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To the Applicant  
(By email only)

Your Ref:

Our Ref: EN020024

Date: 8 December 2022

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Dear Ms McDonnell

## **Planning Act 2008 (as amended) – Section 51**

### **Application by National Grid for an Order Granting Development Consent for the Yorkshire GREEN**

#### **Advice following issue of decision to accept the application for examination**

On 8 December 2022 the Secretary of State decided that the application for the above project satisfied the acceptance tests under section 55 of the Planning Act 2008 (PA2008). The Planning Inspectorate's acceptance checklist and the application documents have been published and made available on the project page of our website.

In undertaking checks at the acceptance stage, the Inspectorate has made some initial observations in relation to the application. This letter comprises advice to the Applicant provided under section 51 of the PA2008 in respect of these initial observations. The Applicant should pay attention to its content and consider how appropriate action might be taken in response.

#### **Consultees identified on a precautionary basis**

Given the individual circumstances of this case, the Planning Inspectorate advises taking a precautionary approach to consultation under s42(1)(a) of PA2008 to ensure that all persons potentially affected by, or potentially likely to have an interest in the application are given the opportunity to participate fully in the Examination of the application. On this basis, the Applicant may wish to serve notice on the bodies listed in Box 6 of the section 55 checklist when it serves notice of the accepted application under s56(2)(a) of the PA2008; unless there is a specific justification why this is not necessary.

#### **Minor errors and omissions**

There are minor errors and omissions, as reflected in Box 30 of the acceptance checklist, and elaborated upon below.

## **Land Plans (Doc 2.5.1 to Doc 2.5.6)**

The Applicant is advised to undertake a cross-check of the Land Plans with the descriptions used in the BoR to ensure clear and consistent read across between the two. Where geographical identifiers, such as road names and settlements, have been used to in the BoR to help locate plot(s) on the Land Plan(s), these identifiers should be included on the relevant plan. The Inspectorate has noted a number of instance where this is not the case. For example, plot B1-01 is described as being east of Plainville Lane, however Plainville Lane is not shown on Sheet 1 of Land Plan – Section B.

The Applicant should also review and where necessary simplify the geographical identifiers used to avoid muddling an area of a plan. For example, on Sheet 5 of Land Plan – Section B, the identifiers around Moor Monkton are difficult to decipher.

The Applicant is advised to submit updated Land Plans that take account of the above advice.

## **Access Rights of Way and Public Rights of Navigation Plans (Doc 2.7.1 to Doc 2.7.6)**

A consistency check of the Access Rights of Way and Public Rights of Navigation Plans with Schedule 7 of the dDCO should be conducted. The Inspectorate has noted discrepancies between the plans and the dDCO. For example, AP20 and AP21 are listed in Schedule 7 of the dDCO as being on sheet F4, however they are on sheet E4 of the plan. AP22 and AP26 are listed in Schedule 7 of the dDCO as being on sheet F3 but appear of sheet E4 of the plan.

## **Explanatory Memorandum (Doc 3.2)**

A consistency check between the Explanatory Memorandum (EM) and the dDCO should be carried out, the Inspectorate has noted some discrepancies. For example, the EM refers to DCO Schedule 5 as “Transfer of Benefit Rules”, however, Schedule 5 in the dDCO is noted as “Benefit of the Order Rules”.

## **Habitat Regulations Assessment (HRA) (Doc 6.4)**

It is advised that the Applicant reviews the formatting of the No Significant Effects Report (NSER) HRA Screen to ensure all footnotes are included and paragraph number is correct. It is requested than an updated version of the NSER is submitted incorporating the correction.

Please pay close attention to the advice set out in this letter and act on it accordingly. Where the above advice requires application documents to be updated, the updated versions should be submitted in good time before the Preliminary Meeting. This will contribute towards a more efficient examination and give any future Examining Authority comfort that the documentation is complete and accurate.

We trust you find this advice helpful, however if you have any queries on these matters please do not hesitate to contact our office using the contact details at the head of this letter.

Yours sincerely

*Paige Hanlon*

Paige Hanlon  
**Case Manager**

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