

YG-DCO-051

Yorkshire Green Energy Enablement (GREEN) Project

Volume 6

Document 6.5 Statement of Statutory Nuisance

Final Issue A

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Version History

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1. Introduction

1.1 This document

- 1.1.1 This document is the Statement of Statutory Nuisance prepared in accordance with Regulation 5(2)(f) of the Infrastructure Planning (Applications: Prescribed Forms and Procedures) Regulations 2009¹ (APFP Regulations), which require the applicant for a Development Consent Order to provide: ‘...a statement whether the proposal engages one or more of the matters set out in section 79(1) (statutory nuisances and inspections therefor) of the Environmental Protection Act 1990, and if so how the applicant proposes to mitigate or limit them’.

1.2 Overview of the Project

- 1.2.1 This Statement of Statutory Nuisance accompanies an application for development consent (‘the Application’) by National Grid Electricity Transmission Plc (National Grid) for powers to construct, operate and maintain the Yorkshire Green Energy Enablement (GREEN) Project (referred to as the Project or Yorkshire GREEN throughout this document). The Project is located within the administrative boundaries of Hambleton District Council, City of York Council, Harrogate Borough Council, Selby District Council, Leeds City Council and North Yorkshire County Council.²
- 1.2.2 The Project is sited within Yorkshire, with the most northerly components located approximately 1.5km north-east of the village of Shipton and approximately 10km north-west of York city centre. The most southerly components are at the existing Monk Fryston Substation, located to the east of the A1 and immediately south of the A63 (see **Overall Location Plan, Document 2.1, Volume 2**).
- 1.2.3 The Project is defined as a Nationally Significant Infrastructure Project (NSIP) under Section 14(1)(b) and Section 16 of the Planning Act 2008 (the Act), as it comprises new overhead electricity transmission connections of more than 2 kilometres (km) in length, with an operating voltage above 132 kilovolts (kV). Under Section 31 of the Act, development consent is required for development to the extent that it is or forms part of an NSIP. Development consent is granted by the making of a DCO for which an application may be made under section 37 of the Act.
- 1.2.4 Further information on the Project can be found in **Chapter 3: Description of the Project (Document 5.2.3, Volume 5)** and **Project 2: Project need and alternatives (Document 5.2.2, Volume 5)** of the Environmental Statement (ES, Volume 5).

¹ Infrastructure Planning (Applications: Prescribed Forms and Procedures) Regulations 2009

² The local authorities' boundaries and titles are correct at the time of submission November 2022. North Yorkshire County Council, Hambleton District Council, Selby District Council, Ryedale District Council, Scarborough Borough Council, Harrogate Borough Council, Craven District Council and Richmondshire District Council are expected to form a new single council (North Yorkshire Council) on 1 April 2023 as a result of Local Government Reorganisation.

1.3 Description of the Project

1.3.1 The Project will comprise both new infrastructure and works to existing transmission infrastructure and facilities. The Project is divided into six sections for ease of reference as indicated in **Figure 1.2 of the Environmental Statement, Volume 5, Document 5.4.1** and described below.

- Section A (Osbalwick Substation): Minor works at the existing Osbalwick Substation comprising the installation of a new circuit breaker and isolator along with associated cabling, removal and replacement of one gantry and works to one existing pylon. All substation works would be within existing operational land.
- Section B (North west of York Area): Works would comprise:
 - reconductoring of 2.4km of the 400kV Norton to Osbalwick (2TW/YR) overhead line and replacement of one pylon on this overhead line;
 - the new 400kV YN overhead line (2.8km), north of the proposed Overton Substation;
 - the new Shipton North and South 400kV cable sealing end compounds (CSECs) and 230m of cabling to facilitate the connection of the new YN 400kV overhead line with the existing Norton to Osbalwick YR overhead line;
 - a new substation (Overton 400kV/275kV Substation) approximately 1km south of Shipton by Beningbrough;
 - two new sections of 275kV overhead line which would connect into Overton Substation from the south (the 2.1km XC overhead line to the south-west and the 1.5km SP overhead line to the south-east);
 - works to 5km of the existing XCP Poppleton to Monk Fryston overhead line between Moor Monkton in the west and Skelton in the east comprising a mixture of decommissioning, replacement and realignment. To the south and south-east of Moor Monkton the existing overhead line would be realigned up to 230m south from the current overhead line and the closest pylon to Moor Monkton (340m south-east) would be permanently removed. A 2.35km section of this existing overhead line permanently removed between the East Coast Mainline (ECML) Railway and Woodhouse Farm to the north of Overton.
- Section C (Moor Monkton to Tadcaster): Works proposed to the existing 275kV Poppleton to Monk Fryston (XC) overhead line comprise replacing existing overhead line conductors, replacement of pylon fittings, strengthening of steelwork and works to pylon foundations.
- Section D (Tadcaster Area): Two new CSECs (Tadcaster East and West 275kV CSECs) and approximately 350m of cable would be installed approximately 3km south-west of Tadcaster and north-east of the A64/A659 junction where two existing overhead lines meet. One pylon on the existing 275kV Tadcaster Tee to Knaresborough (XD) overhead line would be replaced.
- Section E (Tadcaster to Monk Fryston): Works proposed to the existing 275kV Poppleton to Monk Fryston (XC) overhead line would comprise replacing existing overhead line conductors, replacement of pylon fittings, strengthening of steelwork and works to pylon foundations.

- Section F (Monk Fryston Area): A new substation would be constructed to the east of the existing Monk Fryston Substation which is located approximately 2km south-west of the village of Monk Fryston and located off Rawfield Lane, south of the A63. A 1.45km section of the 275kV Poppleton to Monk Fryston (XC) overhead line to the west of the existing Monk Fryston Substation and south of Pollums House Farm would be realigned to connect to the proposed Monk Fryston Substation. East of the existing Monk Fryston Substation the existing 4YS 400kV Monk Fryston to Eggborough overhead line, which currently connects to the existing substation, would be reconfigured to connect to the proposed Monk Fryston Substation.

2. Background

- 2.1.1 Regulation 5(2)(f) of the APFP Regulations requires that the applicant for a DCO states whether the proposal engages one or more of the matters set out in Section 79(1) (statutory nuisance and inspections therefor) of the Environmental Protection Act 1990³ (as amended) (EPA 1990). If so, the applicant is required to indicate how it proposes to mitigate or limit such nuisances.
- 2.1.2 This statement has been prepared having regard to the requirements of National Policy Statement for Energy EN-1 which states under paragraph 4.14.2 that *“it is very important that, at the application stage of an energy NSIP, possible sources of nuisance under section 79(1) of the 1990 Act and how they may be mitigated or limited are considered by the IPC so that appropriate requirements can be included in any subsequent order granting development consent.”*
- 2.1.3 Section 79(1) of the EPA 1990 (in respect of statutory nuisances) provides the following detail:

“(1)...the following matters constitute “statutory nuisances” for the purposes of this Part (that is to say:-

- (a) any premises in such a state as to be prejudicial to health or a nuisance;*
- (b) smoke emitted from premises so as to be prejudicial to health or a nuisance⁴;*
- (c) fumes or gases emitted from premises so as to be prejudicial to health or a nuisance;*
- (d) any dust, steam, smell or other effluvia arising on industrial, trade or business premises and being prejudicial to health or a nuisance;*
- (e) any accumulation or deposit which is prejudicial to health or a nuisance;*
- (f) any animal kept in such a place or manner as to be prejudicial to health or a nuisance;*
- (fa) any insects emanating from relevant industrial, trade or business premises and being prejudicial to health or a nuisance⁵;*
- (fb) artificial light emitted from premises so as to be prejudicial to health or a nuisance;*
- (g) noise emitted from premises so as to be prejudicial to health or a nuisance;*

³ Environmental Protection Act 1990

⁴ Section 79 (3) sets out that *“subsection (1)(b) ... does not apply to .. (ii)dark smoke emitted from a chimney of a building or a chimney serving the furnace of a boiler or industrial plant attached to a building or for the time being fixed to or installed on any land,...or ..(iv) dark smoke emitted otherwise than as mentioned above from industrial or trade premises.”*

⁵ Section 79 (5a) sets out that *“Subsection (1)(fa) does not apply to insects that are wild animals included in Schedule 5 to the Wildlife and Countryside Act 1981 (animals which are protected), unless they are included in respect of section 9(5) of that Act only.”*

(ga) noise that is prejudicial to health or a nuisance and is emitted from or caused by a vehicle, machinery or equipment in a street or in Scotland, road;

(h) any other matter declared by enactment to be a statutory nuisance;

and it shall be the duty of every local authority to cause its area to be inspected from time to time to detect any statutory nuisance which ought to be dealt with under section 80...and, where a complaint of statutory nuisance is made to it by a person living within its area, to take such steps as are reasonably practicable to investigate the complaint”.

3. Assessment

- 3.1.1 In accordance with the environmental impact assessment documented in the ES (**Volume 5**) this Statement of Statutory Nuisance considers the following nuisances under Section 79(1) of the EPA 1990 (as listed above) to be potentially applicable to the Project:
- (c) *fumes or gases emitted from premises so as to be prejudicial to health or a nuisance* (relating to air quality);
 - (d) *any dust, steam, smell or other effluvia arising on industrial, trade or business premises and being prejudicial to health or a nuisance* (relating to air quality);
 - (fb) *artificial light emitted from premises so as to be prejudicial to health or a nuisance*;
 - (g) *noise emitted from premises so as to be prejudicial to health or a nuisance*; and
 - (ga) *noise that is prejudicial to health or a nuisance and is emitted from or caused by a vehicle, machinery or equipment in a street or in Scotland, road*.
- 3.1.2 This Statement concludes that the following Sections of the EPA 1990 are deemed not to be applicable to the Project due to the nature of the Project and will not be considered further for the following reasons:
- (a) *any premises in such a state as to be prejudicial to health or a nuisance*
- 3.1.3 Temporary structures, such as welfare facilities and portacabin offices, would be put in place as part of the construction compounds and the Project would also include permanent premises (control buildings at the substations). The construction compounds will be maintained and managed throughout the duration of the construction works and good construction practice management measures implemented as part of the **Code of Construction Practice (CoCP) (Document 5.3.3B, Volume 5)**, implemented through DCO Requirement 5. Therefore, there are unlikely to be any impacts prejudicial to health or a nuisance associated with construction activities taking place at the construction compounds. The substation control buildings will be regularly maintained and are therefore also unlikely to be prejudicial to health or a nuisance.
- (b) *smoke emitted from premises so as to be prejudicial to health or a nuisance*
- 3.1.4 No fires will be allowed, as specified within the **CoCP** (see **Document 5.3.3B, Volume 5**). The **CoCP** will be implemented through Requirement 5 of the draft DCO (**Document 3.1, Volume 3**).
- (e) *any accumulation or deposit which is prejudicial to health or a nuisance*
- 3.1.5 No accumulations or deposits which are likely to be prejudicial to health or a nuisance will occur. Materials stored on-site will be subject to the measures set out in the (**CoCP Document 5.3.3B, Volume 5.3**) to ensure that wind-blown dust is avoided. Any soil affected by contamination will be appropriately identified, assessed and managed to ensure that it does not present a health risk, in accordance with the procedures defined in the CoCP and secured by Requirement 5 of the draft DCO (**Document 3.1, Volume 3**).

- *(f) any animal kept in such a place or manner as to be prejudicial to health or a nuisance*

3.1.6 No animals will be kept on-site as part of the Project.

- *(fa) any insects emanating from relevant industrial, trade or business premises and being prejudicial to health or a nuisance*

3.1.7 No materials will be stored on-site which could attract insects which could cause a nuisance or be prejudicial to human health. Any food waste from the construction compounds will be stored appropriately and removed off-site. Waste management measures are set out in **Section 2.4** of the **CoCP (Document 5.3.3B, Volume 5)** and includes the need for the contractor(s) to produce a Site Waste Management Plan for approval of the relevant planning authority (secured via Requirement 6 of the draft DCO (**Document 3.1, Volume 3**)).

- *(h) any other matter declared by enactment to be a statutory nuisance*

3.1.8 There are no other matters or elements of the Project which could be considered to be a statutory nuisance.

3.2 Section 79(1) (c-d): fumes and gases, dust or other effluvia

3.2.1 This section considers the following potential nuisances:

- *(c) fumes or gases emitted from premises so as to be prejudicial to health or a nuisance* (relating to air quality);
- *(d) any dust, steam, smell or other effluvia arising on industrial, trade or business premises and being prejudicial to health or a nuisance* (relating to air quality);

Construction phase

3.2.2 The potential for these nuisances is covered in **Chapter 13 Air Quality** of the ES (**Document 5.2.13, Volume 5**). The air quality assessment concludes that combustion related emissions from construction site vehicles and plant would not be significant, and therefore would not constitute a statutory nuisance.

3.2.3 Construction activities, such as site preparation and site excavation have the potential to generate dust emissions and deposit dust, which have the potential to affect human and ecological receptors in the vicinity of the Project and cause nuisance. An assessment of dust risk has therefore been undertaken to define appropriate site specific environmental measures as detailed in **Section 13.6** of Air Quality chapter of the ES (**Document 5.2.13, Volume 5**).

3.2.4 These measures have been incorporated into the **CoCP (Document 5.3.3B, Volume 5)** to ensure that there would be no significant air quality effects as a result of construction activities. Therefore, there would be no statutory nuisance in terms of air quality for the construction phase of the Project.

Operational stage

3.2.5 As outlined in the ES (**Chapter 13: Air Quality, Document 5.2.13, Volume 5**), operational air quality effects would not be significant, and therefore would not constitute a statutory nuisance.

Embedded environmental measures

3.2.6 Measures in line with best practice guidance for mitigating the generation of dust on construction sites are set out in the **CoCP (Document 5.3.3B, Volume 5)** and will include (but are not limited to):

- Monitoring
 - Carry out regular site inspections to monitor compliance with the dust management measures set out in the CoCP, record inspection results, and make an inspection log available to the relevant Local Authority when asked.
 - Increase the frequency of site inspections by the person accountable for air quality and dust issues on site when construction activities with a high potential to produce dust are being carried out and during prolonged dry or windy conditions.
 - Consider the need for dust deposition, dust flux, or real-time PM₁₀ continuous monitoring locations with the relevant Local Authority through the Pollution Incident Control Plan (secured in Requirement 6 of the **draft DCO, Volume 3, Document 3**).
- Dust management measures
 - Only use cutting, grinding or sawing equipment fitted or in conjunction with suitable dust suppression techniques such as water sprays or local extraction, for example, suitable local exhaust ventilation systems.
 - Ensure an adequate water supply on the site for effective dust/particulate matter suppression/mitigation, using non-potable water where possible and appropriate.
 - Use enclosed chutes and conveyors and covered skips.
 - Minimise drop heights from conveyors, loading shovels, hoppers and other loading or handling equipment and use fine water sprays on such equipment wherever appropriate.
 - Ensure equipment is readily available on site to clean any dry spillages and clean up spillages as soon as reasonably practicable after the event using appropriate cleaning methods.
- Preparing and maintaining the site:
 - Plan site layout so that machinery and dust causing activities are located away from receptors, as far as is possible.
 - Consider the use of solid screens or barriers around dusty construction activities in areas where construction works are within 100m sensitive receptors.
 - Avoid site runoff of water or mud.
 - Keep site fencing, barriers and scaffolding clean to avoid the transfer of dust when these elements are transported.
 - Remove materials that have a potential to produce dust from site as soon as possible, unless being re-used on site. If they are being re-used on-site cover as described below.
 - Comply with the outline Soil Management Plan (**Volume 5, Document 5.3.3E**) (secured in Requirement 5, Draft DCO, **Volume 3, Document 3.1**) in relation to

the covering, seeding or fencing of stockpiles to prevent wind whipping as soon as it is practical.

- Site Management
 - Record all dust and air quality complaints, identify cause(s), take appropriate measures to reduce emissions in a timely manner, and record the measures taken.
 - Make the complaints log available to the local authority when asked.
 - Record any exceptional incidents that cause dust and/or air emissions, either on- or offsite, and the action taken to resolve the situation in the logbook.
- Waste Management
 - No bonfires and burning of waste materials.
- Measures specific to Dismantling
 - Ensure effective water suppression is used during dismantling. Handheld sprays are more effective than hoses attached to equipment as the water can be directed to where it is needed. In addition, high volume water suppression systems, manually controlled, can produce fine water droplets that effectively bring the dust particles to the ground.
- Measures specific to earthworks:
 - Comply with measures set out in the Outline Soil Management Plan (OSMP) to minimise the risk of dust from earthworks (**Volume 5.3: Document 5.3.3E – Appendix 3E**).
- Measures specific to construction materials
 - Ensure sand and other aggregates are stored in bunded areas and are not allowed to dry out, unless this is required for a particular process, in which case ensure that appropriate additional control measures are in place.
 - Avoid scabbling (roughening of concrete surfaces) if possible.
 - Ensure bulk cement and other fine powder materials are delivered in enclosed tankers and stored in silos with suitable emission control systems to prevent escape of material and overfilling during delivery.
 - For smaller supplies of fine powder materials, ensure bags are sealed after use and stored appropriately to prevent dust.
- Measures specific for trackout
 - Use water-assisted dust sweeper(s) on the access and local roads, to remove, as necessary, any material tracked out of the site.
 - Avoid dry sweeping of large areas.
 - Ensure vehicles carrying materials which may produce dust, entering and leaving sites are covered to prevent escape of materials during transport.
 - Record all inspections of temporary access roads and any subsequent action in a site logbook.

- Implement a wheel washing system (with rumble grids to dislodge accumulated dust and mud prior to leaving the site) at appropriate locations and where reasonably practicable.
- Ensure there is an adequate area of hard standing within construction compounds between the wheel wash facility and the site exit, wherever site size and layout permits.

Conclusions

3.2.7 As outlined in the **ES Chapter 13: Air Quality, Document 5.2.13, Volume 5**, with the employment of environmental measures, there would be no significant effects during either the construction or operational phases, and as such no statutory nuisance would be expected.

3.3 Section 79(1) (fb): Light from premises

3.3.1 This section considers the following potential nuisance:

- *(fb) artificial light emitted from premises so as to be prejudicial to health or a nuisance.*

Construction stage

3.3.2 There is limited potential for light pollution during construction as identified in the **ES Chapter 3: Description of the Project, Document 5.2.3** and **Chapter: 6 Landscape and Visual, Document 5.2.6**. A lighting scheme would be implemented through Requirement 6 of the draft DCO (**Document 3.1, Volume 3**) to minimise the extent to which lighting associated with construction activity (as well as permanent activity) residential and other receptors (**CoCP, Document 5.3.3B, Volume 5**). This strategy would be informed by the latest research and guidance.

3.3.3 External lighting, including security lighting would be minimised during the hours of darkness where possible and would be required only in limited circumstances as the majority of activities would be undertaken in daylight hours. There may be a need for lighting during limited night-time works where scaffolding is in place over roads and railways, at the Overton Substation and Monk Fryston Substation sites, at the associated construction compounds related to these works, and in the case of emergencies. Should site compounds require security lighting these would be on a timer and motion sensitive.

Operational stage

3.3.4 No significant operational lighting effects associated with the Project that could potentially generate a health or nuisance issue were identified.

Embedded environmental measures

3.3.5 The lighting arrangements for temporary evening works will be considered in the lighting scheme under draft DCO Requirement 6 (**Document 3.1, Volume 3**).

3.3.6 Measures in line with best practice guidance for mitigating construction phase lighting are set out in the **CoCP (Document 5.3.3B, Volume 5)** and will include (but are not limited to):

- installation of temporary 2.4m tall solid timber fencing around construction compound boundaries where there are views into the compound from nearby sensitive receptors and screening would not be provided by elements surrounding the compound (for example temporary earth bunds) or existing screening (for example areas of hedgerow or woodland) is not present outside the compound boundary (further detail is provided in the **CoCP (Document 5.3.3B, Volume 5)**); and
- temporary lighting to be utilised for minimum periods and to be designed to minimise light pollution and night time light spill.

Conclusions

3.3.7 No significant lighting effects associated with the Project that could potentially generate a nuisance issue have been identified.

3.4 Section 79(1) (g, ga): Noise emitted from premises

3.4.1 This section considers the following potential nuisances:

- *(g) noise emitted from premises so as to be prejudicial to health or a nuisance; and*
- *(ga) noise that is prejudicial to health or a nuisance and is emitted from or caused by a vehicle, machinery or equipment in a street or in Scotland, road.*

Construction stage

3.4.2 The potential for noise from construction activities is covered in **Chapter 14: Noise and Vibration** of the ES (**Document 5.2.14, Volume 5**).

3.4.3 As outlined in **Chapter 14 (Document 5.2.14, Volume 5)**, noise impacts resulting from the projected slight increase in traffic associated with the construction phase are not considered likely to be significant due to the small increases in traffic flow due to construction traffic on roads where there are sensitive receptors. The greatest increase reported in the assessment was 1dB on Common Croft Lane (North of A59), but no receptors are located within 50m of this source.

3.4.4 **Chapter 3: Description of the Project (Document 5.2.3, Volume 5)** sets out the operations which may take place outside of core hours, for example at night-time. Of these operations, the following may result in potential noise effects on nearby resident receptors:

- the jointing of underground cables, with the exception of cable cutting which will take place only during core working hours;
- the installation and removal of conductors, pilot wires and associated protective netting and structures across highways, railway lines or watercourses;
- the completion of operations commenced during the core working hours which cannot safely be stopped;
- any highway works requested by the relevant highway authority to be undertaken on a Saturday or a Sunday or outside the core working hours;
- oil processing of transformers or reactors in substation sites;

- the testing or commissioning of any electrical plant installed as part of the authorised development;
 - the completion of works delayed or held up by severe weather conditions which disrupted or interrupted normal construction activities; and
 - security monitoring.
- 3.4.5 Detailed assessment of night time activities has shown that significant effects are unlikely as the duration of such activities is very limited, for example scaffolding required for stringing activities affecting single receptors will be completed in two or three single night periods separated by months of inactivity, and single night time activities listed above such as jointing and pulling of bonds over scaffolding are unlikely to overlap.
- 3.4.6 Construction activities, such as constructing the pylon foundations, have the potential to generate noise and vibration effects and disturb residents living in close proximity to the Project. However with the embedded measures in place, significant adverse noise and vibration levels are not expected at the sensitive receptors (**CoCP, Document 5.3.3B and Noise and Vibration Management Plan (NVMP), Document 5.3.3H, Volume 5**).
- 3.4.7 As described in **Chapter 14** of the ES (**Document 5.2.14, Volume 5**), a **CoCP** has been prepared and submitted with the DCO application as **Document 5.3.3B, Volume 5** and will be implemented through Requirement 5 of the **draft DCO (Document 3.1, Volume 3)**. A **NVMP** is also provided (**Document 5.3.3H, Volume 5**) and will be implemented during construction through Requirement 5 of the draft DCO (**Document 3.1, Volume 3**). These documents incorporate measures to minimise noise emissions such as specifying working methods, hours of work and any noise controls in accordance with 'best practicable means'. Noise controls specified will be in accordance with BS5228 Code of Practice for Noise and Vibration Control on Construction and Open Sites 2009 +A1: 2014 Part 1-Noise and Part 2-Vibration. The construction methods utilised and embedded environmental measures would take account of particularly sensitive receptors (see **CoCP, Document 5.3.3B, Volume 5**) The assessment has concluded that with these measures in place no significant noise and vibration effects will occur. Therefore, there would be no statutory nuisance in terms of noise and vibration for the construction phase of the Project.

Operational stage

- 3.4.8 In the ES, no significant adverse noise effects were predicted that would represent a nuisance under section 79(1)(g) or 79(1)(ga) of the EPA 1990 in relation to the operation of the overhead lines or the substations at Overton and Monk Fryston (**ES Chapter 14: Noise and Vibration, Document 5.2.14, Volume 5**).
- 3.4.9 The four Super Grid Transformers (SGTs) at both substations will require noise enclosures to a standard specified in the National Grid – Generic Electricity Design Manual TS 2.10.07 – April 2017.

Embedded environmental measures

- 3.4.10 A summary of all environmental measures embedded into the Project, and the mechanism for securing the delivery of these is set out in the **Embedded Measures Schedule (Document 5.3.3A, Volume 5)**. Measures specific to the management of potential nuisance are described below.
- 3.4.11 A **NVMP (Document 5.3.3H, Volume 5)** has been produced to provide a framework for managing noise at the site and is secured through Requirement 5 of the draft DCO

(**Document 3.1, Volume 3**). The **NVMP** will provide any contractor with the tools to demonstrate adherence to Best Practicable Means (BPM) which is a statutory defence against allegations of statutory nuisance should they arise.

3.4.12 Good practice measures that have been incorporated into the Project during construction to reduce noise effects are outlined in the **CoCP (Document 5.3.3B, Volume 5)** and will also include the following:

- adoption of construction methods and plant that are not inherently noisy;
- semi-static equipment or other continuous noisy plant will be sited as far as possible from sensitive receptors and fitted with suitable enclosures;
- noisy activities will be conducted during less sensitive periods or staggered;
- where practicable, battery-powered generators will be used in preference to diesel-powered generators, where a fixed power supply is not available;
- low noise generators and compressors will be used;
- effective exhaust silencing and plant muffling equipment will be fitted and maintained in good working order;
- mobile construction plant will be located away from adjacent occupied buildings or as close as possible to noise barriers or site hoardings to provide additional screening from sensitive noise receptors;
- plant will not be operated with covers open or removed;
- all plant and equipment will be properly maintained;
- engines will be switched off when not in use;
- all equipment will be used in the mode of operation which minimises noise emissions;
- plant will be started up sequentially, rather than simultaneously; and
- static plant known to generate significant levels of vibration will be fitted with vibration dampening.

3.4.13 In addition to the above good practice measures the following measures would be undertaken.

- Acoustic screens will be used where appropriate and necessary to mitigate noise in accordance with the **NVMP (Document 5.3.3H, Volume 5)** and the Acoustic Screening Strategy set out in **ES Appendix 14D, Document 5.3.14D**.
- Only designated temporary access roads will be used on-site.
- Temporary access roads will be well maintained to minimise noise generated from vehicles travelling over uneven surfaces and potholes.
- Temporary access roads will avoid steep gradients where practicable to reduce HGV engine noise emissions.
- Where health and safety obligations can be achieved and where it is possible to do so, mobile construction plant will be fitted with low noise or broadband reversing alarms to minimise potential for annoyance to sensitive receptors.

- Loading/unloading activities will be located away from sensitive receptors and acoustically screened, where practicable.
 - Materials will be handled in a manner than minimises noise. This will include restricting drop heights during lorry loading to the minimum required for safe and efficient operations.
 - Where night-time work is required, it will be carried out in a manner that minimises noise and vibration at all times.
 - Where night-time work is required close to receptors, prior warning will be given.
 - No amplified sound will be generated at any time within the site or at any time during any phase of works for the development. This constraint will not apply in the event of emergencies or emergency drills to the extent necessary to deal with an emergency or drill, or other health and safety requirements. This constraint will also not apply to the amplified noise generated by construction plant as a reversing alarm.
- 3.4.14 Construction hours will be restricted to those set out Requirement 7 of the draft DCO, **Document 3.1, Volume 3**.
- 3.4.15 The noise enclosures at the SGT generators at the substations will be designed to the relevant design standards set out in the National Grid – Generic Electricity Design Manual TS 2.10.07 – April 2017 document.

Conclusions

- 3.4.16 No significant noise effects associated with the Project that could potentially generate a nuisance issue have been identified.
- 3.4.17 Contractors will adopt Best Practicable Means and this will be enforced through the **CoCP (Volume 5, Document 5.5.3B)** and the **NVMP (Document 5.3.3H, Volume 5)**.

4. Conclusions

- 4.1.1 This Statement identifies the matters set out in Section 79(1) of the EPA 1990 in respect of statutory nuisances and considers whether the proposed application for the Project would engage one or more of those matters on the basis adopted for assessment.
- 4.1.2 With the proposed environmental measures in place, it is not expected that there would be a breach of Section 79(1) of the EPA 1990 during construction or operational activities.
- 4.1.3 The **CoCP (Document 5.3.3B, Volume 5)** and the **NVMP (Document 5.3.3H, Volume 5)** includes measures that will minimise the potential to cause nuisance. The construction activities that have the potential to create a nuisance will be controlled through strict compliance with National Grid's Contract Requirements which will require that the contractor(s) implement the measures outlined in the **CoCP (Document 5.3.3B, Volume 5)**.

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