

2. RR-006 Philip Watson

RR 6.1	
Relevant representation issue	We are writing in objection to the current proposals on behalf of Mr Philip Watson. The current proposals impact on land which is within the ownership of Mr Philip Watson (NYK89551) together with a right of way which benefits the land within Mr Watson's ownership. We have the following concerns regarding the proposals:
National Grid response	National Grid is aware of a number of the Landowner's concerns relating to the Project and has been working to try and give the necessary assurances and find a mutual solution through engagement in meetings and correspondence.
PW counter response	I wrote to NGrid on the 23/11/22 asking for detailed reasons as to why the CSEC has been moved again to block the right of way and asking for the CSEC on my land to be moved. I was told on 23/12/22 by email that a response was forthcoming. I was told again on 26/1/23 that a response was being prepared. However it is now April and no response has been made. I find National Grid's behaviour regarding this to be unreasonable.

RR 6.2	
Relevant representation issue	1) Area of proposed compulsory acquisition The current proposed plans for compulsory acquisition of land from Mr Watson include approximately 2.3 acres of land identified as D1-33 on Land Plan section D page 1. This land includes the current principal access point to the field together with a large proportion of the road frontage benefitting the land which appears to be unnecessary for the long-term National Grid operations. This leaves an unsatisfactory situation for Mr Watson whereby he does not have control over the principal access point to his field. The prospects of creating a new access point on land which Mr Watson owns is significantly limited given the close proximity of the A64 slip roads and topography of the land which continues to have road frontage. This will have a significant impact on the value of the land should any future alternative use opportunities arise. We do not consider it necessary for the compulsory purchase to include the road frontage section of this field other than the access strip to the cable sealing end compound (CSEC). It is noted that the secondary access to this field is also to be compulsorily acquired by National Grid and the right of way is to be extinguished.
National Grid response	Whilst the construction and operation of the Project will require control of the access to the Tadcaster West Cable Sealing End Compound (CSEC) in the field off the A659, all necessary rights will be granted to the Landowner to continue to access his remaining holding. The Class 1 (freehold) acquisition of the hedgerow is required to ensure essential mitigation planting and reinforcing can take place in order to provide visual screening of the new CSEC and to enhance green infrastructure within the Locally Important Landscape Area designation to reflect Local Development Plan policy outlined in Table 6.2 of ES Chapter 6: Landscape and Visual (Document 5.2.6) [APP-078]. The proposed planting is illustrated on Figure 3.11: Outline Landscape Mitigation Strategy in ES Chapter 3 Description of the Project Figures (Document 5.4.3) [APP-164]. The Class 3 (rights of access) acquisition of the road frontage is necessary to ensure that sufficient visibility is available for all traffic entering or exiting the site. National Grid considers that the proposed access will be an improvement to the Landowner's existing access due to it being widened and the Landowner's reduced maintenance liability. National Grid wishes to engage further with the Landowner as to how the access onto his land from the access route can be best configured in order to facilitate his current and future requirements for the land, including security provisions.
PW counter response	I currently have sole access off the A659 which I control the security of. I cannot see how having a shared access which I have no ownership over is better to what I have now. I have had considerable problems with fly tipping and people parking in this access point that I have had to place boulders in the entrance and well as having a locked gate. Widening this entrance will only make the situation worse. I hope the planning inspectorate takes note when

	<p>they make a site visit of the worn out verges either side of the access point. If the boulders were not there parking by other vehicles would take place in the entrance to the field. I will remove the boulders for that day but it will be plain to see that it is a problem area. Hopefully the planning inspectorate will also take note of other landowners placing boulders in front of their entrances. Sadly it is an issue that National Grid fails to recognise.</p> <p>The hedgerow in my field is set over 4 metres back from edge of the road. I believe that there is sufficient visibility there already. It will not be necessary for National Grid to acquire the road frontage.</p> <p>National Grid need to explain in much greater detail the width of these strips of land that they need to acquire. They also need to explain why along the A659 side there seems to be section that stretches out over 10 metres into the field. This seems totally unnecessary and will impact on farming operations.</p> <p>I would also like to know if the current access point onto Garnett lane is sufficient for national Grid to access the CSEC on Mr Inghams land.</p>
--	--

RR 6.3	
Relevant representation issue	<p>2) Orientation of CSEC It is noted that the current proposed compulsory purchase area indicated on the plan will leave unfarmable corners in the field. Mr Watson has had further discussions with National Grid which indicate that it may be possible to re-orientate the cable sealing end compound to impact less on the farming operations. We would request that this is considered in the final implementation of the scheme.</p>
National Grid response	<p>During Targeted Consultation 3 National Grid received feedback from the Landowner requesting that the Tadcaster West CSEC be reorientated so that it was placed perpendicular to the field boundary. National Grid reviewed this proposal and concluded that whilst it was not preferred from an engineering perspective (due to the downloads being at a sub optimal angle and requiring the gantry to be re-orientated, as well as requiring additional equipment). The redesign would also require a greater permanent land take due to the extended access road. This is explained in more detail in the Table 9.2 of the Consultation Report (Document 6.1) [APP-195]. A proposal was put forward to the Landowner in January 2023 and National Grid is awaiting the Landowner's formal response in this regard. National Grid notes the request in the representation and remains willing to discuss this further with the Landowner and his agent.</p>
PW counter response	<p>I cannot understand the reasoning behind the orientation of the CSECs I have asked for clarification but National Grid have been unwilling to explain. The orientation of the CSECs seem to be at odds with each other. The one at XC481 appears to be as close as possible in order to block off the right of way. The short side also appears to be facing the pylon and the underground cable comes out of the long side at the bottom side. Originally the CSEC was placed differently and away from XC481 so that the right of way was unaffected.</p> <p>The CSEC on my land appears to be totally different. National Grid have placed the CSEC a considerable distance away from the pylon. The overhead line joins on the long side and the underground line joins on the short side. If National Grid were aiming to cause maximum disruption for me they have achieved that goal.</p> <p>It would appear that the CSECs can be placed at many different angles to the respective pylons. The underground line connecting them can enter the CSEC at any angle and certainly does not need to travel in a straight line. National Grid does not have to be so inflexible about where they are placed. I have suggested that the CSEC on my land could be placed over the boundary to minimise disruption for all parties. I thought it was the case now that National Grid would try to minimise the effect their equipment had on the land and would place pylons etc over a boundary.</p>

RR 6.4	
--------	--

<p>Relevant representation issue</p>	<p>3) Extinguishment of access rights The secondary access to Mr Watson’s property is via a right of way over third party land. This right of access has in recent years been the subject of a court case which was brought about due to the National Grid scheme implemented on site whereby the new pylon was located in such a way as to make the access track utilised by Mr Watson impassable. This resulted in a 5 day court case between Mr Watson and the owner of the land in question, Mr Ingham. This case confirmed the legal right of way in favour of Mr Watson and awarded damages and a contribution towards his costs. The total legal fees in relation to this case were in excess of £100,000. This could have been completely avoided had National Grid engaged with Mr Watson prior to the commencement of the previous scheme. We are pleased that National Grid have engaged with Mr Watson at an earlier stage in this consultation; however, at present no financial compensation is being offered to Mr Watson in relation to the extinguishment of these rights on the basis that National Grid do not believe they could be utilised for any use other than agriculture. As it has been established through the courts that this access does have a value, we consider that an appropriate offer should be made in relation to this extinguishment, or the access should be re-routed to provide maintained access and appropriate compensation should be provided. As part of the court case a single joint expert was appointed who reported values which he considered appropriate for the extinguishment of the rights. We would be happy to discuss this with National Grid. Mr Watson does not consider that the full extinguishment of the right of way is necessary given the initial plans did not require this. We would therefore request that all possible diversion routes are considered prior to this option being progressed. Mr Watson has previously liaised with National Grid and not been provided with a satisfactory response or evidence as to why it is not possible to provide a diversion or work around the existing route. It would appear that extinguishment is the easiest option for National Grid rather than the most appropriate to reduce the detrimental impacts of the scheme on the landowners affected.</p>
<p>National Grid response</p>	<p>The Project is aware of the Landowner’s previous litigation in respect of the right of access, and whilst this issue did not arise as a result of the Project, the Project team has offered to facilitate dialogue between the landowner and the wider business. National Grid has repeatedly sought meetings to proactively engage with the Landowner, however the landowner has requested that engagement should only be carried out in writing to date. The Issue Specific Hearing 1 provided the opportunity to meet the Landowner in person and it is hoped a meeting will take place following Deadline 1. Regarding National Grid’s assessment that the right of access does not hold any value, National Grid wrote to the Landowner on 11 November 2022 in order to provide an explanation as to why this position has been taken. The letter invited the Landowner to provide reasoning as to why value should be attributed to the right of way, so that National Grid could reconsider the position. No response to this letter has been received to date. National Grid notes the Landowner’s agent’s comments regarding the court case and the value it attributed to the right of access. National Grid has requested further details of the court’s decision and a reasoned response to National Grid’s offer so that this can be considered. A meeting was held with the landowners agent on 10 March 2023 and this was reiterated. National Grid has received a number of questions from the Landowner regarding the possibility of reconfiguring the Tadcaster East CSEC and of rerouting the right of access around the CSEC. National Grid is currently preparing a detailed response to these questions for the Landowner. However, in summary, and as presented in the response provided in Table 9.2 of the Consultation Report, (Document 6.1) [APP-195], whilst a diversion of the accessway may be possible, there are significant technical complexities to achieve this and National Grid have suitability and safety concerns over providing such an access.</p>
<p>PW counter response</p>	<p>National Grid wish to have no dialogue over their pylon blocking the right of way and have told me to take it up with their solicitors and have made it very clear they will not pay my costs.</p> <p>I have been reluctant to have face to face meetings with National Grid because of what happened over them blocking the right of way. I had informed them verbally that there was a right of way but they asked me not to use it as works for the pylon were going on next to it. I was unaware that the pylon was going to move south over the right of way but National Grid most certainly did. The Judge confirmed that I did not become aware of the pylon blocking the right of way until March 2016, this was shortly after it was erected. I was told by National Grid that my version of events was different from</p>

	<p>theirs so I thought it was sensible to make sure everything is in writing this time round. The fact that they have been unable to answer some straightforward question leaves them with no credit whatsoever.</p> <p>The reasons given so far for not being able to provide a route around the pylon are absurd. There is going to be a 6 metre gap left between the CSEC on Mr Inghams land and the field boundary. The right of way is between 4.1 and 4.7 metres wide. National Grid seem to believe that farm machinery cannot travel up to the field boundary yet that is what happens in every field along every roadside up and down the country.</p> <p>National Grid seem to believe that farm machinery cannot negotiate slopes on a camber of 6 degrees. I use farm machinery for a living and I disagree. If there was a problem with the camber it could easily be rectified with an excavator.</p> <p>National Grid believe it would be dangerous to have an access track next to the A64. I have seen many access tracks next to major roads. As an example there is a very long one next to the A1(M) just 15 miles north of Tadcaster. I presume this was put in by the highways agency.</p> <p>I note in RR-013 13.5 that Mr Ingham wishes to retain the land to the south of the CSEC. He would need to access this along the 6 metre strip between the CSEC and the field boundary yet National Grid have no objection to it. He would be free to use whatever vehicle he wishes and use the land for whatever purpose in the future. National Grid seem determined to block the right of way.</p>
--	---

RR 6.5	
Relevant representation issue	<p>We are happy to discuss the above matters further with National Grid and their agents in due course. Should you have any queries in the meantime please do not hesitate to contact us. Mr Watson would like to add: My name is [redacted] and I own the parcel of land [redacted] . I wish to object to the current proposals to the Yorkshire Green project. I believe my agent (Gillian Wilsher) has gone into greater detail about my objections. However I also wish to be included as an interested party. I object to the area of land that they are proposing to compulsory acquire adjoining the A659. This will have an adverse impact on my own access to the field. I object to the orientation of the CSEC on my land. This will result in a large amount of farmland being unworkable. The orientation could be altered to reduce the impact. The extinguishment of access rights caused by the CSEC on third party land. This is a valuable property right already subject to a recent court dispute caused by the placing of a pylon on a right of way. The judge found in my favour. National Grid have not engaged in any meaningful discussions to preserve the right of way.</p>
National Grid response	<p>National Grid notes the appointment of an agent to act on behalf of the Landowner. A meeting was held with the landowner’s agent on 10 March 2023 at which all comments raised in this representation were discussed as well as updates regarding the project. The landowner and his agent attended the Issue Specific Hearing on 23 March 2023 at which similar questions were raised to this representations. Following the Issue Specific Hearing on 23 March 2023, the landowner provisionally agreed to a meeting with National Grid at his agents offices following Deadline 1. National Grid will seek to agree a date for this as soon as possible.</p>
PW counter response	<p>I have not attended any meeting yet.</p>