

Norfolk Boreas Offshore Wind Farm Clarification Note Pre-commencement Works

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Glossary of Acronyms

DCO	Development Consent Order
dDCO	Draft Development Consent Order
OAMP	Outline Access Management Plan
OCoCP	Outline Code of Construction Practice

1 Introduction

1. Following Issue Specific Hearing 3 on Onshore Effects including the draft Development Consent Order held on Tuesday 21st January 2020 an action was identified by the Examining Authority for the Applicant to produce a post-hearing note to explain what would be included in pre-commencement works that are not included in the Outline Code of Construction Practice (OCoCP). This clarification note has been produced to address the request from the Examining Authority to provide information on pre-commencement works to be undertaken; how these are secured in the draft Development Consent Order (dDCO) and the plans which would be produced for these works.

2 Pre-commencement Works

2. In order for the project to progress a number of activities need to be undertaken prior to commencement. These pre-commencement works are listed in the definition of commence in the dDCO:

*“commence” means, (a) in relation to works seaward of MHWS, the first carrying out of any licensed marine activities authorised by the deemed marine licences, save for pre-construction surveys and monitoring approved under the deemed marine licences or, (b) in respect of any other works comprised in the authorised project, the first carrying out of any material operation (as defined in section 155 of the 2008 Act) forming part of the authorised project other than operations consisting of **site clearance, demolition work, archaeological investigations, environmental surveys, investigations for the purpose of assessing ground conditions, remedial work in respect of any contamination or other adverse ground conditions, diversion and laying of services, erection of any temporary means of enclosure, temporary hard standing, the temporary display of site notices or advertisements** and the words “commencement” and “commenced” must be construed accordingly*

3. These works will be undertaken prior to commencement and prior to production of the final management plans such as the Code of Construction Practice to discharge the DCO Requirements. Additional commitments specific to the pre-commencement works have been included in the dDCO Requirements. These commitments secure that a specific plan for such pre-commencement works will be produced in accordance with the relevant outline document and will be submitted to and approved by the relevant planning authority.
4. The dDCO Requirements which contain such pre-commencement commitments and details of the works and plans to be produced are detailed in Table 1.

Table 1 Pre-commencement Requirements, Works and Plans

dDCO Requirement	Pre-commencement Works and Plan
<p>20. Code of Construction Practice <i>(4) Pre-commencement screening, fencing and site security works must only take place in accordance with a specific plan for such pre-commencement works which must accord with the relevant details for screening, fencing and site security set out in the outline code of construction practice, and which has been submitted to and approved by the relevant planning authority.</i></p>	<p>A specific plan will be produced detailing the screening, fencing and site security works to be undertaken and will be in accordance with the details set out in the OCoCP [REP1-018].</p>
<p>21. Traffic <i>(3) If any of the accesses identified in the outline access management plan are required for pre-commencement archaeological investigations, a specific plan for such accesses which must accord with the relevant details set out in the outline access management plan must be submitted to and approved by the relevant planning authority, in consultation with the highway authority, prior to the construction and use of such accesses. The accesses identified must be constructed and used in accordance with the details contained in the specific plan so approved.</i></p>	<p>In the event that existing access routes are not sufficient and the accesses identified in the Outline Access Management Plan (OAMP) are required to facilitate the pre-commencement archaeological investigations a specific plan will be produced providing details of the accesses to be used. This plan will be in accordance with the details set out in OAMP [APP-701], for example, the plan will include detail on location, frontage, general layout etc. Any access must be constructed and used in accordance with the details provided in the plan.</p>
<p>23. Archaeology Written Scheme of Investigation <i>(4) Pre-commencement surveys, site preparation works and archaeological investigations must only take place in accordance with a specific written scheme of investigation which is in accordance with the details set out in the outline written scheme of investigation (onshore), and which has been submitted to and approved by the relevant planning authority.</i></p>	<p>A specific scheme of written investigation will be produced detailing the pre-commencement archaeological investigation works to be undertaken and will be in accordance with the details set out in the Outline Written Scheme of Investigation [APP-696].</p>
<p>24. Ecological Management Plan <i>(3) Pre-commencement site clearance works must only take place in accordance with a specific ecological management plan for site clearance works which is in accordance with the relevant details for site clearance works set out in the outline landscape and ecological management strategy, and which has been submitted to and approved by the relevant planning authority. The plan for site clearance works must be informed by post consent ecological surveys.</i></p>	<p>A specific ecological management plan will be produced to cover any site clearance works which are required pre-commencement for example tree removal, to ensure any appropriate ecological mitigations are in place. This plan will be in accordance with the Outline Landscape Management Plan [REP1-020] and be informed by any post consent ecological surveys.</p>

3 Specific Pre-commencement Plans

5. As detailed in section 2, a number of specific plans will be produced to cover works which could take place prior to commencement and in advance of the final management plans being produced. These pre-commencement plans will be developed in accordance with the relevant outline management plan and be submitted and approved by the relevant planning authority. A list of potential specific pre-commencement plans is provided below:
 - Pre-commencement screening, fencing and site security works plan;
 - Pre-commencement access management plan;
 - Written scheme of archaeological investigation works; and
 - Ecological management plan for site clearance works.
6. The plans will be developed post-consent when the details of the types and timings of pre-commencement works are known. For example, once the scope of the archaeological surveys and investigations has been defined then the specific scheme of written investigation detailing the works can be produced and if additional accesses are required then details of these will be provided in a pre-commencement access management plan.
7. The plans will be submitted to the relevant planning authority based on the proposed area of works, with each planning authority providing approval for works in their authority.
8. As the plans will be produced in advance of the final management plans to discharge the DCO Requirements they will be stand-alone documents separate to the final management plans such as the Code of Construction Practice.