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Yorkshire Green Energy Enablement (GREEN) Project

Volume 8

**Document 8.20 Applicant's Comments on Written Representations
and other Interested Parties' Deadline 2 Submissions**

**Final Issue A
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Appendix A Suggested amendments to Article 19

Appendix B Summary of temporary access watercourse crossings in the Ainsty IDB district

Version History

Document	Version	Status	Description / Changes
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10/05/2023	A	Final	First Issue
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1. About this document

1.1 Introduction

- 1.1.1 This document provides National Grid Electricity Transmission plc's (National Grid) (the Applicant) comments on Written Representations and other Interested Parties' submissions made at Examination Deadline 2 for the Yorkshire Green Energy Enablement Project (Yorkshire GREEN or the Project).
- 1.1.2 The responses provided in this document are either in the form of a short response providing National Grid's latest position on the matter, a cross-reference to the most relevant documentation, or a more detailed response where this is considered relevant to clarify matters.
- 1.1.3 National Grid has sought to provide comments where it is helpful to do so, for instance where an Interested Party's representation includes a request for further information or clarification from National Grid, or where National Grid considers that it would be appropriate for the Examining Authority to have National Grid's views in response to a matter raised.
- 1.1.4 Where issues raised within a representation have been responded to previously by National Grid, for instance in response to a question posed by the Examining Authority or within one of the application documents submitted to the Examination, a cross reference to that response or document is provided to avoid unnecessary duplication. The information provided in this document should, therefore, be read in conjunction with the material to which cross references are provided.
- 1.1.5 National Grid has reviewed all Written Representations and other submissions made by Interested Parties at Deadline 2, but has not provided comments on all responses if not deemed necessary. For the avoidance of doubt, where National Grid has chosen not to comment on matters raised by Interested Parties this is not an indication that National Grid agrees with the point or comment raised or opinion expressed.

2. Applicant's Comments on Written Representations and other Interested Parties' Deadline 2 Submissions

2.1 Ainsty (2008) Internal Drainage Board and Foss (2008) Internal Drainage Board

Table 2.1 – Ainsty (2008) Internal Drainage Board and Foss (2008) Internal Drainage Board: Written Representations [REP2-050 and REP2-074]

Reference	Topic	Applicant's Response
N/A	Article 19 – Discharge of surface water	<p>Article 19 (Discharge of Water) of the draft DCO (Document 3.1(C)) gives powers to discharge water into watercourses and public sewers or drains for the purpose of carrying out or maintaining the Project. The drafting of Article 19 has followed the usual precedented approach as explained in the Explanatory Memorandum (Document 3.2(C)). Article 19 is subject to the requirement to obtain other consents to the extent that they have not been disapplied through the draft DCO (Document 3.1(C)). For example, it will be necessary to obtain Land Drainage Consents under section 23 of the Land Drainage Act 1991 for the installation of any culverts required for the Project because this provision would not be disapplied under the draft DCO (Document 3.1(C)).</p> <p>National Grid has proposed to disapply byelaws 3, 10, 14, 15 and 17 in the Ainsty IDB District and in the Kyle and Upper Ouse IDB District as set out in Article 52 and Schedule 16 of the draft DCO (Document 3.1(C)). No disapplication of byelaws is proposed in the Foss IDB District. A proportionate approach has been taken to disapplication of byelaws, to only disapply those byelaws which would be relevant to the construction and operation of the Project. Disapplication of these byelaws is appropriate given the Project's status as a Nationally Significant Infrastructure Project. It is also necessary to ensure the Project can be delivered in the timescales required and to ensure that consent to undertake the works is not unreasonably withheld or given subject to unreasonable conditions.</p> <p>If Ainsty and Kyle and Upper Ouse IDBs agree to the principle of disapplication of the relevant byelaws and provided that approval is not unreasonably withheld or delayed or made subject to unreasonable conditions, National Grid has no objection to seeking approval for relevant works in proximity to their managed watercourses post DCO consent. In order to reach agreement, National Grid has proposed suggested amendments to Article 19 to Ainsty and Kyle and Upper Ouse IDBs accordingly, which can be found at Appendix A. This has not been included in the draft DCO (Document 3.1(C)) submitted at Deadline 3 as the proposed amendments were sent to Ainsty and Kyle and Upper Ouse IDBs at Deadline 3 and their comments on the proposed wording, and whether Ainsty IDB will agree to disapplication if this wording is included, is awaited.</p> <p>To summarise the proposed amendments, no change is proposed to Articles 19(3) and 19(4) as these are intended to deal with consent from the riparian owner, or consent and approval of plans for connections to public sewers or drains from the owner of that public sewer or drain. It is, however, recognised that the IDB managed watercourses are not owned by the Ainsty and Kyle and Upper Ouse IDBs, and therefore a new paragraph is proposed to be included at Article 19(6) which would require the IDBs consent and their approval of plans, as well as provide the opportunity to supervise the works. As with other Articles requiring further consents and approvals, the drafting proposed also provides for deemed consent within 28 days if no decision is received within that time, and the application made will notify Ainsty and Kyle and Upper Ouse IDBs of this potential for deemed consent to be granted at the point the application is made.</p> <p>In addition, Article 19(5) would be amended to clarify that Article 19 does not authorise any works which would damage or interfere with the bed or banks of any watercourse, and so not be limited to main rivers. Whilst some works would need to be undertaken which may damage or interfere with the banks of a watercourse, these would be authorised by a Land Drainage Consent under section 23 of the Land Drainage Act 1991.</p> <p>As explained in response to ExQ1 Q5.10.1 in Applicant's Response to Examining Authority's First Written Questions EXQ1 (Document 8.9.1) [REP2-038], Byelaw 3 is also sought to be disapplied to enable surface water discharge into watercourses in the Ainsty and Kyle and Upper Ouse Districts. Whilst no approval would be required from Ainsty and Kyle and Upper Ouse IDBs under Article 19 for surface water discharge, Requirement 6(1)(b) and Requirement 6(4) of the draft DCO (Document 3.1(C)) require the submission and approval of a drainage management plan by the relevant planning authority, in consultation with the relevant drainage authority.</p>

Reference	Topic	Applicant's Response
		<p>National Grid note that Ainsty IDB request that a maximum discharge rate of 1.4 litres per second per hectare with a minimum rate of 0.5 litres per second be applied to all new surface water discharges in its district. This maximum discharge rate appears to be rather low, since freely available soils mapping data¹ suggests that soils are poorly permeable across the Ainsty IDB's district. Given this, National Grid consider that Ainsty IDB should provide justification for their position.</p> <p>There would be no new permanent impermeable surfaces created within the Ainsty IDB district, so maximum discharge considerations would only apply to outfalls to watercourses from drainage associated with temporary access tracks and hardstanding to enable overhead line dismantling and construction works. Detailed design of construction phase drainage has not yet commenced but, as set out above, Requirements 6(1)(b) and 6(4), secure the approval of a drainage management plan in consultation with the relevant drainage authority prior to approval. In line with embedded measure HY3 in Table 3.5 of the Code of Construction Practice (Document 5.3.3B) [REP2-021], National Grid will design construction phase drainage systems that prioritise disposal of surface runoff via infiltration over discharge to watercourses wherever possible. National Grid will engage with Ainsty IDB post-DCO consent to seek to agree appropriate discharge rates for local conditions on a case-by-case basis as part of the process of developing the construction phase Drainage Management Plan under Requirement 6(1)(b).</p>
N/A	Article 21 – Survey and investigating land / watercourses	There is nothing in the IDB Byelaws which would prevent National Grid from taking samples from a watercourse or which would require National Grid to give notice to the IDBs before doing so. Therefore, National Grid should be entitled to take such samples under Article 21 of the draft DCO (Document 3.1(C)) without the requirement for any further approval from, or notification to, the IDBs. In the amended text which National Grid has proposed for Article 19 at Appendix A , any intrusive damage to banks resulting from a survey permitted under Article 21 of the draft DCO (Document 3.1(C)) would require approval under Article 19(6), or under section 23 of the Land Drainage Act 1991. Therefore, National Grid do not propose to make any amendment to Article 21 to notify relevant drainage authorities of the intention to take samples from watercourses.
N/A	Article 47 – Protection of interests	National Grid do not consider that Ainsty and Kyle and Upper Ouse IDBs require protective provisions because National Grid's proposed updates to Article 19 at Appendix A would provide Ainsty and Kyle and Upper Ouse IDBs with an approval right and the opportunity to supervise the works. No protective provisions are required for Foss IDB because no disapplication of byelaws in the Foss IDB District are proposed.
N/A	Article 50 – Procedure regarding certain approvals	If Ainsty and Kyle and Upper Ouse IDBs are content with the wording proposed by National Grid for Article 19 at Appendix A , National Grid would be content to include 'relevant drainage authority' within Article 50(1).
N/A	Article 52 – Amendment of local legislation	<p>Temporary culverts and bridges would be required for the Project as well as works to upgrade existing culverts and bridges. Those are the only works proposed within the IDB-maintained watercourse standoff distances at ground level.</p> <p>National Grid's response to ExQ1 Q5.10.1 in Applicant's Response to Examining Authority's First Written Questions EXQ1 (Document 8.9.1) [REP2-038] justifies why each byelaw is being disapplied and, as set out above, a proportionate approach has been taken to only disapply those byelaws which are relevant to the construction or operation of the Project. This is considered necessary to ensure that the IDB Districts cannot unreasonably withhold or delay the giving of consent for the works, which is appropriate given the status of the Project as a Nationally Significant Infrastructure Project.</p>
N/A	Paragraph 13 of Schedule 3 – Removal of temporary bridges and culverts	Requirement 11 of the draft DCO (Document 3.1(C)) provides for reinstatement of land used for construction to its former condition within certain timescales. In addition, Ainsty IDB could attach reasonable conditions under the proposed wording in Article 19(6) at Appendix A , or to a Section 23 consent under the Land Drainage Act 1991 where required. No temporary access watercourse crossings are proposed in the Foss IDB district.
N/A	Bridge/culvert crossings	<p>National Grid has re-checked the number and location of temporary access watercourse crossings within the Ainsty IDB district and can confirm that the statement made in the Statement of Common Ground submitted for Deadline 1 is correct (Document 8.5.12 SoCG between National Grid and Ainsty IDB, Version 1, [REP1-032]). For reference the full list of proposed temporary watercourse crossings in the Ainsty IDB district is provided in Appendix B.</p> <p>Ainsty IDB's requirements for watercourse crossing design are noted and are consistent with the embedded mitigation measure <i>HY7 – construction access watercourse crossing design</i>, which is secured through the Code of Construction Practice (Refer to Table 3.5 of Document 5.3.3B Appendix 3B Code of Construction Practice [APP-095]). Final detailed design of any watercourse crossing within its district would be subject to the approval of</p>

¹ Cranfield Soil and Agrifood Institute. Soilscape soil types viewer. Available at: [REDACTED] (Accessed: 10 May 2023).

Reference	Topic	Applicant's Response
		the Ainsty IDB, either via the proposed wording in Article 19(6) for clear-span bridges over maintained watercourses, or via section 23 of the Land Drainage Act 1991 for culverts.

2.2 Carter Jonas LLP on behalf of Philip Watson

Table 2.2 – Carter Jonas LLP on behalf of Philip Watson: Comments on Applicant’s Response to Relevant Representations [REP2-054]

Reference	Topic	Applicant’s Response
RR6.1	Response to request of 23 November 2022	National Grid provided copies of Technical Note - Tadcaster East Cable Sealing End Compound Design, and Technical Note - Tadcaster East Cable Sealing End Compound Access Option which are found in Appendix I of the Applicant's Response to Examining Authority's First Written Questions (Document 8.9.2) [REP2-039] to Mr Watson on 26 April 2023. The two technical notes taken together provide further detail on why it has been necessary to seek the extinguishment of the existing private access on land at the proposed Tadcaster East CSEC. It is accepted that the provision of these detailed notes to Mr. Watson took longer than originally envisaged. However given the complexity and need to provide a detailed response specific to the questions posed they took significant time to be compiled in an appropriate format.
RR6.2	Area of Compulsory Acquisition	<p>National Grid note the comments provided regarding the entrance point onto the A659 and the issues that Mr. Watson currently has with fly-tipping and people parking in the access point. National Grid will also need unrestricted access to the Cable Sealing End Compound, so would need to make arrangements to address any fly-tipping or parking in that entrance. National Grid will seek to discuss this further with Mr. Watson to try and come to a solution that satisfies the requirements of both parties. National Grid note the comments provided on the current visibility and hedgerow being set back 4m from the highway. However as National Grid would be installing a permanent bellmouth to the Cable Sealing End Compound, for safety there is a need to ensure that there is sufficient visibility from the new bellmouth during construction, and for the future maintenance of the Cable Sealing End Compound for vehicles entering and exiting the site at this location. If at the detailed design stage it is determined that there is sufficient visibility from the bellmouth then no works to the hedge will be required. However National Grid need to ensure that if there is not sufficient visibility then the Order limits and rights sought give National Grid the necessary powers to create the visibility splay during construction and maintain this throughout the operational phase of the project.</p> <p>The access point labelled AP34 on the Access Rights of Way and Public Rights of Navigation Plan Section D (Document 2.7.4(B)) [REP2-008] has been assessed for the use of construction traffic. National Grid have allowed sufficient space within the Order limits to carry out any works to the bellmouths should they be required to accommodate construction traffic. The main construction traffic to construct the Tadcaster East Cable Sealing End Compound will be coming from the temporary construction compound via access point AP30 on the Access Rights of Way and Public Rights of Navigation Plan Section D (Document 2.7.4(B)) [REP2-008], with a smaller volume of traffic utilising AP34. An estimate of the traffic figures is provided in Appendix 12A Traffic Modelling Tables (Document 5.3.12A) [APP-148]. AP34 will be used as the permanent access to Tadcaster East Cable Sealing End Compound.</p> <p>National Grid clarify that the Order limits offset from the A659 have been designed to allow sufficient space for hedgerow reinstatement and reinforcement set behind the visibility splays of the new access and the associated access required within the field for maintenance.</p>
RR6.3	Orientation of Cable Sealing End Compound	<p>National Grid notes the comments and have provided a response about the location of the Tadcaster East cable sealing end compound at pylon XC481 in the Appendix I Part 1 – Technical Note – Tadcaster East Cable Sealing End Compound Design (Document 8.9.2-I), which has also been provided to Mr. Watson on the 26 April 2023. National Grid have adopted a standard design for the Tadcaster West Cable Sealing End Compound as it is not subject to the same constraints associated with the Tadcaster East CSEC. This utilises a gantry solution. National Grid only use a different anchor block solution where there are constraints that mean a gantry solution is not feasible, as set out in Appendix I Part 1 – Technical Note – Tadcaster East Cable Sealing End Compound Design (Document 8.9.2-I) [REP2-039], for Tadcaster East Cable Sealing End Compound.</p> <p>National Grid design the cable sealing end compounds so that statutory and safety electrical clearances can be achieved. The downloads from the pylons to Tadcaster East and West Cable Sealing End Compounds come off the crossarms to the gantry and anchor blocks, in the same direction. However due to pylon XC481 being a junction tower, and its orientation not being in line with the overhead line conductor like XD001, the cable sealing ends appear to be in different orientations. The layouts of both cable sealing end compounds can be seen in the cable sealing end layout drawings contained within the Design Drawings (Document 2.15(B)) [REP2-011].</p> <p>National Grid put forward a proposal on 10 January 2023 to Mr. Watson on re-orientating the Tadcaster West cable sealing end compound and are awaiting a response on the proposal.</p>
RR6.4	Legal Costs	Whilst National Grid has not offered to cover legal costs of the historic dispute directly, a proposal was put forward to Mr Watson on 21 January 2022 in respect of historic issues. No response has been received to date. In addition, as part of the Yorkshire Green Project, National Grid also offered to

Reference	Topic	Applicant's Response
	Meetings Extinguishment of Access Rights	<p>underwrite professional advice on 19 July 2022 and 1 August 2022 in respect of the Yorkshire GREEN Project, again this was not responded to. As part of the offer of terms to secure a voluntary agreement for land and rights, undertakings are also offered for legal and land agents' advice.</p> <p>Over the course of the last 2 years meetings have been repeatedly offered to Mr Watson. Due to his concerns, National Grid has offered to undertake these meetings by various methods, including in person, telephone and online, or in the presence of his advisors, and to be recorded. These have all been rejected, and Mr Watson has until now requested all correspondence to be in writing. However please see below for details about a future meeting.</p> <p>National Grid provided copies of Technical Note - Tadcaster East Cable Sealing End Compound Design, and Technical Note - Tadcaster East Cable Sealing End Compound Access Option which are found in Appendix I of the Applicant's Response to Examining Authority's First Written Questions (Document 8.9.2) [REP2-039] to Mr Watson on 26 April 2023. These documents detail the reasons for the positioning of the Tadcaster East CSEC and the issues with providing an access around it.</p> <p>Whilst National Grid cannot provide specific details of negotiations with other landowners, National Grid would point out that the land south and west of Tadcaster East CSEC remains in the proposal as Category 1 for permanent acquisition. Further, National Grid confirmed in response to ExQ1 Q4.6.2(d) of the Applicant's Response to Examining Authority's First Written Questions (Document 8.9.1) [REP2-038] that National Grid do not currently anticipate submitting any changes to the design or access arrangements on this land.</p>
RR6.5	Future Meeting	Following the Issue Specific Hearing on 23 March 2023 Mr Watson agreed to meet with National Grid. A date for the meeting has now been set for 15 May 2023 with Mr Watson and his agent.

Table 2.3 – Carter Jonas LLP on behalf of Philip Watson: Written Representations [REP2-055]

Reference	Topic	Applicant's Response
N/A	Previous Consultation	<p>The following text was provided to Mr Watson in a letter of 11 November 2022 to explain the difference between the consultation undertaken for the previous project (being the 275kV Overhead Electricity Line East of Bramham Substation) and the consultation undertaken for Yorkshire Green:</p> <p><i>"In your email of 22 September 2022, you asked why you were not consulted under section 44(2) of the Planning Act 2008 in 2016 when the XD line was constructed. The consent for that particular project was obtained under Section 37 of the Electricity Act 1989 (the Electricity Act). That project was developed over a number of years, with consent being granted by the Secretary of State in April 2010 following a public inquiry. As that project did not fall under the Planning Act 2008 regime it did not have the same consultation requirements as a Nationally Significant Infrastructure Project (NSIP) such as Yorkshire GREEN. However, we understand that consultation with the local community was held prior to submission of the application for s.37 consent. We refer to that project as historic in so far as it was a previous project delivered by National Grid and consented a number of years ago. It is separate to the Yorkshire GREEN Project which is an NSIP under the Planning Act 2008."</i></p>
N/A	Existing Land Rights	<p>Land rights were initially secured for the previous project by wayleaves, including Mr Watson's land which was agreed with him on 22 December 2005. Whilst the land outside of Mr Watson's freehold ownership was not included in the wayleave entered with him, the wayleave did show pylon XC481 on the wayleave plan in its current position on Mr Ingham's land.</p> <p>Land rights for pylon XC481 were initially agreed by a wayleave, however when construction actually took place, an easement was agreed with the landowner on 22 July 2016.</p>
N/A	Court Case	National Grid was not a party to the court case referred to between Mr Watson and Mr Ingham and this dispute was not in relation to the Yorkshire GREEN Project. This was on the basis that the land rights were obtained from Mr Ingham for that previous project voluntarily by way of a subsequent easement.
N/A	Standstill Agreement	A standstill agreement was entered into by National Grid with Mr Watson in respect of the 275kV Overhead Electricity Line East of Bramham Substation Project to protect any potential claim Mr Watson may have against National Grid within the limitation period from any potential loss being suffered. However once the case between Mr Watson and Mr Ingham was concluded, this agreement was terminated on the basis that Mr Watson was successful in his claim and therefore could not pursue National Grid for a duplicate claim.

Reference	Topic	Applicant's Response
N/A	Claim	A proposal was put forward to Mr Watson on 21 January 2022 in respect of historic issues. No response has been received to date.
N/A	Relevance of Historic Case	Whilst there are lessons to be learned from the previous development, in particular highlighting the importance of the affected landowner's positions, the specific detail is immaterial to the Yorkshire Green Project. As detailed above, Yorkshire GREEN is being consented under different legislation to the previous project. Under the Planning Act 2008 National Grid is required to demonstrate that all interested parties have been identified using diligent enquiry, consult with them, and demonstrate that reasonable attempts to secure the rights by agreement have been made. National Grid has identified Mr Watson's interests and consulted him on the effects of the project on those interests. Consultation feedback has been assessed in the same manner as all other feedback and responses provided. National Grid is currently seeking to acquire the land and rights required from Mr Watson voluntarily in order to avoid using compulsory powers should they be granted.

2.3 Charles Waite and Co Ltd on behalf of Mr Roger Ingham

Table 2.4 – Charles Waite and Co Ltd on behalf of Mr Roger Ingham: Written Representations [REP2-056]

Reference	Topic	Applicant's Response
N/A	General	National Grid notes the update provided by Mr Ingham's agent. National Grid is in dialogue with his agent and hopes to reach a voluntary agreement for the land and rights required.

2.4 Environment Agency

Table 2.5 – Environment Agency: Written Representations [REP2-072]

Reference	Topic	Applicant's Response
N/A	Geology and Hydrogeology	<p>National Grid acknowledges the Environment Agency's further confirmation that risks to groundwater are acknowledged to have been considered, with appropriate measures incorporated within the application to protect groundwater.</p> <p>National Grid also welcomes comments from the Environment Agency that it considers that their comments made during previous consultations are addressed by the Code of Construction Practice (Document 5.3.3(B)) [APP-095]. This is consistent with the Statement of Common Ground (SoCG) between National Grid and Environment Agency - Version 1 (Document 8.5.7) [REP1-027] submitted at Deadline 1.</p> <p>The Environment Agency has suggested that its guidance document "The Environment Agency's approach to groundwater protection February 2018" should be mentioned in Table 10.3 of ES Chapter 10 Geology and Hydrogeology (Document 5.2.10) [APP-082].</p> <p>National Grid notes that Table 10.3 includes reference to Environment Agency guidance "Groundwater Protection" (2017) describing this as a collection of guidance documents. One of the documents in this collection is "The Environment Agency's approach to groundwater protection February 2018".</p> <p>Therefore, this guidance is already referred to, albeit indirectly, in Table 10.3. Notwithstanding this, for clarity, it is intended to include an addition to this table, to directly mention this guidance, in the next update of the Environmental Statement Errata Document to be submitted at Deadline 3 as Document 5.2.19(B). It is noted that this is a point of completeness and clarification only and will not affect the description of baseline conditions, the assessment of effects, the determination of mitigation measures, or any other aspect of ES Chapter 10 Geology and Hydrogeology (Document 5.2.10) [APP-082], which has been carried out in accordance with this guidance and the outcomes acknowledged by the Environment Agency with no concerns or points of difference identified.</p>
N/A	Biodiversity Net Gain	<p>National Grid notes the Environment Agency's comments on Statutory or Non-Statutory Sites or Features of Nature Conservation Plan Section E (Document 2.8.5) [APP-036] and ES Chapter 8 Biodiversity (Document 5.2.8) [APP-080] regarding opportunities for implementing Biodiversity Net Gain (BNG) at Huddleston Old Wood. National Grid will include this ancient woodland in the options being explored as part of its wider approach to BNG delivery which is detailed in Biodiversity Net Gain Report (Document 7.9) [APP-210]. National Grid has provided further details on its approach to BNG in response to ExQ1 Q3.4.2 in Applicant's Response to Examining Authority's First Written Questions (ExQ1) (Document 8.9.1).</p> <p>National Grid notes the Environment Agency's comments on Biodiversity Net Gain Report (Document 7.9) [APP-210] and its suggestions regarding possible BNG opportunities to address the short fall in river units. As the suggested locations are over 50km from the Order Limits (within the East Riding of Yorkshire local authority), options for delivery closer to the Order Limits and within the LPAs affected by the Project are being explored as the preferred option (in line with the 10 BNG Good Practice Principles for Development). However, the suggestions within East Yorkshire may be re-visited in due course if options for meaningful delivery closer to the Order Limits is not feasible.</p> <p>National Grid is involved in ongoing discussion with the Environment Agency and has confirmed that it would welcome additional suggestions for BNG delivery should any opportunities closer to the Order Limits come to the Environment Agency's attention.</p> <p>National Grid acknowledges that Defra Metric 4.0 is the most recent version of the metric, but in line with Natural England guidance which advises the continued use of a single metric for the duration of a project², it is National Grid's current intention to continue to use Metric 3.1 for the remainder of the Project.</p> <p>National Grid notes and concurs with the comments made regarding the desirability of early BNG creation. The '5-year delay' which has been referenced on page 30 of Biodiversity Net Gain Report (Document 7.9) [APP-210] refers to a worst-case scenario used in the Metric for the calculation of habitat units derived from on-site habitat enhancement and creation which cannot commence until the construction phase has been</p>

² This is based on the note from Natural England which accompanies the release of Metric V4.0:

"Users of previous versions of the Biodiversity Metric should continue to use that metric (unless requested to do otherwise by their client or consenting body) for the duration of the project it is being used for. This is because users may find that certain biodiversity unit values generated in biodiversity metric 4.0 will differ from those generated by earlier versions."

Source: Natural England. (2021) The Biodiversity Metric 4.0 (JP039). Available at: [REDACTED] (Accessed: 04 May 2023).

Reference	Topic	Applicant's Response
		<p>completed (due to construction and habitat enhancement/creation occupying the same areas of land (Outline Landscape Mitigation Strategy in ES Chapter 3 Description of the Project Figures (Document 5.4.3) [APP-164]). The use of the 5-year delay in the calculations ensures there is no overestimate in terms of the habitat units achieved through on-site habitat works.</p>
N/A	Biodiversity - EIA	<p>National Grid welcomes the Environment Agency's confirmation that information provided in ES Chapter 8 Biodiversity (Document 5.2.8) [APP-080] regarding consultation responses, technical engagement, ecological surveys and embedded environmental measures are appropriate and acceptable.</p> <p>National Grid notes the comment relating to embedded environmental measure 17: Installation of bat boxes (Table 8.11, ES Chapter 8 Biodiversity (Document 5.2.8) [APP-080]); and confirms that bat boxes installed as mitigation for potential effects on roosting habitat would be of the woodcrete variety.</p> <p>National Grid notes the comment regarding vegetation clearance work. The approach to vegetation clearance is set out in Appendix 3D Biodiversity Mitigation Strategy (Document 5.5.3D) [APP-097], with all works overseen by the Principal Contractor's ecologist. Sections 3.3 and 5.4 of that document detail the approach to vegetation management, including the intention to avoid vegetation removal in suitable habitat for breeding birds between March and August in line with the Mitigation Hierarchy, and confirms that the Principal Contractor's ecologist would oversee any clearance works with potential to affect nesting bird habitat including pre-works checks and supervision should works be unavoidable in the bird breeding season.</p> <p>National Grid acknowledges the comment regarding additional BNG planting in the buffer zone for Huddleston Old Wood which references the assessment of effects on ancient woodland (paragraph 8.9.31, ES Chapter 8 Biodiversity (Document 5.2.8) [APP-080]). As stated in the response above, Huddleston Old Wood will be included in the options being explored for delivery of BNG. As a general principle and in line with best practice, any additional planting to deliver BNG would take account of the existing habitat condition to avoid negatively affecting existing habitats (e.g. by over-shading), and also the future safety clearance zone and associated vegetation management requirements for the overhead line.</p>

2.5 Historic England

Table 2.6 – Historic England: Written Representations [REP2-075]

Reference	Topic	Applicant's Response
N/A	General	National Grid welcomes the response from Historic England and find this to be an accurate reflection of the Statement of Common Ground (Document 8.5.7) [REP1-028].
5.6, 5.7	Code of Construction Practice	National Grid note the comments in paragraph 5.6 and 5.7 of the response and have made appropriate changes accordingly in the Environmental Statement Errata Document (Document 5.2.19(B)) to be submitted at Deadline 3. This will be incorporated into an update to the Code of Construction Practise (Document 5.3.3B(B)) [REP2-020] at a future deadline.
5.15	Human remains	In response to paragraph 5.15, National Grid consider that no change would be required to Article 51 in the draft DCO (Document 3.1(C)) to be submitted at Deadline 3, as no intrusive groundworks are proposed within consecrated ground during the Project.
6.11, 6.12	Conclusions	In response to paragraphs 6.1.1 and 6.1.2, Requirements 5(2)(a) and 5(2)(b) of the draft DCO (Document 3.1(C)) requires works for the authorised development to be carried out in accordance with the Code of Construction Practice (including measures in Appendix 7G) and the Archaeological Written Scheme of Investigation.
6.13	Conclusions	In terms of the comments in paragraph 6.1.3, Appendix 7F Technical Note for Beningbrough Hall (Document 5.3.7F) [APP-121] provides an assessment of impacts on Beningbrough Hall. The assessment is based on reasonable worst-case assumptions in terms of construction timings and the height and position of pylons. In terms of the location and height of pylons, this is limited by the Limits of Deviation set out within Part 2 (Principal Powers) of the draft DCO (Document 3.1(C)) . In terms of the timings of work, as the assessment represents the reasonable worst-case scenario, it is likely that impacts will be for a shorter duration than that assessed. The draft DCO (Document 3.1(C)) is also drafted to ensure that any unforeseen works/ changes, e.g. outside of the limits of deviation, approved through the requirements or in respect of works of maintenance would not give rise to any materially new or materially different environmental effects to those identified in the ES (see for example, Article 5(2), paragraph 1(3) of Schedule 3 (Requirements), Requirement 3(2) and the definition of “maintain” in the draft DCO (Document 3.1(C))).

2.6 National Gas Transmission plc

Table 2.7 – National Gas Transmission plc: Written Representations [REP2-078]

Reference	Topic	Applicant's Response
N/A	Protective Provisions	<p>National Grid notes the content of National Gas Transmission Plc's Written Representation.</p> <p>National Grid continues to liaise with National Gas Transmission Plc regarding these bespoke Protective Provisions.</p> <p>Please see the Protective Provisions Progress Schedule (Document 8.12) [REP2-042] submitted at Deadline 2, which includes updates on the position for all statutory undertakers. The protective provisions on the face of the draft DCO (Document 3.1(C)) are not agreed by National Gas Transmission Plc. National Grid is not yet in a position to update the protective provisions for National Gas Transmission Plc on the face of the draft DCO (Document 3.1(C)) but negotiations are continuing with a view to reaching suitable bespoke protective provisions to be incorporated into the DCO at Deadline 5 if possible.</p>

2.7 National Highways

Table 2.8 – National Highways: Written Representations [REP2-079]

Reference	Topic	Applicant's Response
1.4.2	Traffic impacts on the SRN	<p>National Grid considers that the Project will not result in significant adverse impacts on the Strategic Road Network (SRN).</p> <p>There is ongoing engagement with National Highways regarding the impact of the Project on the SRN, as raised by National Highways. National Grid has provided detailed information to National Highways outlining that in the worst-case scenario of construction traffic generation by the Project there would be no resultant significant or severe impact on the SRN in the construction period. This information was provided as part of the ongoing discussions to National Highways on 13 March 2023.</p> <p>In summary, National Highways identified the A1(M) (specifically Junctions 42, 44 and 47) and A64 (specifically the junction with A659) as parts of the SRN that would be affected by the Project. Receptors assessed within the ES Chapter 12: Traffic and Transport (Document 5.2.12) [APP-084] in proximity to the A1(M) and A64 were identified as follows:</p> <ul style="list-style-type: none"> • A1 (M) Junction 42: receptors 1 and 15 • A1 (M) Junction 44: receptor 22, 3 and 21 • A1 (M) Junction 47: receptors 21, 16 and 8 • A64/A659: receptors 2 and 3 <p>For each receptor per week HGV and LV construction traffic flows during the construction period are provided in Table 12A.5 within Appendix 12A Traffic Modelling Tables (Document 5.3.12A) [APP-148] and the peak week is identified in paragraph 12.8.112 of ES Chapter 12: Traffic and Transport (Document 5.2.12) [APP-084]. Daily flows are derived from the peak week construction traffic flows, assuming a 12-hour day. Receptor 3 has the largest daily peak week construction traffic flow (of the receptors outlined above which provide context for Project traffic utilising the SRN) with 16 vehicles per hour of which 5 are light vehicles and 11 are HGVs (which provides context for A1 (M) Junction 44 and A64 / A659).</p> <p>The proportional increase in traffic at each of the assessed receptors is presented in Table 12.28 of ES Chapter 12: Traffic and Transport (Document 5.2.12) [APP-084]. Of the receptors in proximity to the SRN, as outlined above, the magnitude of increase in traffic flow due to construction traffic at seven of the eight receptors is less than 1% increase in total traffic flows and at receptor 2 it is only 1.2% increase in traffic flows.</p> <p>It is considered that the levels of construction traffic will not result in a significant impact on the SRN.</p>
2.1	Protective Provisions	<p>National Grid note the content of National Highways' Written Representation.</p> <p>National Grid continues to engage with National Highways regarding the Protective Provisions and looks forward to meaningful discussion moving forward. National Grid refers National Highways to the Protective Provisions Progress Schedule (Document 8.12) [REP2-042] submitted at Deadline 2, which includes updates on the position for parties with which protective provisions are being sought. These are noted as not yet agreed by National Highways.</p> <p>Discussions are ongoing with a view to reaching a suitable update to be incorporated into the draft DCO (Document 3.1(C)) in due course.</p> <p>National Grid is not yet in a position to update these protective provisions on the face of the Order and will do so if agreement is reached. Engagement is ongoing and National Grid will aim to provide an update to the Examining Authority by Deadline 5.</p>
2.1.2	Overhead lines and National Highways' assets	<p>National Grid notes the comments regarding the proximity of new overhead lines to lighting columns. As part of the proposals for the Project, National Grid is amending the alignment of the existing XC overhead line between pylons XC521 and XC522, which cross the A1(M) / A63 roundabout. In this location, National Grid are proposing to alter any lighting columns that are under the new overhead line with hinged lighting columns and will seek to have further engagement with National Highways on this matter.</p>
2.2.1.1	Requirements	<p>National Grid consider that a Construction Workers' Travel Plan (CWTP) is not required. The mitigation measures outlined within the Application will already minimise, where practicable to do so, the impact of development generated traffic during the construction period, including but not limited to the submitted Construction Traffic Management Plan (CTMP) (Document 5.3.3F) [APP-099]. The CTMP has been prepared to detail National Grid's commitment to minimise the impact of construction traffic, including construction staff movements, on the road network where possible. Therefore,</p>

		<p>provision of a CWTP would be superfluous, as the commitment to minimising the impact of construction traffic is already secured within the CTMP (Document 5.3.3F) [APP-099] and by Requirement 5 of the draft DCO (Document 3.1(C)).</p> <p>As outlined above, the CTMP provides measures to minimise the impact of construction traffic. Section 5.1 of the CTMP (Document 5.3.3F) [APP-099] specifically outlines measures relating to construction staff movements. Section 5.1 of the CTMP outlines National Grid's assumption that construction staff would travel to one of the temporary construction compounds at the commencement of the work day, from which point teams of staff would travel to destinations along the Project corridor by minibuses, work vans or other work-related vehicles. Thus, minimising the number of single occupancy vehicle trips for inter-site journeys and resultant impact on the road network. The CTMP, therefore, performs the effective function of a sustainable Travel Plan in this regard and demonstrates a commitment to minimising the generated vehicular trip impact of the development on the surrounding road network, despite the necessarily rural nature of the wider proposals.</p> <p>There have been ongoing discussions and engagement with National Highways regarding the need for a CWTP. On 13 March 2023 National Grid provided their rationale to National Highways for why a CWTP is not appropriate for the Project beyond the commitments already contained in the CTMP. In summary, because of the rural location of the Project, there will be a dependence on vehicular transport for construction staff to access the site. Furthermore, the construction sites are dispersed and there needs to be flexibility to allow inter-site travel, which is typical of a large linear energy infrastructure development spanning multiple local authority areas and has a construction programme where activities take place at various locations along the project corridor in close succession. This rationale was also set out in Table 2.18, section 18.7 of the Applicant's Response to Relevant Representations (Document 8.3) [REP1-015] in response to the Joint Local Highway Authority request for engagement on the provision of a Construction Travel Plan.</p>
2.2.1.2	Change to the Construction Traffic Management Plan	<p>Requirement 5(1) of the draft DCO (Document 3.1(C)) requires works to be carried out in accordance with the construction management plans referred to in paragraph (2) (which includes at 5(2)(d) the Construction Traffic Management Plan (CTMP)), unless otherwise agreed with the relevant planning authority or the highway authority, as may be appropriate.</p> <p>If any changes to the CTMP were to impact upon the strategic road network, National Highways would be the relevant highway authority for that part of the works and, therefore, any change would need to be agreed with National Highways.</p> <p>Therefore, National Grid considers the wording of the draft DCO (Document 3.1(C)) to be appropriate as currently drafted.</p> <p>National Highways suggest that <i>'the CTMP shall be developed with significant emphasis on road safety to minimise the impact of construction traffic'</i>. However, it is important to note that the CTMP has already been developed and submitted as a final document as part of the Application (Construction Traffic Management Plan (CTMP) (Document 5.3.3F) [APP-099]). It is secured as such by Requirement 5 of the draft DCO (Document 3.1(C)) and included in the plans to be certified at Article 48(1)(g). Therefore, the CTMP would not be developed post consent.</p>
2.2.1.3	Decommissioning	<p>Requirement 16 of the draft DCO (Document 3.1(C)) requires a written scheme of decommissioning to be submitted for approval by the relevant planning authority.</p> <p>If the scheme was to impact upon the Strategic Road Network, National Grid would expect that the planning authority would consult with National Highways, as the relevant highway authority, in the same way that they would consult with other relevant third-party stakeholders.</p> <p>Given that at this time the specific impacts of decommissioning are not fully known, National Grid does not consider it necessary to include all potential requirement consultees, some of whom may not be relevant once details are known. Listing potentially unnecessary requirement consultees risks placing additional burdens on stakeholders and increases the risk of unnecessary delays.</p> <p>The wording of the requirement as drafted is consistent with that of other National Grid DCOs such as Hinkley Point C Connection and Richborough Connection.</p>
2.3.2	Compulsory Acquisition and Land Matters	National Grid has been informed of the appointment of an agent to negotiate the appropriate rights on behalf of National Highways and is attempting to initiate dialogue with the agent.
2.3.3	Compulsory Acquisition and Land Matters	National Highways have noted a change to the Book of Reference. It should be noted that the only change in the updated Book of Reference affects plot E7-32 where National Highways' interest has been removed following dialogue. The rights being sought on all other plots remain the same.

2.8 Network Rail Infrastructure Limited

Table 2.9 – Network Rail Infrastructure Limited: Written Representations [REP2-081]

Reference	Topic	Applicant's Response
N/A	Protective Provisions	<p>National Grid notes the content of Network Rail Infrastructure Limited's (Network Rail) Written Representation.</p> <p>National Grid continues to liaise with Network Rail regarding these Protective Provisions.</p> <p>Please see the Protective Provisions Progress Schedule (Document 8.12) [REP2-042] submitted at Deadline 2, which includes updates on the position for all statutory undertakers. The protective provisions on the face of the draft DCO (Document 3.1(C)) are not agreed by Network Rail. National Grid are not yet in a position to update the protective provisions for Network Rail on the face of the draft DCO (Document 3.1(C)) but negotiations are continuing with a view to reaching a suitable update to be incorporated into the DCO at Deadline 5 if possible.</p>
N/A	Plots	<p>National Grid can confirm that the plots identified by Network Rail as being within their ownership are correct. It should be noted that Network Rail are believed to hold rights in a number of other plots to include B2-68, B3-28, B3-29, B3-31, B3-34, B3-35, B3-37, B3-39, B3-73, and C1-02.</p>
N/A	Land Rights	<p>National Grid is liaising with Network Rail over the form of a voluntary acquisition of land rights, and whether this should take place via the Statement of Common Ground. National Grid notes the reference to deeds of easements and asset protection agreement and will continue to liaise with Network Rail in respect of these.</p>

2.9 Stephenson’s Rural LLP on behalf of Benjamin Rab and Fiona Rab

Table 2.10 – Stephenson’s Rural LLP on behalf of Benjamin Rab and Fiona Rab: Written Representation [REP2-131]

Reference	Topic	Applicant’s Response
4.1	Impact of the Cable Sealing End Compounds	<p>Meetings were held with the landowner of Newlands Farm on 27 October 2021, 11 April 2022, 07 June 2022, 10 June 2022 and 22 November 2022 to address their feedback at consultations over the location of the Cable Sealing End Compounds (CSEC). The feedback to statutory consultation is included within pages 226 & 227 and 331 to 333 of the Consultation Report (Document 6.1) [APP-195]. There were subsequent telephone calls with the agent on 2 February 2023 and 13 March 2023; and emails on 5 April 2023 and 17 April 2023.</p> <p>The feedback received and meetings held meant National Grid were made aware of the future expansion plans for Newlands Farm. Further details were requested from the landowner and his agent, and a plan showing the expansion west of the farmstead and phasing was provided. The plan showed that the location proposed for the Shipton North CSEC and the temporary diversion would impact on the proposed further expansion plans. The possibility of changing the design of the Shipton North CSEC was then considered through the design change process, and as a result the Shipton North CSEC was moved further south in the field and changed to an anchor block solution. This reduced the amount of space that might be impacted.</p> <p>In addition, the temporary diversion was also moved to the south of the YR overhead line route. At statutory consultation the temporary diversion had been shown to the north of the YR overhead line route. This would have impacted upon the landowners’ proposals which National Grid became aware of through the feedback received at Statutory Consultation. The temporary diversion was therefore moved within the Order limits shown at statutory consultation in response the feedback received.</p> <p>This change was presented to the landowner at a meeting on 07 June 2022 and National Grid considered confirmation was received that this would be agreeable. At the landowners’ request and to enable them to continue with construction of the silage clamps, which is the main part of the development affected, National Grid also marked out with pegs the area National Grid require, and construction of the silage clamps has continued outside of this boundary. This has enabled the landowners to continue to develop their business. The change is detailed in Section 2.8.7 of ES Chapter 2 Project Need and Alternatives (Document 5.2.2) [APP-074].</p>
4.2	Alternatives	<p>During consultation the landowner proposed alternative locations for the placement of both the CSECs as per the plan included in the Written Representations [REP2-131].</p> <p>Alternative Site 1 (the north-westerly alternative) was previously considered by National Grid during non-statutory consultation, and the outcome is detailed within Section 2.7.8 (bullet point 1 and 2) and Section 2.7.10 of ES Chapter 2 Project Need and Alternatives (Document 5.2.2) [APP-074]. In summary, the option taken forward within the DCO application was selected as compared to the alternative. It minimised landscape and visual effects on Woodstock Lodge wedding venue; and was more compliant with the Holford Rules due to it being straighter and more direct. It also maximised the distance from residential properties.</p> <p>Alternative Site 2 (the south-easterly alternative) was considered by National Grid and discussed with the landowner. However there are a number of reasons set out below why this would not be a preferred solution to the location presented at statutory consultation and in the proposal in the DCO application. The Alternative Site 2 would require YR038 to be replaced with another angle pylon. This would lead to four angle pylons in a short section of overhead line, 2TW168, 2TW169, YR040 and YR038. This would be less Holford compliant than the option presented in the DCO application. In order to build a new YR038, a temporary alignment would be required, with a significant diversion if orientated to the north, or removing a large amount of woodland to the south. This option would require the removal of existing infrastructure, and replacement with new infrastructure which in the current design does not need replacing. This goes against National Grid’s obligation to deliver an economic transmission system.</p> <p>National Grid submitted a proposal in the DCO application for the Shipton North Cable Sealing End Compound that sought to mitigate impact on the farm expansion as much as possible and allow future development, which National Grid understood through discussions with the landowner was agreeable and best met the constraints for both parties.</p>
4.3	Health issues	<p>The UK has a carefully thought-out set of policies to protect against electric and magnetic fields (EMFs). This includes both numerical exposure guidelines and precautionary policies. These policies are incorporated into the decision-making process for Development Consent in National Policy Statement EN-5.</p> <p>All of the assets associated with the project, including the Cable Sealing End Compounds comply with those policies and guidelines, which are set by Government on the advice of their independent scientific advisors. This ensures that health concerns are properly and adequately addressed. The</p>

Reference	Topic	Applicant's Response
		evidence concerning compliance with these policies as specified in EN-5, including the numerical guidelines are documented in the Electric and Magnetic Fields Report (Document 6.3) [APP-199] .

2.10 Stephenson’s Rural LLP on behalf of Mrs Pamela Husband, Ms Gill Eves and Mr Paul Bulmer

Table 2.11 – Stephenson’s Rural LLP on behalf of Mrs Pamela Husband, Ms Gill Eves and Mr Paul Bulmer: Written Representations [REP2-132]

Reference	Topic	Applicant’s Response
2	Access to SP005	<p>National Grid notes the comments on proposed access to pylon SP005 and the recommended alternative access put forward on the supporting plans.</p> <p>The access proposal allows for a 40m wide bellmouth and a 12m wide access from the A19 to pylon SP005, which is designed to facilitate crane access during pylon erection (as shown on Access, Rights of Way and Public Rights of Navigation Plan Section B (Document 2.7.2(B)) [REP2-006]).</p> <p>Due to the size requirement of the access, it is necessary to dismantle and underground the 11kV overhead wires attached to the existing wood pole which is located in close proximity to the access entrance. This will need to be undertaken prior to overhead line construction works.</p> <p>This access has been proposed as it utilises an existing bellmouth and an existing track which is proposed for widening/improvements and requires only a small section of new stone access in the field to the north. Any works to the existing access and bellmouth, and the proposed new section of stone access to SP005 are temporary only and will be reinstated to their current, pre-construction conditions following completion of the construction works.</p>
3	Engagement	<p>Below is a list of the key dialogue that has been held more recently between National Grid and the 3 landowners, or their land agent. This does not include the written communication regarding the Project or offering of terms.</p> <p>2 August 2022 - Fisher German (FG), as land agents on behalf of National Grid, emailed the landowners appointed land agent. The purpose of the email was to try and arrange a meeting with the land agent and landowners to discuss the Project generally and the voluntary Heads of Terms (HoT) offers specifically. Meeting arranged for 9 August 2022 but subsequently cancelled due to illness.</p> <p>17 October 2022 - FG emailed the land agent seeking to reschedule the earlier meeting. Dates were proposed but the land agent confirmed by email on 31 October 2022 that none of these dates were convenient and as such no meetings was arranged with the landowners. Agreed that it would be left with the land agent to revert to FG with further dates / times for meeting should the landowners wish to do so.</p> <p>3 March 2023 - Telecon between FG and landowner. FG confirmed that National Grid are happy to meet should the landowners wish to do so. Advised that it was with their land agent to propose dates / times for meeting. Landowner confirmed she would revert back to the land agent to arrange a meeting.</p> <p>24 March 2023 - Site Meeting with all three landowners plus their land agent. The meeting considered the following points:</p> <ul style="list-style-type: none"> • What rights were required in respect of the landowners’ land (i.e. visibility splay) • Why rights were required (visibility splay in relation to the access to third party land for construction traffic to pylons SP005, SP006 and SP007) • Landowners raised concerns over the volume of traffic and impact of the pylons on visual aspect from the properties • Landowners raised concerns over the possible visual impact of the substation on the residential properties due to topography and lack of existing mature tree screening along Hurns Gutter • Undergrounding of existing Northern Power Grid apparatus and how the connections would be made to the respective houses as currently via overhead lines <p>Agreed outcomes of the meeting were that National Grid would send to the Landowners and their land agent traffic data for this particular location extrapolated out of the submitted Traffic and Transport Environmental Statement Chapter 12 and its associated appendix Traffic Modelling Tables (as detailed below). Also agreed that this location could be added to the draft itinerary for the forthcoming Accompanied Site Inspection (ASI).</p> <p>26 April 2023 - FG emailed the land agent with the traffic figures as agreed along with a link to Table 12A.3 and 12A.4 in the Traffic Modelling Tables (Document 5.3.12A) [APP-148].</p> <p>A further meeting with the agent has been set for 16 May 2023 for further discussion.</p>
8	Objections	<p>National Grid has sought to respond to the list of questions included in the Written Representation as follows:</p>

Reference	Topic	Applicant's Response
		<ol style="list-style-type: none"> 1. There will be no speed restrictions placed on the A19 during the construction works, however there will be a speed restriction placed on the construction access roads for construction vehicles. Compliance with these speed restrictions will be managed by the Transport Coordination Officer using methods set out in section 8 of the Appendix 3F Construction Traffic Management Plan (Document 5.3.3F) [APP-099]. 2. The detailed design of the bellmouth and access track will be undertaken by the main works contractor once they are appointed and will be in consultation with the local highways authority. National Grid have included space within the Order limits for a full bellmouth and access track, which allow for two HGVs to pull off the highway, and for passing places. In order to undertake this, some widening of the existing bellmouth and access track may be required. A typical bellmouth and access track is shown in the Construction Plans (Document 2.16) [APP-065]. 3. There may be a requirement to remove or alter the grass verges to accommodate the access requirements, however reinstatement works will be undertaken following construction in line with the Appendix 3E Outline Soil Management Plan (Document 5.3.3E) [APP-098] and the detailed soils and aftercare management plan to be submitted to and approval by the relevant planning authority as per Requirement 6(1)(a) of the draft DCO (Document 3.1(C)). 4. All third party equipment that is crossed by the access track will be protected as required so that the asset is not damaged. The level of protection works, and type of protection work will be discussed and agreed with Northern Gas Networks prior to starting works on site. 5. Cleaning of vehicles and roads will be undertaken by the contractor as appropriate as outlined in Appendix 3F Construction Traffic Management Plan paragraph 7.3.9 (Document 5.3.3F) [APP-099]. 6. The Code of Construction Practice (Document 5.3.3B(B)) [REP2-020] sets out a number of measures that will be in place to manage and monitor dust on site, and to mitigate dust generated on access roads. 7. It is not proposed to have stationary traffic on the A19, and the bellmouth design proposed allows for vehicles to turn off the public highway. A typical bellmouth and access track is shown in the Construction Plans (Document 2.16) [APP-065]. 8. The bellmouth and access roads will be designed to have sufficient passing places where required to allow traffic to pass on the tracks. A transport coordination officer, and agricultural liaison officer will be appointed to manage and co-ordinate construction traffic and liaise with landowners/occupiers with private and farm traffic as set out in Appendix 3E Outline Soil Management Plan Document 5.3.3E(B) [REP2-022] and Appendix 3F Construction Traffic Management Plan (Document 5.3.3F) [APP-099]. 9. Security is not required for the access tracks. However, any fencing requirement will be considered as per the Code of Construction Practice (Document 5.3.3B(B)) [REP2-020]. Appropriate security will be considered around pylon working areas during the detailed design. 10. The detailed design of the foundations for SP005 and Overton substation will be undertaken once the main work contractor(s) are appointed. At that stage it will be known if piling is required, and if so, will be managed in accordance with the Noise and Vibration Management Plan (Document 5.3.3H) [APP-101]. Piling has been assessed as a construction methodology technique as detailed in ES Chapter 3 Description of the Project (Document 5.2.3) [APP-075]. Chapter 3 of the ES also provides further details on the Project including its construction methodology in relation to construction of pylons and substations including foundations and piling. 11. The height of Overton substation will be a maximum of 15m above the finished surface level shown on the Elevation Plan contained within the Design Drawings (Document 2.15(B)) [REP2-011]. For Overton, this will be a maximum of 15m above the finished surface level of 13.71m, with the current ground level at the southern corner of the proposed substation at approximately 12.4m above ordnance datum. The landscaping proposals are set out in the Outline Landscape Mitigation Plans (Document 5.4.3(C)) [REP2-031], and will consist of the construction of bunds, and tree planting.
8	Traffic numbers and construction programme	National Grid notes the comments and have since provided the breakdown of the traffic figures, covering both HGVs and LGVs based on a weekly total for the duration of the Project. These figures were provided on 26/04/2023, and are an extract from Table 12A.3 and 12A.4 in the Traffic Modelling Tables (Document 5.3.12A) [APP-148] which is an Appendix to the Traffic and Transport Chapter of the Environmental Statement.

Reference	Topic	Applicant's Response
9	Alternative access for construction	<p>National Grid notes the comments and plan provided for the alternative route proposed by Mrs Pamela Husband, Ms Gill Eves and Mr Paul Bulmer. This alternative access would require a section of new, temporary stone access from pylon SP004 to SP005, and an additional temporary bridge structure over Hurns Gutter.</p> <p>Due to the short timescales between Deadline 2 and Deadline 3, and the nature of the assessment works required to inform the response, it is not possible to provide more detail on this at Deadline 3. National Grid will provide a more detailed response on the suggested alternative at Deadline 4 of the Examination.</p>
10	Alternative access for maintenance	<p>National Grid notes the comments and plan provided for the alternative route for future maintenance by Mrs Pamela Husband, Ms Gill Eves and Mr Paul Bulmer. The works would involve installing and maintaining a new permanent bridge structure over Hurns Gutter and National Grid are not proposing to install any permanent bridges on the Project.</p> <p>The works required for future maintenance are as described in ES Chapter 3: Description of the project, section 3.9 (Document 5.2.3) [APP-075]. The overhead line will be subject to annual maintenance, consisting of a line walk which is typically a person in a van to access the pylon. Future reconductoring works typically only occur once every 40 years.</p> <p>Due to the very low yearly maintenance vehicle movements, National Grid do not consider that a new permanent bridge is required, justified or necessary for future maintenance and propose to utilise the existing access track.</p>

Appendix A Suggested amendments to Article 19

Discharge of water and works to ordinary watercourses

19.—(1) Subject to paragraphs (3) and (4) the undertaker may use any watercourse or any public sewer or drain for the drainage of water in connection with the carrying out or maintenance of the authorised development and for that purpose may lay down, take up and alter pipes and may, on any land within the Order limits, make openings into, and connections with, the watercourse, public sewer or drain.

(2) Any dispute arising from the making of connections to or the use of a public sewer or drain by the undertaker under paragraph (1) is to be determined as if it were a dispute under section 106 (right to communicate with public sewers) of the Water Industry Act 1991⁽³⁾.

(3) The undertaker must not discharge any water into any watercourse, public sewer or drain except with the consent of the person to whom it belongs; and such consent may be given subject to such terms and conditions as that person may reasonably impose, but must not be unreasonably withheld or delayed.

(4) The undertaker must not make any opening into any public sewer or drain except—

(a) in accordance with plans approved by the person to whom the sewer or drain belongs, but such approval must not be unreasonably withheld or delayed; and

(b) where that person has been given the opportunity to supervise the making of the opening.

(5) The undertaker must not, in carrying out or maintaining works pursuant to this article, damage or interfere with the bed or banks of any watercourse ~~forming part of a main river~~.

(6) The undertaker must not undertake any works over, under or within 9 metres of the top of the bank of any internal drainage board maintained ordinary watercourse except:

(a) with the consent of the relevant internal drainage board; and such consent may be given subject to such terms and conditions as they may reasonably impose;

(b) in accordance with plans approved by the relevant internal drainage board; and

(c) where the relevant internal drainage board has been given the opportunity to supervise the works.

(7) ~~(6)~~The undertaker must take such steps as are reasonably practicable to secure that any water discharged into a watercourse or public sewer or drain under the powers conferred by this article is as free as may be practicable from gravel, soil or other solid substance, oil or matter in suspension.

(8) ~~(7)~~Nothing in this article overrides the requirement for an environmental permit under regulation 12(1)(b) (requirement for an environmental permit) of the 2016 Regulations.

(9) ~~(8)~~This article does not permit any activity listed in paragraph 3(1) of Schedule 21 (water discharge activities) to the 2016 Regulations.

(10) ~~(9)~~If a person who receives an application for consent under ~~paragraph this article (3) or approval under paragraph (4) (a discharge of water and works to ordinary watercourses)~~ fails to notify the undertaker of a decision within 28 days of receiving an application that person will be deemed to have granted consent or given approval as the case may be.

(11) Any application for consent under this article (discharge of water and works to ordinary watercourses) must include a statement that the provisions of paragraph (9) apply to that application.

(12) ~~(10)~~In this article—

(a) "public sewer or drain" means a sewer or drain which belongs to Homes England, the Environment Agency, a harbour authority within the meaning of section 57 (interpretation) of the Harbours Act 1964⁽⁴⁾, an internal drainage board, a joint planning board, a local authority, the highway authority, a National Park Authority, a sewerage undertaker or an urban development corporation; ~~and~~

(b) "ordinary watercourse" has the meaning given in the Land Drainage Act 1991; and

⁽³⁾ 1991 c. 56. Section 106 was amended by sections 35(1) and (8) and 43(2) of the Competition and Service (Utilities) Act 1992 (c. 43), sections 36(2) and 99 of the Water Act 2003 (c. 37) and section 49 of, and paragraph 16(1) of Schedule 3 to the Flood and Water Management Act 2010 (c.29).

⁽⁴⁾ 1964 c. 40. Paragraph 9B was inserted into Schedule 2 by the Transport and Works Act 1992 (c. 42), section 63(1) and Schedule 3, paragraph 9(1) and (2), subject to transitional provisions specified in S.I. 1992/1347 art. 3.

(c) ~~(b)~~ other expressions, excluding watercourse, used both in this article and in the 2016 Regulations have the same meaning as in those Regulations.

Procedure regarding certain approvals, etc.

50.—(1) Where an application or request is submitted to a relevant planning authority, the highway authority, a street authority, relevant drainage authority or the owner of a watercourse, sewer or drain for any consent, agreement or approval required or contemplated by any of the provisions of the Order such consent, agreement or approval, if given, must be given in writing, such agreement not to be unreasonably withheld or delayed.

(2) Schedule 4 (discharge of requirements) has effect in relation to all consents, agreements or approvals granted, refused or withheld under Schedule 3 (requirements), and any document referred to in Schedule 3 (requirements).

(3) The procedure set out in paragraphs (3) to (5) of Schedule 4 (discharge of requirements) has effect in relation to any other consent, agreement or approval required under this Order where such consent, agreement or approval is granted subject to any condition to which the undertaker objects, or is refused or is withheld.

Appendix B Summary of temporary access watercourse crossings in the Ainsty IDB district

WebGIS No.	Category	Description	Easting	Northing	Watercourse Type	Name/ IDB Code	Nearest Transport Access Point
6	New temporary bridge	Bridge potentially required to cross the Foss to northern stringing area if required by the contractor	448388	447676	IDB-maintained	The Foss (trib. of Wharfe)	56
1	New temporary culvert	New culvert over ditch	452572	456339	IDB-maintained	MM052	73
10	New temporary culvert	New culvert for crossing field drain	453998	456176	Ordinary watercourse	Unnamed	78
19	New temporary culvert	New culvert required over drain	454110	455303	Ordinary watercourse	Unnamed	78
4	Existing culvert	Upgrade existing culvert if not suitable for construction traffic	451975	456592	IDB-maintained	MM050	77
11	Existing culvert	Upgrade or replace existing culvert if unsuitable for construction traffic	451312	456312	IDB-maintained	MM051	77
12	Existing culvert	New culvert (replacement of existing subsided culvert) potentially required for construction traffic. Currently used by farm vehicles	451141	454620	Ordinary watercourse	Unnamed	71
13	Existing culvert	Upgrade existing culvert if unsuitable	450239	453363	IDB-maintained	MM060	66

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