



Historic England

**Application for Development Consent for electricity network reinforcement comprising a new 400kV and 275kV electricity transmission connection and associated development, known as “Yorkshire GREEN” (‘the Proposal’)
PINS Reference: EN020024**

25th April 2023

1. Introduction

1.1. The Historic Buildings and Monuments Commission for England (known generally as Historic England (“HE”) is the government’s statutory adviser on all matters relating to the historic environment. We were established by the National Heritage Act 1983 and our general duties are, so far as it practicable to secure the preservation of ancient monuments and historic buildings in England’ to promote the preservation and enhancement of the character and appearance of conservation areas situation in England and to promote the public’s enjoyment of and advance their knowledge of ancient monuments and historic buildings situated in England and their preservation, We are an executive non-departmental public body, and our sponsoring department is the Department for Culture, Media and Sport.

1.2. We can confirm that HE has been party to extensive pre-application discussions in relation to the Proposal, and the results of these discussions are reflected in the Statement of Common Ground.

2. The Proposal

2.1. National Grid propose to upgrade and reinforce the electricity transmission system in Yorkshire. We understand that this reinforcement is needed to improve the transfer of energy across the country, increase network capacity and avoid constraint costs.

2.2. The Yorkshire Green project comprises both new infrastructure and works to existing transmission infrastructure and facilities. The Project is divided into six sections, located within six Local Authority boundaries (although as of 1st April 2023, North Yorkshire is now a Unitary Authority, named North Yorkshire Council). The physical works include improvements to existing substations, the construction of new substations, replacing overhead line conductors and works to pylon foundations, installing new overhead lines and providing temporary infrastructure to enable the proposed works.

2.3. The proposed works will take place between Osbaldwick (City of York) and Monk Fryston (formerly Selby District, now North Yorkshire Council).

3. Representation

3.1. We had drafted a relevant representation to set out our position, however, this does not appear to have been uploaded to the Planning Inspectorate's website for the examination of this Proposal.

3.2. As we were not taking part in the Examination, we have only now become aware that the Examining Authority has posed a number of written questions to Historic England in its first set of Written Questions. In order to assist the Examining Authority, we set out below the points made in our relevant representation, our responses to the Examining Authority's questions and the draft Statement of Common Ground prepared by the Applicant.

3.3. A summary of our answers to the Examining Authority's questions is below:

3.3.1. Q5.1.35: (a) No, however, please see the observation in paragraph 5.15 (b)
N/A

3.3.2. Q9.1.1: (a) Yes – as set out from paragraph 5.4 (b) Please see paragraphs 5.9 and 5.10 (c) Yes – please see paragraph 5.8

3.3.3. Q9.2.3: Please see paragraph 5.11

3.4. This letter reflects the position of Historic England on the Proposal, and we do not therefore consider a Statement of Common Ground to be required.

3.5. We trust that this submission addresses the issues and confirm that we will not be participating in the examination. As such, we shall not be monitoring the examination website; should the Examining Authority require any assistance from us, we would be grateful if this could be communicated to us directly through the contact details at the head of this letter.

4. Historic Environment

4.1. The Proposal lies on a route commencing east of York at Osbaldwick, then curves in an arc around the north of York to Overton, north west of York, and then continues to run roughly north to south on the west side of York to Monk Fryston.

4.2. York is an internationally renowned centre of cultural significance, but its penumbra also includes a range of highly sensitive designated heritage assets. The elevated nature of the proposal and associated works implies that the works could be highly visible over a considerable distance. We were keen to understand whether the Proposal would give rise to negative impacts on

4.2.1. views from York Minster (Grade I, NHLE 1257222) to the North York Moors;

4.2.2. views to and from Beningbrough Hall and gardens (Grade I listed Hall, NHLE 1150998; Grade II Registered Park and Garden NHLE 1001057), specifically views from the first and upper floors of the Hall eastwards towards York; and

4.2.3. views to and from Marston Moor (1644) Registered Battlefield (NHLE 1000020) and Towton Moor (1461) Registered Battlefield (NHLE 1000040) during the works process.

4.3. We were also interested to understand any physical impacts on the scheduled monument known as 'Medieval manorial complex, garden and water management features, St Mary's chapel, and a linear earthwork forming part of the Aberford Dyke system' (NHLE 1020326). We will refer to this monument as 'the Manorial Complex' in this letter.

5. Impacts on the Historic Environment

5.1. Our primary consideration throughout the pre-application discussions has been the impact of the Proposal on the historic environment, particularly the highly designated assets directly within the order limits.

5.2. We have worked with the applicant, other statutory bodies and local authority colleagues on this issue. We have sought to secure avoidance, prevention or reduction of any harms through design and where this cannot be achieved, reduce and help to develop mitigation strategies.

5.3. We have considered a range of material from the applicant during the course of pre-application discussion and at application stage. The Environmental Statement as it applies to the historic environment (Chapter 7 [APP-079]; Appendices 7F [APP-121], 7G [APP-122], 7H [APP-123], and 3C [APP-096]) successfully summarises the significance of heritage assets, analyses the impacts of the proposed scheme on that significance and proposes appropriate mitigation where necessary. We consider that the supporting information in the DCO application is of a high standard and we broadly accept the conclusions presented.

Manorial Complex

5.4. The Manorial Complex is the only highly designated asset within the proposed order limits. This site is located south west of York, in Selby District, but is also immediately south west of the Registered Battlefield of Towton Moor.

5.5. Access will be required by the Applicant through the scheduled monument to pylon XC498. All necessary land for access is within the proposed order limits. The Environmental Statement (Appendix 7G [APP-122]) summarises the Applicant's assessment of access arrangements. The assessment concludes that, on balance,

the favoured method is to access pylon XC498 via land at the Manorial Complex. Historic England is satisfied with the assessment undertaken.

5.6. A method to enable safe and non-intrusive access has been agreed between Historic England and the Applicant in order to prevent direct harm to the scheduled monument. The agreed access method is described at Appendix 7G to the Applicant's Environmental Statement (paragraph 2.4) [APP-122]. Compliance is intended to be secured through section 3.4 of the Code of Construction Practice [APP-095] and requirement 5(2)(a) of the DCO [APP-066]. We note that there is a typo in the Code of Construction Practice and Chapter 7 of the ES in the references to Appendix 7G which will be corrected by the Applicant. It is important that the Code of Construction Practice links to Appendix 7G of the ES to ensure that access over the Manorial Complex does not cause harm to the monument.

5.7. We also note that the Applicant has indicated that it intends to provide clearer wording in the Code of Construction Practice to ensure that the commitment to implement the measures included in Appendix 7G to the ES is robustly secured. We would suggest that the following wording is used at paragraph 3.4.4 of the Code of Construction Practice:

During construction, access is required through Scheduled Monument 1020326 (Medieval manorial complex, garden and water management features, St Mary's chapel, and a linear earthwork forming part of the Aberford Dyke system) to provide access for erection of a scaffold to protect the crossing of the B1217 in the span XC497 – XC498. Access methods for this work have been agreed with Historic England and are set out in a specific Method Statement (ES Appendix 5.3.7G, Volume 5, Document 5.3.7G). The methods specified in section 2.4 of the Method Statement must be adhered to unless otherwise agreed in writing with Historic England.

We can confirm that in an email of 20th April 2023, from WSP (acting on behalf of the applicant) to Historic England, this wording has been agreed.

5.8. The DCO includes reinstatement provisions relating to land which has been used for construction; these are set out at requirement 11. Historic England is satisfied with these arrangements.

5.9. We understand that the Applicant was questioned at ISH1 about whether any specific reference to works affecting the scheduled monument needed to be included on the face of the DCO. We understand that the Applicant's position is that no specific reference to works affecting the scheduled monument is needed because the requirement to obtain scheduled monument consent is absorbed by a grant of development consent, and that this is made clear in the Planning Act 2008 and the Ancient Monuments and Archaeological Areas Act 1979.

5.10. We agree with the Applicant that there is no need for the DCO to specifically refer to works affecting a scheduled monument; a grant of development consent has the effect of removing the requirement on the part of a developer to obtain a separate grant of scheduled monument consent provided that the works to the monument are works for which development consent was granted under the DCO and took place within the order limits (s2(1) Ancient Monuments and Archaeological Areas Act 1979; s33(1)(f) Planning Act 2008).

Registered Battlefields

5.11. We are content that the works methodology outlined in Chapter 7 [APP-079] and Appendix 3C [APP-096] of the ES ensures that construction process will not generate a negative impact on the significance of Marston Moor (1644) Registered Battlefield and Towton Moor (1461) Registered Battlefield.

Other designated heritage assets

5.12. In relation to Beningbrough Hall and Registered Park and Garden, our initial concerns related to impacts to the setting of these assets as a result of the visibility of new overhead cabling works in views from both the listed Hall and the Registered Park and Garden. These concerns have now been addressed through the Technical Note for Beningbrough included in the Environmental Statement at Appendix 7F [APP-121]. The Technical Note makes clear that the only permanent change resulting from the Proposal will be to a small number of pylons. These will

be replaced by the same number of pylons of a similar size and design in a slightly different alignment. Therefore the quantum of change to views to and from Beningbrough, and thus the impact on significance, will be as currently experienced.

5.13. Based on the extensive assessment of impact contained in the supporting documentation (Chapter 7 [APP-079]), we are also satisfied that the view from York Minster towards the North York Moors will not be negatively affected by the Proposal.

5.14. We are aware that the Proposal will result in a range of potentially significant impacts on a number of Grade II designated assets and other non-designated assets. We are confident that local authority heritage advisors are well equipped to respond to these impacts and advise as necessary on locally specific issues.

Human remains

5.15. Article 51 of the draft DCO [APP-066] sets out the process for the removal and re-interment of any human remains found during the construction of the Proposal. Historic England has no comment to make on the drafting of Article 51. The Applicant should consider whether, in addition to the requirements of Article 51, a Faculty would be needed from the relevant diocesan Consistory Court in order to remove human remains from consecrated land.

6. Conclusions

6.1. Historic England considers that to address the impacts of the Proposal on the historic environment, there needs to be within the DCO requirements for:

6.1.1. compliance with an amended Code of Construction Practice [APP-095] which clearly requires the measures in Appendix 7G to the ES to be undertaken [APP-122];

6.1.2. compliance with the Archaeological Scheme of Investigation included at Appendix 3C to the ES [APP-096]; and

6.1.3. the construction of pylons as described in Appendix 7F to the ES [APP-121].

6.2. Our understanding is that the Applicant will be providing these safeguards within the DCO document and as such, there is no further need for Historic England to engage with the Examination.

Yours sincerely,

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