity or of smaller dimensions; or
- (b) apparatus (whether existing apparatus or apparatus substituted for existing apparatus) is placed at a depth greater than the depth at which the existing apparatus was,

and the placing of apparatus of that type or capacity or of those dimensions or the placing of apparatus at that depth, as the case may be, is not agreed by the undertaker or, in default of agreement, is not determined by arbitration in accordance with article 78 (Arbitration) to be necessary, then, if such placing involves cost in the construction of works under this Part exceeding that which would have been involved if the apparatus placed had been of the existing type, capacity or dimensions, or at the existing depth, as the case may be, the amount which apart from this sub-paragraph would be payable to the statutory undertaker in question by virtue of sub-paragraph (1) is to be reduced by the amount of that excess.

(4) For the purposes of sub-paragraph (3)—

- (a) an extension of apparatus to a length greater than the length of existing apparatus is not to be treated as a placing of apparatus of greater dimensions than those of the existing apparatus; and
- (b) where the provision of a joint in a cable is agreed, or is determined to be necessary, the consequential provision of a jointing chamber or of a manhole is to be treated as if it also had been agreed or had been so determined.

(5) An amount which apart from this sub-paragraph would be payable to a statutory undertaker in respect of works by virtue of sub-paragraph (1) must, if the works include the placing of apparatus provided in substitution for apparatus placed more than 7 years and 6 months earlier so as to confer on the statutory undertaker in question any financial benefit by deferment of the time for renewal of the apparatus in the ordinary course, be reduced by the amount which represents that benefit.

### **Co-operation**

**111.**—(1) Where, under this Part, the statutory undertaker is required to give its consent or approval in respect of any matter, that consent or approval must not be unreasonably withheld or delayed.

(2) In respect of any specified work or the acquisition of rights under or over or use of the statutory undertaker's property, the statutory undertaker must co-operate with the undertaker with a view to avoiding undue delay.

### **Enactments and Agreements**

**112.** Nothing in this Part affects the provisions of any enactment or agreement regulating the relations between the Undertaker and a utility undertaker in respect of any apparatus laid or erected in land belonging to the Undertaker on the date on which this Order is made.

## **PART 2**

### **PROTECTION FOR OPERATORS OF ELECTRONIC COMMUNICATIONS NETWORKS**

#### **Application**

**113.** The provisions of this Part have effect for the protection of operators unless otherwise agreed in writing between the undertaker and the operator in question.

#### **Interpretation**

**114.** In this Part—

“2003 Act” means the Communications Act 2003;

“conduit system” has the same meaning as in the electronic communications code; and references to providing a conduit system are to be construed in accordance with paragraph 1(3A) of that code;

“electronic communications apparatus” has the same meaning as in the electronic communications code;

“electronic communications code” has the same meaning as in Chapter 1 of Part 2 of the 2003 Act;

“electronic communications code network” means—

- (a) so much of an electronic communications network or conduit system provided by an electronic communications code operator as is not excluded from the application of the electronic communications code by a direction under section 106 of the 2003 Act; and

- (b) an electronic communications network which the Secretary of State is providing or proposing to provide;

“electronic communications code operator” means a person in whose case the electronic communications code is applied by a direction under section 106 of the 2003 Act;

“operator” means the operator of an electronic communications code network.

### **Electronic communications apparatus installed on, under or over any land**

**115.** The exercise of the powers in article 37 (statutory undertakers) is subject to paragraph 23 of Schedule 2 to the Telecommunications Act 1984 (undertaker’s works)(a).

### **Compensation**

**116.—**(1) Subject to sub-paragraphs (2) to (3), if as the result of the authorised development or its construction, any damage is caused to any electronic communications apparatus belonging to an operator (other than apparatus the repair of which is not reasonably necessary in view of its intended removal for the purposes of those works) or the property of an operator, the undertaker must—

- (a) bear and pay on demand the cost reasonably incurred by that statutory undertaker in making good such damage or restoring the supply;
- (b) make reasonable compensation to that statutory undertaker for any other expenses, loss, demands or proceedings, damages, claims, penalty or costs incurred by the statutory undertaker,

by reason or in consequence of any such damage or interruption.

(2) Nothing in sub-paragraph (1) imposes any liability on the undertaker with respect to any damage to the extent that it is attributable to the act, neglect or default of an operator, its officers, servants, contractors or agents.

(3) Any difference arising between the undertaker and the operator under this paragraph must, unless otherwise agreed in writing between the operator and the undertaker, be referred to and settled by arbitration under article (Arbitration).

(4) The operator must give the undertaker reasonable notice of any such claim or demand and no settlement or compromise of the claim or demand is to be made without the consent of the undertaker which, if it withholds such consent, has the sole conduct of any settlement or compromise or of any proceedings necessary to resist the claim or demand.

### **Application**

**117.—**(1) This Part does not apply to—

- (a) any apparatus in respect of which the relations between the undertaker and an operator are regulated by Part 3 of the 1991 Act; or
- (b) any damage, or any interruption, caused by electro-magnetic interference arising from the construction or use of the authorised development.

### **Cooperation**

**118.** In respect of any specified work or the acquisition of rights under or over or use of the statutory undertaker’s property, the statutory undertaker must co-operate with the undertaker with a view to avoiding undue delay.

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(a) 1984 c.12.

**Enactments and Agreements**

119. Nothing in this Part affects the provisions of any enactment or agreement regulating the relations between the Undertaker and a utility undertaker in respect of any apparatus laid or erected in land belonging to the Undertaker on the date on which this Order is made.



## SCHEDULE 16

Article 48

### LIMITS OF HARBOUR

The limits of the harbour within which the undertaker must exercise jurisdiction as the harbour authority and within which the powers of the harbour master are exercisable must be the area bounded by an imaginary line commencing at the Northerly point of Cerrig Brith at 53.413810N, -4.497950W (SHA001), then extending in a straight line to a point at 53.418460'N, -4.497900'W (SHA002), then extending in a straight line to a point at 53.424820'N, -4.491660'W (SHA003), then in a straight line to the Westerly point of Mynydd y Wylfa at 53.421670'N, -4.479720'W (SHA004), then following the level of high water to the point of commencement following construction of the authorised development.

SCHEDULE 17

Article 75

REMOVAL OF IMPORTANT HEDGEROWS

<i>(1) Relevant Site</i>	<i>(2) Important Hedgerow Reference</i>	<i>(3) Reference</i>
Wylfa Newydd Development Area	IH01, IH02, IH03, IH04, IH05, IH06, IH07	WN0902-HZDCO-LFM-DRG-00037
Wylfa Newydd Development Area	IH10, IH51	WN0902-HZDCO-LFM-DRG-00037 WN0902-HZDCO-LFM-DRG-00039
Wylfa Newydd Development Area	IH12, IH13, IH14, IH15, IH16, IH17	WN0902-HZDCO-LFM-DRG-00037 WN0902-HZDCO-LFM-DRG-00038 WN0902-HZDCO-LFM-DRG-00039
Wylfa Newydd Development Area	IH18	WN0902-HZDCO-LFM-DRG-00038 WN0902-HZDCO-LFM-DRG-00039
Wylfa Newydd Development Area	IH19, IH20, IH21, IH22	WN0902-HZDCO-LFM-DRG-00038 WN0902-HZDCO-LFM-DRG-00039 WN0902-HZDCO-LFM-DRG-00041
Wylfa Newydd Development Area	IH23, IH24, IH26	WN0902-HZDCO-LFM-DRG-00041
Wylfa Newydd Development Area	IH27, IH28, IH29, IH30, IH31, IH32, IH33	WN0902-HZDCO-LFM-DRG-00038 WN0902-HZDCO-LFM-DRG-00039 WN0902-HZDCO-LFM-DRG-00041
Wylfa Newydd Development Area	IH34	WN0902-HZDCO-LFM-DRG-00039 WN0902-HZDCO-LFM-DRG-00041
Wylfa Newydd Development Area	IH35, IH36	WN0902-HZDCO-LFM-DRG-00039
Wylfa Newydd Development Area	IH37, IH51, IH70	WN0902-HZDCO-LFM-DRG-00037 WN0902-HZDCO-LFM-DRG-00039
Wylfa Newydd Development Area	IH38	WN0902-HZDCO-LFM-DRG-00037 WN0902-HZDCO-LFM-DRG-00039 WN0902-HZDCO-LFM-DRG-00040
Wylfa Newydd Development Area	IH39, IH40, IH47, IH48	WN0902-HZDCO-LFM-DRG-00039 WN0902-HZDCO-LFM-DRG-00041
Wylfa Newydd Development Area	IH41, IH42, IH43, IH58	WN0902-HZDCO-LFM-DRG-00039 WN0902-HZDCO-LFM-DRG-00040
Wylfa Newydd Development Area	IH46	WN0902-HZDCO-LFM-DRG-00039 WN0902-HZDCO-LFM-DRG-00040 WN0902-HZDCO-LFM-DRG-00041
Wylfa Newydd Development Area	IH50	WN0902-HZDCO-LFM-DRG-00037 WN0902-HZDCO-LFM-DRG-00038 WN0902-HZDCO-LFM-DRG-00039
Wylfa Newydd Development Area	IH54, IH55, IH56, IH57	WN0902-HZDCO-LFM-DRG-00037 WN0902-HZDCO-LFM-DRG-00039 WN0902-HZDCO-LFM-DRG-00040
Wylfa Newydd Development Area	IH52	WN0902-HZDCO-LFM-DRG-00039 WN0902-HZDCO-LFM-DRG-00040
Wylfa Newydd Development Area	IH53	WN0902-HZDCO-LFM-DRG-00040
Park and Ride	IH60, IH61, IH62, IH63, IH64, IH65, IH66, IH67, IH68, IH69	WN0902-HZDCO-LFM-DRG-00034

<i>(1) Relevant Site</i>	<i>(2) Important Hedgerow Reference</i>	<i>(3) Reference</i>
A5025 Off-Line Highway Improvements – Section 1 – Valley	IH101, IH102, IH103	WN0902-HZDCO-OHW-DRG-00004
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	IH301	WN0902-HZDCO-OHW-DRG-00017
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	IH302, IH303, IH304	WN0902-HZDCO-OHW-DRG-00018 WN0902-HZDCO-OHW-DRG-00019
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	IH305	WN0902-HZDCO-OHW-DRG-00019
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	IH306, IH307	WN0902-HZDCO-OHW-DRG-00020
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	IH501, IH502, IH503, IH504, IH505, IH506, IH507, IH508, IH509	WN0902-HZDCO-OHW-DRG-00039
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	IH510, IH511	WN0902-HZDCO-OHW-DRG-00040
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	IH701, IH702	WN0902-HZDCO-OHW-DRG-00052
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	IH703	WN0902-HZDCO-OHW-DRG-00052 WN0902-HZDCO-OHW-DRG-00053
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	IH704, IH705	WN0902-HZDCO-OHW-DRG-00053

## SCHEDULE 18

Article 76

### CERTIFIED DOCUMENTS

<i>(1) Document Name</i>	<i>(2) Revision</i>	<i>(3) Document Reference</i>
Order Limits Plans	1.0	2.1
Works Plans	1.0	2.3
Land Plans	2.0	2.2
Rights of Way Plans	1.0	2.4
Wylfa Newydd Development Area- Power Station Site Plans	1.0	2.6.1
Wylfa Newydd Development Area- Site Campus Plans	1.0	2.6.2
Wylfa Newydd Development Area- Marine Works Plans	1.0	2.6.3
Wylfa Newydd Development Area- Site Preparation and Clearance Plans	1.0	2.6.4
A5025 Offline Highways Section 1 – Valley Plans	1.0	2.7
A5025 Offline Highways Section 3 – Llanfachraeth Plans	1.0	2.8
A5025 Offline Highways Section 5 - Llanfaethlu Plans	1.0	2.9
A5025 Offline Highways Section 7 - Cefn Coch Plans	1.0	2.10
Park and Ride - Dalar Hir Plans	1.0	2.11
Logistics Centre - Parc Cybi Plans	1.0	2.12
Off-site Power Station Facilities – Llanfaethlu Plans	1.0	2.13
Site of Special Scientific Interest Compensation Site - Cors Gwawr Plans	1.0	2.14
Site of Special Scientific Interest Compensation Site - Cae Canol-Dydd - Plans	1.0	2.15
Site of Special Scientific Interest Compensation Site -Ty Du - Plans	1.0	2.16
Book of Reference (Part 1 of 3)	1.0	4.3
Book of Reference (Part 2 of 3)	1.0	4.3
Book of Reference (Part 3 of 3)	1.0	4.3
Design and Access Statement (Volume 1) - Project-wide	1.0	8.2.3
Design and Access Statement (Volume 2) – Power Station Site	1.0	8.2.3
Design and Access Statement (Volume 3) – Associated Developments and Off-Site Power Station Facilities	1.0	8.2.3
Wylfa Newydd CoCP	1.0	8.6
Wylfa Newydd CoOP	1.0	8.13
Power Station Main Site sub-CoCP	1.0	8.7
Marine Works sub-CoCP	1.0	8.8
Off-Site Power Station Facilities sub-CoCP	1.0	8.9
Parc Cybi Logistics Centre sub-CoCP	1.0	8.11
Dalar Hir Park and Ride sub-CoCP	1.0	8.10
A5025 Off-Line Highway Improvements sub-CoCP	1.0	8.12
Environmental Statement (Volume A) – Introduction to the project and approach to the EIA	1.0	6.1.1 – 6.1.10
Environmental Statement (Volume B) – Introduction to the environmental assessments	1.0	6.2.1 – 6.2.22
Environmental Statement (Volume C) – Project-wide effects	1.0	6.3.1 – 6.3.31
Environmental Statement (Volume D) – WNDA Development	1.0	6.4.1 – 6.4.101
Environmental Statement (Volume E) – Off-Site Power Station Facilities	1.0	6.5.1 – 6.5.27

Environmental Statement (Volume F) – Park and Ride	1.0	6.6.1 – 6.6.38
Environmental Statement (Volume G) – A5025 Off-line Highway Improvements	1.0	6.7.1 – 6.7.48
Environmental Statement (Volume H) – Logistics Centre	1.0	6.8.1 – 6.8.29
Environmental Statement (Volume I) – Cumulative effects	1.0	6.9.1 – 6.9.14
Environmental Statement (Volume J) – Environmental commitments and summary of residual effects	1.0	6.10.1 – 6.10.3
Landscape and Habitat Management Strategy (Part 1 of 2)	1.0	6.11
Landscape and Habitat Management Strategy (Part 2 of 2)	1.0	8.16
Workforce Management Strategy	1.0	8.16
Phasing Strategy	1.0	8.29
Construction Method Statement	1.0	6.4.17

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## PROCEDURE FOR APPROVALS, CONSENTS AND APPEALS

**Applications made under Requirement**

**1.**—(1) Where an application has been made to a discharging authority for any agreement or approval required by a Requirement included in this Order the discharging authority must give notice to the undertaker of its decision on the application before the end of the decision period.

(1) For the purposes of sub-paragraph (1), the decision period is—

(a) in the case of a major detailed Requirement—

- (i) where no further information is requested under paragraph 2, 56 days from the day immediately following that on which the application is received by the authority;
- (ii) where further information is requested under paragraph 2, 56 days from the day immediately following that on which further information has been supplied by the undertaker under paragraph 2; or
- (iii) such longer period as may be agreed by the undertaker and the discharging authority in writing before the end of the period in sub-paragraph (2)(a)(i) or (ii); and

(b) in the case of a minor detailed Requirement—

- (i) where no further information is requested under paragraph 2, 35 days from the day immediately following that on which the application is received by the authority;
- (ii) where further information is requested under paragraph 2, 35 days from the day immediately following that on which further information has been supplied by the undertaker under paragraph 2; or
- (iii) such longer period as may be agreed by the undertaker and the discharging authority in writing before the end of the period in sub-paragraph (2)(b)(i) or (ii).

(2) In the event that the discharging authority does not determine an application within the period set out in sub-paragraph (1), the discharging authority is to be taken to have granted all parts of the application (without any condition or qualification) at the end of that period unless otherwise agreed in writing.

(3) Where an application is made to the discharging authority for any consent, agreement or approval required by an article or Requirement included in this Order and the discharging authority intends to consult NRW in relation to that application the undertaker must as soon reasonably practicable comply with any direction from the discharging authority to provide a copy of the materials provided in support of the application to NRW.

**Further information**

**120.**—(1) In relation to any application to which this Schedule applies, the discharging authority must have the right to request such further information from the undertaker as is necessary to enable it to consider the application.

(2) If the discharging authority considers such further information to be necessary and the Requirement does not specify that consultation with a Requirement consultee is required, the discharging authority must, within 7 business days of receipt of the application, notify the undertaker in writing specifying the further information required.

(3) If the Requirement specifies that consultation with a Requirement consultee is required, the discharging authority must issue the consultation to the Requirement consultee within 1 business day of receipt of the application, and must notify the undertaker in writing specifying any further information requested by the Requirement consultee within 1 business day of receipt of such a request and in any event within 21 days of receipt of the application.

(4) If the discharging authority does not give notification as specified in sub-paragraph (2) or (3), it must be deemed to have sufficient information to consider the application and must not thereafter be entitled to request further information without the prior agreement of the undertaker.

## Fees

**121.**—(1) Where an application is made to the discharging authority for agreement or approval in respect of a Requirement, a fee must be paid to that authority as follows—

- (a) where the application relates to a major detailed Requirement, fees must be calculated in accordance with the following table—

<i>Category</i>	<i>Criteria</i>
Category 1	The erection of buildings— <ul style="list-style-type: none"> <li>a) where no floor space is to be created by the development, £234;</li> <li>b) where the area of gross floor space to be created by the development does not exceed 40 metres, £234;</li> <li>c) where the area of the gross floor space to be created by the development exceeds 40 square metres, but does not exceed 75 square metres, £462;</li> <li>d) where the area of the gross floor space to be created by the development exceeds 75 square metres, but does not exceed 3750 square metres, £462 for each 75 square metres of that area;</li> <li>e) where the area of gross floor space to be created by the development exceeds 3750 square metres, £22,859; and an additional £138 for each 75 square metres.</li> </ul>
	Total Cap: £100,000
Category 2	The carrying out of any operations not coming within Category 1, £234 for each 0.1 hectare of the site area, up to a maximum of £2,028

- (b) where an application is made for discharge of a major detailed Requirement (“current application”) in respect of which an application has been made previously, the fee payable in respect of the current application must be £462; and
- (c) where the application relates to a minor detailed Requirement, £234 for each application.
- (2) For the purpose of the calculation of fees pursuant to paragraph 3(1)(a)—
- (a) the area must be taken as consisting of the area of land to which the application relates;
  - (b) where the application relates to development within Category 1, the area of gross floor space created by the development must be ascertained by external measurement of the floor space, whether or not it is bounded (wholly or partly) by external walls of a building;
  - (c) where the application relates to development within Category 1 and the gross floor space to be created by the development exceeds 75 square metres and is not an exact multiple of 75 square metres, the area remaining after division of the total number of square metres of gross floor space by the figure of 75 must be treated as being 75 metres; and
  - (d) where the application relates to development within Category 2 and the site area exceeds 0.1 hectares and is not an exact multiple of 0.1 hectares, the area remaining after division of the total number of hectares by the figure of 0.1 hectares must be treated as being 0.1 hectares.
- (3) Any fee paid under this Schedule must be refunded to the undertaker within 8 weeks of—
- (a) the application being rejected as invalidly made; or
  - (b) the discharging authority failing to determine the application within the decision period as determined under paragraph 1, unless within that period the undertaker agrees, in writing,

that the fee must be retained by the discharging authority and credited in respect of a future application.

## Appeals

122.—(1) The undertaker may appeal in the event that—

- (a) the discharging authority refuses an application for any agreement or approval required by a Requirement included in this Order or grants it subject to conditions;
- (b) on receipt of a request for further information pursuant to paragraph 2 the undertaker considers that either the whole or part of the specified information requested by the discharging authority is not necessary for consideration of the application; or
- (c) on receipt of any further information requested, the discharging authority notifies the undertaker that the information provided is inadequate and requests additional information which the undertaker considers is not necessary for consideration of the application.

(2) The appeal process must be as follows—

- (a) the undertaker must submit to the Secretary of State a copy of the application submitted to the discharging authority and any supporting documentation which the undertaker may wish to provide (“the appeal documentation”);
- (b) the undertaker must on the same day provide copies of the appeal documentation to the discharging authority and the Requirement consultee (if applicable);
- (c) as soon as is practicable after receiving the appeal documentation, the Secretary of State must appoint a person to determine the appeal (“the appointed person”) and must notify the appeal parties of the identity of the appointed person and the address to which all correspondence for that person’s attention should be sent;
- (d) the discharging authority and the Requirement consultee (if applicable) must submit written representations to the appointed person in respect of the appeal within 10 business days of the date on which the appeal parties are notified of the appointment of a person under sub-paragraph 3(c) and must ensure that copies of their written representations are sent to each other and to the undertaker on the day on which they are submitted to the appointed person;
- (e) the appeal parties must make any counter-submissions to the appointed person within 10 business days of receipt of written representations pursuant to paragraph (d); and
- (f) the appointed person must make a decision and notify it to the appeal parties, with reasons, as soon as reasonably practicable.

(3) If the appointed person considers that further information is necessary to enable the appointed person to consider the appeal he must as soon as practicable notify the appeal parties in writing specifying the further information required, the appeal party from whom the information is sought, and the date by which the information is to be submitted

(4) Any further information required pursuant to sub-paragraph (4) must be provided by the party from whom the information is sought to the appointed person and to other appeal parties by the date specified by the appointed person. Any written representations concerning matters contained in the further information must be submitted to the appointed person, and made available to all appeal parties within 10 business days of that date.

(5) On an appeal under this paragraph, the appointed person may—

- (a) allow or dismiss the appeal; or
- (b) reverse or vary any part of the decision of the discharging authority (whether the appeal relates to that part of it or not), and may deal with the application as if it had been made to the appointed person in the first instance.

(6) The appointed person may proceed to a decision on an appeal taking into account only such written representations as have been sent within the time limits prescribed, or set by the appointed person, under this paragraph.



(7) The appointed person may proceed to a decision even though no written representations have been made within those time limits, if it appears to the appointed person that there is sufficient material to enable a decision to be made on the merits of the case.

(8) The decision of the appointed person on an appeal must be final and binding on the parties, and a court may entertain proceedings for questioning the decision only if the proceedings are brought by a claim for judicial review.

(9) If an approval is given by the appointed person pursuant to this Schedule, it must be deemed to be an approval for the purpose of Schedule 3 (Requirements) of this Order as if it had been given by the discharging authority. The discharging authority may confirm any determination given by the appointed person in identical form in writing but a failure to give such confirmation (or a failure to give it in identical form) must not be taken to affect or invalidate the effect of the appointed person's determination.

(10) Save where a direction is given pursuant to sub-paragraph (11) requiring the costs of the appointed person to be paid by the discharging authority, the reasonable costs of the appointed person must be met by the undertaker.

(11) On application by the discharging authority or the undertaker, the appointed person may give directions as to the costs of the appeal parties and as to the parties by whom the costs of the appeal are to be paid. In considering whether to make any such direction and the terms on which it must be made, the appointed person must have regard to Communities and Local Government Circular 03/2009 or any circular or guidance which may from time to time replace it.

### **Interpretation of this Schedule**

**123.—**(1) In this paragraph—

“the appeal parties” means the discharging authority, the Requirement consultee and the undertaker;

“business day” means a day other than Saturday or Sunday which is not Christmas Day, Good Friday or a bank holiday under section 1 of the Banking and Financial Dealings Act 1971(a);

“major detailed requirements” means Requirements PW10; WN3; WN6; WN8; WN11; WN18; WN19; WN23; WN25; OPSF2; PR3; LC3; OH3; and OH5;

“minor detailed requirements” means Requirements, other than major detailed requirements, which require any agreement or approval of a discharging authority or permit the discharging authority to agree or approve matters otherwise than provided for in the Requirement; and

“Requirement consultee” means any body named in a Requirement which is the subject of an appeal as a body to be consulted by the discharging authority in discharging that Requirement.

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(a) 1971 c.80.

## SCHEDULE 20

Articles 80 and 81

### MISCELLANEOUS CONTROLS

#### PART 1

##### PUBLIC GENERAL LEGISLATION

###### **Introduction**

1. This Part 1 of this Schedule applies, modifies and excludes statutory provisions which relate to matters for which provision may be made in this Order.

###### **Highways Act 1980**

124.—(1) Section 141 of the 1980 Act (restriction on planting trees etc. in or near carriageway) must not apply to any tree or shrub planted in the course of the authorised development before completion of construction.

(1) Sections 169, 171A and 173 of the 1980 Act (control of scaffolding on highways; works under s169 or 171; and hoardings to be securely erected) must not apply to anything done in the course of the authorised development before completion of construction.

###### **Community Infrastructure Levy Regulations 2010**

125.—(2) Notwithstanding the provisions of section 208 of the 2008 Act, for the purposes of regulation 6 of the Community Infrastructure Levy Regulations 2010(a) any building comprised in the authorised development must be deemed to be—

- (a) a building into which people do not normally go; or
- (b) a building into which people go only intermittently for the purpose of inspecting or maintaining fixed plant or machinery.

###### **New Roads and Street Works Act 1991**

126.—(1) Sections 56(1), 56(1A), 56A, 61(1), 62(2), 62(4), 63(1), 64, 66, 71 to 74A, 77, 78, 82(1) to 84, 86, 87 to 106 of the 1991 Act will not apply in relation to the authorised development or the placement of apparatus in the course of the authorised development.

(2) Schedule 3A to the 1991 Act (restriction on works following substantial street works) must not apply where a notice under section 54 (advance notice of certain works) or 55 (notice of starting date of works) of that Act has been given in respect of the authorised development.

(3) No notice under paragraph 2(1)(d) of that Schedule (power by notice to require notification of works which an undertaker proposes to carry out in a part of a highway to which a proposed restriction applies) will have effect to require notice to be given of works proposed to be carried out as part of the authorised development.

(4) No directions under paragraph 3 of that Schedule (completion of notified works) may be issued to the undertaker.

(5) Paragraph 3(4) of that Schedule (under which it is an offence for an undertaker to execute street works before the completion of other street works) will not apply in relation to the execution of works in the course of the authorised development.

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(a) S.I. 2010/948. Regulation 6 was amended by S.I. 2011/987

(6) Paragraph 5(1) of that Schedule (effect of direction imposing restriction) will not apply in relation to the execution of works in the course of the authorised development.

#### **Town and Country Planning Act 1990**

**127.**—(1) Section 57(2) of the 1990 Act (planning permission required for development) will apply to specific associated development works as if the development consent granted for those works under this Order were a planning permission granted for a limited period.

(2) For the purposes only of section 106(1) of the 1990 Act, the undertaker must be deemed to be a person interested in the Order Land or any part of it and, for the avoidance of doubt, section 106(3)(a) of that Act must include any transferee under article 9 of the Order.

(3) Section 239 of the 1990 Act (burial grounds) will apply—

- (a) In relation to land, other than a right over land, acquired for the purposes of the authorised development (whether or not by agreement), so as to permit the construction, operation and maintenance by the undertaker in accordance with the provisions of this Order;
- (b) In relation to a right over land so acquired for the purposes of the authorised development (whether or not by agreement), or the temporary use of land pursuant to articles 35 (temporary use of land for carrying out the authorised development) and 36 (temporary use of land for maintaining the authorised development), so as to permit the exercise of that right or the temporary use by the undertaker in accordance with the provisions of this Order, without prejudice to the status of the land over which the right is exercised.

#### **Control of Pollution Act 1974**

**128.**—(1) Where a local planning authority is acting in accordance with section 60(4) and section 61(4) of the Control of Pollution Act 1974 in relation to the construction of the authorised development then that local authority will also have regard to the noise levels referred to in the Wylfa Newydd CoCP and the relevant sub-CoCP for that site.

(2) Underground tunnelling works must be regulated by sections 60 and 61 of the Control of Pollution Act 1974.

#### **Local Government (Miscellaneous Provisions) Act 1976**

**129.**—(1) Section 42 of the Local Government (Miscellaneous Provisions) Act 1976 (certain future local Acts, etc., to be subject to the planning enactments, etc., except as otherwise provided)(a) will not apply to the extent that it would make provisions of this Order authorising the construction, operation and maintenance of the authorised development subject to other provisions.

## PART 2 LOCAL BYELAWS

#### **Introduction**

**130.** The following local byelaws must have no effect in relation to the authorised development—

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<i>Reference</i>	<i>Title</i>
1952	Twrcelyn Rural District Council Foreshore Byelaw 1952

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(a) 1976 c.57.

## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order authorises Horizon Nuclear Power Wylfa Limited (referred to in this Order as the undertaker) to construct, operate and maintain a nuclear powered generating station at Wylfa Head, Isle of Anglesey to be known as Wylfa Newydd and comprising two UK Advanced Boiling Water Reactors, as well as associated development. The Order imposes requirements in connection with the nuclear power station and the associated development, together the authorised development.

The Order permits the undertaker to acquire or create and acquire, compulsorily or by agreement, rights in land, and to use land for this purpose.

A copy of the plans and Book of Reference referred to in this Order and certified in accordance with article 76 (certification of plans) of this Order may be inspected free of charge at [\*].