

YG-DCO-070(B)

Yorkshire Green Energy Enablement (GREEN) Project

Volume 8

Document 8.5.3(B) Statement of Common Ground between National
Grid Electricity Transmission plc and City of York Council

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Yorkshire GREEN Project

Document control

Version History

Document	Version	Status	Description / Changes
Statement of Common Ground	1	Draft	For discussion with LPA
<u>Statement of Common Ground</u>	<u>2</u>	<u>Draft</u>	<u>For discussion with LPA</u>

1. Introduction

- 1.1.1 A Statement of Common Ground (SoCG) is a written statement produced as part of the application process for a Development Consent Order (DCO) and is prepared jointly between the applicant and another party. It sets out matters of agreement between both parties, as well as matters where there is not an agreement. It also details matters that are under discussion.
- 1.1.2 The aim of a SoCG is to help the Examining Authority manage the Examination Phase of a DCO application. Understanding the status of the matters at hand will allow the Examining Authority to focus their questioning and provide greater predictability for all participants in examination. A SoCG may be submitted prior to the start of or during Examination, and then updated as necessary or as requested during the Examination Phase.
- 1.1.3 This is a SoCG between National Grid Electricity Transmission plc (National Grid) and the City of York Council. The SoCG relates to the DCO application for the Yorkshire Green Energy Enablement (GREEN) Project (referred to as the 'Project' or 'Yorkshire GREEN'). It has been prepared in accordance with the guidance¹ published by the Department for Levelling Up, Housing and Communities (DLUHC).
- 1.1.4 This SoCG has been prepared to identify matters agreed, matters not agreed and matters currently outstanding between National Grid and the City of York Council in term of technical and environmental matters. Political matters have not been set out in this document.
- 1.1.5 This version (~~V12 January-May 2023~~) of the SoCG represents the position between National Grid and the City of York Council at ~~the submission of the application on 15 November 2022~~Deadline 3 on 10 May 2023. The SoCG will evolve as the DCO application progresses through the submission process and on to examination.

1.2 Description of the Project

Need for the Yorkshire GREEN Project

- 1.2.1 National Grid propose to upgrade and reinforce the electricity transmission system in Yorkshire. This reinforcement is needed to improve the transfer of clean energy across the country.
- 1.2.2 Electricity flows are set to double within the next ten years as a result of offshore wind developments, other sources of clean energy and expanding interconnection capacity (high-voltage cables that connect the electricity systems of neighbouring countries) in both Scotland and north-east England. Yorkshire GREEN would contribute towards strengthening the national electricity transmission network so that it can accommodate this growth in electricity flows. Reinforcement would ensure that the network is not

¹ Planning Act 2008: Guidance for the examination of applications for development consent. Available at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/418015/examinations_guidance_final_for_publication.pdf

overwhelmed, and that potential future pressures on the network are relieved in the north and north-east of England, whilst balancing supply and demand.

- 1.2.3 Without additional reinforcement, the existing transmission system would become overloaded. To stop these overloads from happening, National Grid Electricity System Operator would need to constrain power generation. Such action could result in significant costs to consumers.
- 1.2.4 As a result, it is necessary and economical to invest in network reinforcement in the long term, and critically to ensure that Yorkshire GREEN is designed, tested and installed in sufficient time to meet the 2027 earliest in service date. Reinforcement of the network would enable an increase in the transfer of clean energy, increasing network capacity and avoiding constraint costs.

Yorkshire GREEN Project Description

- 1.2.5 Yorkshire GREEN comprises both new infrastructure and works to existing transmission infrastructure and facilities. The Project is divided into six sections (see **Figure 1**), located within six-three Local Authority boundaries²:

- **Section A (Osbalwick Substation) (City of York Council):** Minor works would take place at the existing Osbalwick Substation comprising the installation of a new circuit breaker and isolator along with associated cabling, removal and replacement of one gantry and works to one existing pylon. All substation works would be within existing operational land.
- **Section B (North west of York Area) (~~Hambleton District Council, City of York Council, Harrogate District Council and North Yorkshire County Council and North Yorkshire Council~~):** Works would comprise:
 - reconductoring of 2.4km of the 400kV Norton to Osbalwick (2TW/YR) overhead line and replacement of one pylon on this overhead line;
 - the new 400kV YN overhead line (2.8km), north of the proposed Overton Substation;
 - the new Shipton North and South 400kV cable sealing end compounds (CSECs) and 230m of cabling to facilitate the connection of the new YN 400kV overhead line with the existing Norton to Osbalwick YR overhead line;
 - a new substation (Overton 400kV/275kV Substation) approximately 1km south of Shipton by Beningbrough;
 - two new sections of 275kV overhead line which would connect into Overton Substation from the south (the 2.1km XC overhead line to the south-west and the 1.5km SP overhead line to the south-east);
 - works to 5km of the existing XCP Poppleton to Monk Fryston overhead line between Moor Monkton in the west and Skelton in the east comprising a mixture of decommissioning, replacement and realignment. To the south and south-east of Moor Monkton the existing overhead line would be realigned up to 230m south from the current overhead line and the closest pylon to Moor Monkton (340m

² ~~North Yorkshire County Council, Selby District Council, Harrogate Borough Council, Hambleton District Council, North Yorkshire Council, City of York Council, Leeds City Council.~~

south-east) would be permanently removed. A 2.35km section of this existing overhead line permanently removed between the East Coast Mainline (ECML) Railway and Woodhouse Farm to the north of Overton.

- **Section C (existing 275kV Poppleton to Monk Fryston (XC) overhead line north of Tadcaster (Section D)) (~~Harrogate District Council, Selby District Council and North Yorkshire County Council~~):** Works proposed to this existing 275kV overhead line include replacing existing overhead line conductors, replacement of pylon fittings, strengthening of steelwork and works to pylon foundations.
- **Section D (Tadcaster) (~~Selby District Council, Leeds City Council and North Yorkshire County Council~~):** Two new CSECs (Tadcaster East and West 275kV CSECs) and approximately 350m of cable would be installed approximately 3km south-west of Tadcaster and north-east of the A64/A659 junction where two existing overhead lines meet. One pylon on the existing 275kV Tadcaster Tee to Knaresborough (XD) overhead line would be replaced.
- **Section E (existing 275kV Poppleton to Monk Fryston (XC) overhead line south of Tadcaster (Section D)) (~~Selby District Council and North Yorkshire County Council~~):** Works proposed to this existing 275kV overhead line include replacing existing overhead line conductors, replacement of pylon fittings, strengthening of steelwork and works to pylon foundations. Work to the existing overhead line similar to those outlined for Section C would be undertaken; and
- **Section F (Monk Fryston Area) (~~Selby District Council and North Yorkshire County Council~~):** A new substation would be constructed to the east of the existing Monk Fryston Substation which is located approximately 2km south-west of the village of Monk Fryston and located off Rawfield Lane, south of the A63. A 1.45km section of the 275kV Poppleton to Monk Fryston (XC) overhead line to the west of the existing Monk Fryston Substation and south of Pollums House Farm would be realigned to connect to the proposed Monk Fryston Substation. East of the existing Monk Fryston Substation the existing 4YS 400kV Monk Fryston to Eggborough overhead line, which currently connects to the existing substation, would be reconfigured to connect to the proposed Monk Fryston Substation.

1.2.6 Temporary infrastructure would be required to facilitate the Project, including temporary overhead line diversions and temporary construction compounds.

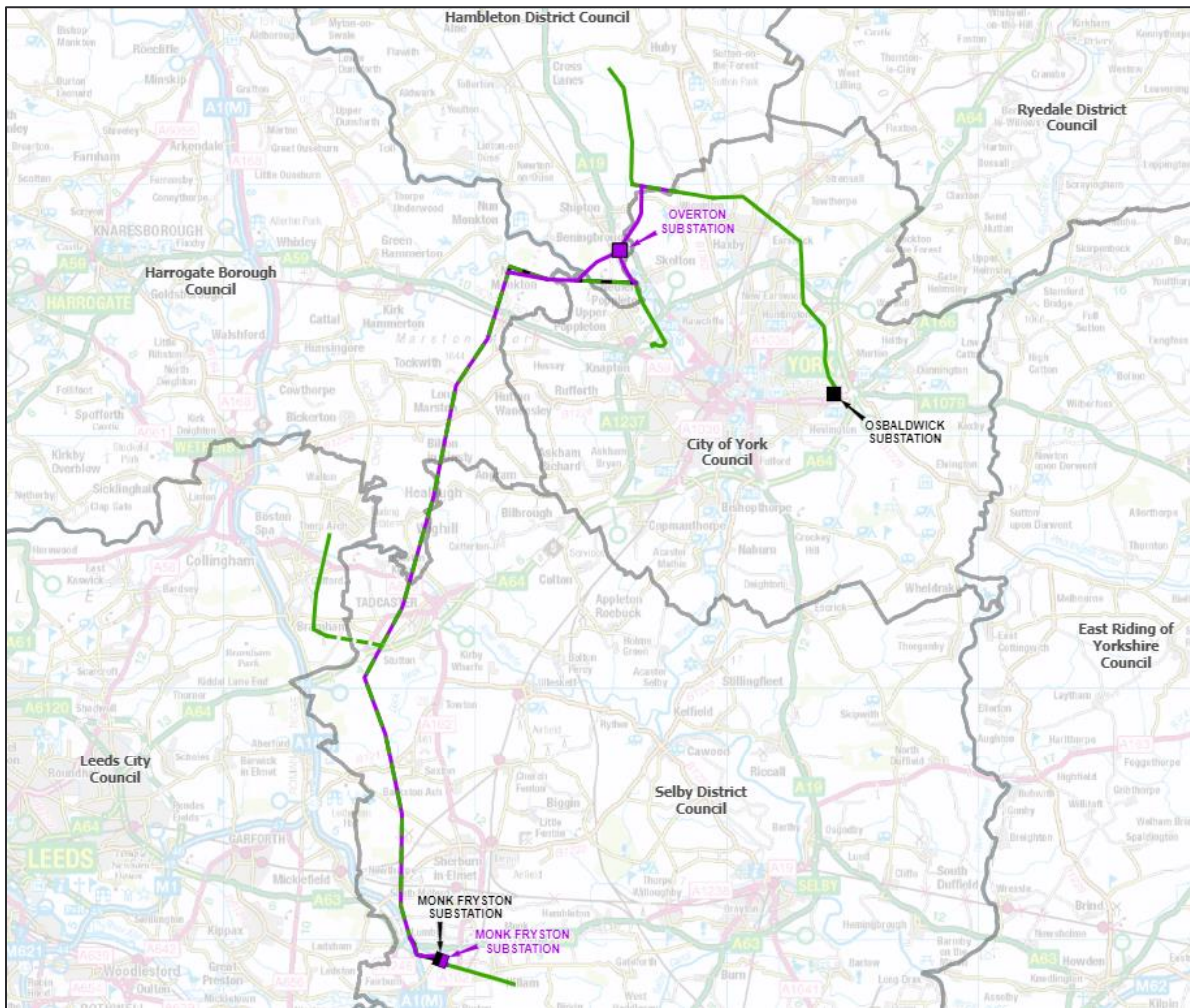


Figure 1– Location of the Yorkshire GREEN Project

1.3 This Statement of Common Ground

1.3.1 For the purpose of this SoCG, National Grid and City of York Council will jointly be referred to as the “Parties”.

1.3.2 Throughout the SoCG:

- Where a section begins ‘matters agreed’, this sets out matters that have been agreed between the Parties and where there is no dispute;
- Where a section begins ‘matters not agreed’, this sets out matters that are not agreed between the Parties and where a dispute remains; and
- Where a section begins ‘matters outstanding, this sets out matters that are subject to further negotiation between the Parties.

1.3.3 This SoCG is structured as follows:

- **Section 1:** Provides an introduction to this SoCG and a description of its purpose together with a broad description of the Project;
- **Section 2:** States the role of City of York Council in the DCO application process and details consultation undertaken between National Grid and City of York Council;

- **Section 3:** Sets out matters agreed between National Grid and City of York Council;
- **Section 4:** Sets out matters not agreed between National Grid and City of York Council;
- **Section 5:** Sets out matters where agreement is currently outstanding between National Grid and City of York Council; and
- **Section 6:** Sets out the approvals and the signing off sheet between the Parties.

2. Record of Engagement

2.1 Role of City of York Council in the DCO process

- 2.1.1 Pursuant to Section 42 of the Planning Act 2008, National Grid must consult each Local Authority if any part of the Project is located within the Local Authority's area. City of York Council is one of the Local Authorities³ who will host part of the Project.
- 2.1.2 York is a modern commercial city renowned for its heritage. Several elements combine to define the character of the city. The important core of historic buildings, mostly within and around the City Walls, that give the city its international reputation as a heritage centre, is supplemented by a rural setting of open countryside and generally small villages that emphasise the compact urban form of York.
- 2.1.3 As part of the consultation process the Applicant carried out non statutory and statutory consultation. The City of York Council was requested to comment on a draft Statement of Community Consultation (SoCC) at both non statutory and statutory consultation stages. Further information on this consultation is set out in **Document 6.1 Consultation Report [APP-195]** Section 4 and 5.
- 2.1.4 As part of the ongoing engagement process, which is in addition to consultation, briefings have taken place with the Parties, to inform the City of York Council of the design of the Project, its evolution and, for the Parties to identify any sensitivities or other issues which may be relevant in the design process for the Project.
- 2.1.5 On submission of the DCO, the City of York Council will be invited to participate in the examination of the Project as an Interested Party. The Council will be asked to comment on the adequacy of the consultation carried out and prepare a Local Impact Report⁴. During the examination process, the Council may prepare written representations, and respond to written questions from the Examining Authority as well as participate in hearings.
- 2.1.6 Should a consent be granted for the Project, it will be subject to a number of DCO requirements⁵. The Council will be required to discharge these, and the Applicant and the Council would agree a process for this.

2.2 Summary of pre-application discussions

- 2.2.1 **Table 2.1** summarises the consultation and engagement that has taken place between the Parties prior to submission of the DCO application. This includes discussions

³ This includes both the role of the local planning authority and the local highways authority in terms of Yorkshire GREEN

⁴ A "local impact report" is a report in writing giving details of the likely impact of the proposed development on the authority's area (or any part of that area).

⁵ Section 120 of the Act 2008 provides that a DCO may impose Requirements for development for which consent is granted. Such Requirements may correspond with conditions which could have been imposed on the grant of any permission, consent or authorisation (for example planning permission under the Town and Country Planning Act 1990) which would have been required for the development if it had been consented through a different regime.

relating to Environmental Impact Assessment (EIA) Scoping, Section 42 statutory consultation and additional technical engagement.

Table 2.1 – Pre-application discussions

Date	Discussion points
Planning Officer Meetings	
05 November 2020	Meeting #1 Introductory MSTeams meetings to identify the need for the Project and its general location between City of York Council and Applicant.
9 February 2021	Meeting #2 Pre non-statutory pre-application MSTeams meeting to update on non-statutory consultation and on Project design between City of York Council and Applicant.
27 July 2021	Meeting #3 Post non-statutory consultation update via MS Teams with between City of York Council and Applicant.
11 January 2022	Meeting #4 * Pre statutory consultation and Project design update meeting via MSTeams with City of York Council and Applicant.
22 February 2022	Meeting #5 * Post statutory consultation update and Project design update with City of York Council and Applicant.
05 April 2022	Meeting #6 * Update on responses received from statutory consultation and DCO process discussion with City of York Council and Applicant.
17 May 2022	Meeting #7* Update on responses received from statutory consultation and discussion on what a DCO may look like with City of York Council and Applicant.
28 June 2022	Meeting #8 * Discussion on Green Belt approach, review of the Cumulative Impact Assessment list with City of York Council and Applicant.
26 July 2022	Meeting #9 * Discussion on the structure of SoCG, Consultation Report, Local Impact Report, Planning Statement and Design and Access Statement, update on mitigation identified to date and confirmation of Cumulative Impact Assessment List with City of York Council and Applicant.
30 August 2022	Meeting #10 * Project design update, and identification of application documents with City of York Council and Applicant.
18 October 2022	Meeting #12* General Project update and discussion on proposed working hours with City of York Council and Applicant.

*Other host authorities also in attendance

Non Statutory Consultation - No response received

EIA Scoping

22 March 2021	Email Scoping response received confirming no comments on behalf of the highways authority for City of York Council.
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Statutory Consultation Response (Comments on the Preliminary Environmental Information Report (PEIR))

8 December 2021	Email Statutory Consultation response from City of York Council to Applicant.
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Engagement - Landscape

21 February 2022	MSTeams Meeting with City of York Council and Applicant and Landscape and Arboricultural Consultants ⁶ to discuss the proposed methodology and tree canopy loss.
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19 April 2022	MSTeams Meeting for Landscape and visual impact effects with City of York Council and the Applicant and Applicant's Environmental Consultant.
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Engagement - Historic Environment

3 February 2022	MSTeams call between the Applicant's Environmental Consultant and City of York Council archaeologist to discuss the scope of the Project.
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10 February 2022	Confirmation email from City of York Council stating they have enough information on the construction methods.
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2 February 2022	Email from City of York Council acknowledging and agreeing information from the Applicant's Environmental Consultant regarding potential effects.
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28 February 2022	Email from Applicant's Environmental Consultant to City of York Council setting out works around specific towers and approach taken for Geophysical surveys.
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28 March 2022	Information provided to City of York Council from the Applicant's Environmental Consultant that National Grid will be carrying out works on pylons and substations.
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25 April 2022	Email from Applicant's Environmental Consultant containing the Watching Brief for the Written Scheme of Investigation (WSI).
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26 April 2022	The City of York Council acknowledged the Written Scheme of Investigation (WSI) for Site Investigation work.
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15 July 2022	Statutory consultation response – The Applicant's Environmental Consultant checked for final comments for statutory consultation responses. The City of York Council confirmed they had no more comments.
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21 July 2022	The Applicant's Environmental Consultant checked for final comments for statutory consultation responses and to confirm that the Project will consider York Minster and the Skelton Conservation Area, and that Nether Poppleton has been removed from scheme.
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9 August 2022	Response from City of York Council setting out that the Council did not intend to comment in detail further, and the Project should refer to the key views of York Minster set out in the Conservation Area Appraisal and on designated heritage assets more generally.
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Engagement - Biodiversity

10 November 2021	Applicant's Environmental Consultant introduced herself to the City of York Council, welcoming discussions on biodiversity relations in the Project, survey schedules and land parcels which have been refused access.
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⁶ The Applicant has instructed the services of a number of professional environmental consultants to act on behalf of the Applicant to provide advice and write technical reports and carry out the Environmental Impact Assessment.

18 December 2021	The Yorkshire GREEN Biodiversity team followed up on their request for contact details for the Ecology lead at City of York Council.
20 January 2022	The Yorkshire GREEN Biodiversity team followed up on their request for contact details for the Ecology lead, or whomever holds a similar role at City of York Council.
24 January 2022	The City of York Council Senior Countryside and Ecology Officer requested to meet with the Project team.
21 March 2022	Invitation sent to the Senior Countryside and Ecology Officer to attend a meeting* scheduled discuss the Project and share local knowledge to inform opportunities for Biodiversity Net Gain.
21 March 2022	The meeting invitation was declined by the Senior Countryside and Ecology Officer due to prior commitments. It was requested that the meeting minutes be sent following the meeting.
30 March 2022	Information regarding biodiversity survey programme and likely DCO submission date sent to Senior Countryside and Ecology Officer at City of York Council.
4 April 2022	Senior Countryside and Ecology Officer sent information regarding the River Ouse SINC and welcomed incorporation of Biodiversity Net Gain (BNG).
11 May 2022	Minutes of meeting with the North Yorkshire County Council ecologist issued.

Engagement - Noise

2 February 2022	Agreement from City of York Council Environmental Health Officer that the Noise Monitoring locations proposed were acceptable.
7 February 2022	The City of York Council confirmed agreement to the proposed noise monitoring locations.

Engagement – Traffic and Transport

28 June 2021	The Applicant's Environmental Consultant offered to meet and requested contact details for the City of York Council Transport Team.
19 November 2021	The Applicant's Environmental Consultant followed up on their request, and requested a discussion on access to enable the evolving design to take into account comments before the return of S42 consultation.
25 January 2022	The Applicant's Environmental Consultant requested a further meeting with the City of York Council to discuss the design iteration work.
31 January 2022	The Applicant's Environmental Consultant addressed design issues and requested comments from the City of York Council. A spreadsheet was provided with information.
3 February 2022	A request was received from the City of York Council to arrange a meeting for access visibility updates to be included in the evolving design.
11 February 2022	<p>Post Section 42 Transport Kick off Meeting - an agreement was reached for City of York Council to carry out speed surveys on their network. The Council also agreed to provide comments on Public Rights of Way (PROW), that speed surveys should be used to inform the length of visibility splays and that the 85%tile speed could be used and in accordance with Design Manual for Roads and Bridges (DMRB) design standards.</p> <p>City of York Council also agreed to review the use of signal track roads and whether passing places may be required during the construction works.</p>
26 April 2022	A meeting request was sent to the City of York Council for a meeting to discuss the scope of assessment set out at PEIR and any comments that the Council may have on the Section 42 PEIR assessments.
5 May 2022	Post Section 42 – EIA Assessment Meeting. Agreement reached on the scope of assessment, future year traffic generation, committed development traffic, committed highways scheme, accident assessment, Construction Traffic Management Plan (CTMP) and

PRoW management plan. It was agreed that that there was no requirement for a Transport Assessment as set out and agreed with PINS at scoping stage.

11 May 2022 Agreement reached that, when using the DfT historic traffic data, the use of data older than 2019 would not be accepted and that data beyond 2019 would not be representative due to the impacts of the COVID-19 Pandemic. Historic data from 2019 was therefore agreed as appropriate to use for the basis of assessment.

2.3 Summary of post-submission discussions

2.3.1 **Table 2.2** will summarise the consultation and engagement that takes place between the Parties post submission of the DCO application.

Table 2.2 – Post-submission discussions

Date	Discussion points
29 November 2022	Meeting #13 General Project update, update on proposed working hours, understanding the next stages in the DCO process and structure of the statements <u>Statements of common</u> Common ground <u>Ground</u> with City of York Council.
06 January 2023	Email sent to City of York with Version 1 of the Draft SoCG
02 February 2023	Meeting #14 General Project update, update on proposed working hours, understanding the next stages in the DCO process and structure of the statements <u>Statements of common</u> Common ground <u>Ground</u> with City of York Council.
10 February 2023	Email sent to City of York providing copies of previous correspondence for reference.
22 February 2023	Email sent to Joint Authorities clarifying approach for SoCG
23 February 2023	Email with tracked changed version of the SoCG
07 March 2023	Phone call with City of York to discuss SoCG and Rule 6 Letter
09 March 2023	Email issuing meeting notes of meeting #15 and requesting update on SoCG
<u>30 March 2023</u>	<u>Meeting #16</u> <u>General project update, discussion on approach to PPA during examination and post determination, progress on Statement on Common Ground.</u>
<u>27 April 2023</u>	<u>Meeting #17 General project update, review of Deadline 2 submissions, discussion on Local Impact Report content and approach for updating Statement of Common Ground.</u>

3. Matters Agreed

3.1.1 This section sets out the matters that have been agreed between National Grid and City of York Council. In particular **Table 3.1** details these matters.

Table 3.1 – Matters agreed

SoCG ID	Matter	Agreed position	Date of Agreement
3.1 Description of the Project			
3.1.1	Description of the Project	The Summary of the Proposed Development provided in Section 1.2 above reflects City of York Council’s understanding of the Project.	<u>5 April 2023</u>
3.2 Draft DCO, Document 3.1, Volume 3			
3.2.2	PART 3 STREETS	The items described PART 3 STREETS of the Draft DCO (Document 3.1, Volume 3) accurately reflect City of York Council’s understanding of the works proposed.	The Draft DCO has been shared with the Council on several occasions for comment, including the Yorkshire GREEN Briefing #10 meeting which took place on the 30 August 2022. The wording of the draft DCO has not been raised as a matter for further discussion and is therefore considered agreed.
3.2.3	PART 4 SUPPLEMENTAL POWERS	The items described in PART 4 SUPPLEMENTAL POWERS of the Draft DCO (Document 3.1, Volume 3) accurately reflect City of York Council’s understanding of the works proposed.	The Draft DCO has been shared with the Council on several occasions for comment, including the Yorkshire GREEN Briefing #10 meeting which took place on the 30 August 2022. The wording of the draft DCO has not been raised as a matter for further discussion and is therefore considered agreed
3.2.4	PART 6 MISCELLANEOUS AND GENERAL	The items described PART 6 MISCELLANEOUS AND GENERAL of the Draft DCO (Document 3.1, Volume 3)	The Draft DCO has been shared with the Council on several occasions for comment, including the Yorkshire GREEN Briefing #10 meeting which took

		accurately reflect City of York Council's understanding of the works proposed.	place on the 30 August 2022. The wording of the draft DCO has not been raised as a matter for further discussion and is therefore considered agreed
3.2.5	SCHEDULE 3 REQUIREMENTS	<p>The items described SCHEDULE 3 of the Draft DCO (Document 3.1, Volume 3) accurately reflect City of York Council's understanding of the works proposed.</p> <p>The requirements are:</p> <ul style="list-style-type: none"> • Requirement 2: Time Limits • Requirement 3: Design Drawings • Requirement 4: Stages of authorised development • Requirement 5: Construction Management Plans • Requirement 6: Outline Construction <u>Management</u> Plans • Requirement 7: Construction Hours • Requirement 8: Landscaping and mitigation planting • Requirement 9: Implementation of landscaping and mitigation planting • Requirement 10: Retention and protection of existing trees • Requirement 11: Reinstatement schemes 	The Draft DCO has been shared with the Council on several occasions for comment, including the Yorkshire GREEN Briefing #10 meeting which took place on the 30 August 2022. The wording of the draft DCO has not been raised as a matter for further discussion and is therefore considered agreed

		<ul style="list-style-type: none"> • Requirement 12: Contamination of land or groundwater and controlled waters • Requirement 13: Removal of temporary bridges and culverts • Requirement 14: Highway works • Requirement 15: Removal of existing overhead line • Requirement 16: Decommissioning • Requirement 17: Clearance over the River Ouse 	
3.2.6	SCHEDULE 4 DISCHARGE OF REQUIREMENTS	<p>The wording of SCHEDULE 4 appropriately protects the interest of City of York Council and the responsibilities placed on City of York Council (Draft DCO, Document 3.1, Volume 3). The requirements of relevance to the highway authority are:</p> <ul style="list-style-type: none"> • Requirement 5: Construction Management Plans • Requirement 7: Construction Hours • Requirement 14: Highway works 	<p>The Draft DCO has been shared with the Council on several occasions for comment, including the Yorkshire GREEN Briefing #10 meeting which took place on the 30 August 2022. The wording of the draft DCO has not been raised as a matter for further discussion and is therefore considered agreed.</p> <p><u>While the wording itself is agreed, the Local Impact Report [REP1-047] highlights that in order to allay concerns regarding the timescales imposed upon the LPA for discharging requirements, there would need to be a mechanism to secure pre-applications discussions which have been suggested. National Grid and City of York are in discussions over a draft S106 in order to secure a Planning Performance Agreement focus on the process for discharging requirements.</u></p>
Volume 5. Environmental Statement			
3.3 Chapter 6: Landscape and Visual (Volume 5)			
<i>Assessment Scope and Methodology</i>			

3.3.1	ES Methodology approach adopted	City of York Council are content with the assessment scope and methodology as described in (Section 6.8 ES Chapter 6: Landscape and Visual, Document 5.2.6, Volume 5 and Appendix 6C: Landscape and Visual Impact Methodology) .	During pre-application discussions, the approach to the Landscape and Visual methodology has not been raised as a matter for further discussion and is therefore considered agreed
<i>Baseline</i>			
3.3.2	ES Baseline Description	City of York Council is content the baseline is appropriately described in (Section 6.5.13, ES Chapter 6: Landscape and Visual, Document 5.2.6, Volume 5) .	During pre-applications discussions, the landscape and visual ES baseline description hasn't been raised as a matter for further discussion and is therefore considered agreed.
<i>Embedded Environmental Measures</i>			
3.3.3	ES Embedded Environmental Measures	City of York Council agree with the Embedded Environmental Measures as described in Section 6.6 (ES Chapter 6: Landscape and Visual, Document 5.2.6, Volume 5) .	During pre-applications discussions, the landscape and visual ES Embedded Environmental Measures have not been raised as a matter for further discussion and is therefore considered agreed <u>Section 8 of the Local Impact Report [REP1-047] notes that City of York Council welcome the adoption of mitigation measures such as landscape bunds.</u>
<i>Assessment of Likely Significant Effects</i>			
3.3.4	ES Assessment of Likely Significant Effects	City of York Council agree with the conclusions in relation to likely significant effects as described in Section 6.14 (ES Chapter 6: Landscape and Visual, Document 5.2.6, Volume 5) .	During pre-applications discussions, the landscape and visual ES assessment of likely significant effects have not been raised as a matter for further discussion and is therefore considered agreed. <u>Paragraphs 8.2 to 8.4 of the Local Impact Report [REP1-047] note that it is acknowledged by CYC that significant effects during the construction phase, including the works compounds and associated activity, would be both temporary and unavoidable.</u>
3.4 Chapter 7: Historic Environment (Volume 5)			
<i>Assessment Scope and Methodology</i>			

3.4.1	Approach to Geophysical surveys	City of York Council agreed the approach taken for Geophysical surveys.	28 February 2022
3.4.2	Site Investigation (SI) works	City of York Council agree with the working methods for the watching brief on SI works (Table 7.5, ES Chapter 7: Historic Environment, Document 5.2.7, Volume 5).	26 April 2022
<i>Baseline</i>			
3.4.3	ES Baseline Description	City of York Council is content the baseline is appropriately described in Section 7.5 (ES Chapter 7: Historic Environment, Document 5.2.7, Volume 5) .	During pre-applications discussions, the Historic Environmental baseline has not been raised as a matter for further discussion and is therefore considered agreed
<i>Embedded Environmental Measures</i>			
3.4.4	Embedded Environmental Measures	City of York Council agree with the Embedded Environmental Measures as described in Table 10.9 (ES Chapter 7: Historic Environment, Document 5.2.7, Volume 5) .	During pre-applications discussions, the Historic Environment Embedded Environmental Measures have not been raised as a matter for further discussion and is therefore considered agreed. <u>The Local Impact Report [REP1-047] also acknowledges in Section 9 that the inclusion of an archaeological written scheme of investigation within the Certified Plans section of the dDCO is welcomed.</u>
<i>Assessment of Likely Significant Effects</i>			
3.4.5	Archaeological Remains in the City of York Council area	City of York Council are content and acknowledge the potential effects on archaeological remains in the City of York Council as set out in Table 7.5 (ES Chapter 7: Historic Environment, Document 5.2.7, Volume 5) .	2 February 2022
3.4.6	Grade I listed Cathedral Church of St Peter, York Minster (NHLE 1257222)	City of York Council are content that Section 7.19 appropriately reflects their understanding of the assessment of effects on the Grade 1 listed Cathedral Church of St Peter, York	During pre-application discussions, the assessment of effects on the Grade1 listed Cathedral Church of St Peter has not been raised as a matter for further discussion and is therefore considered agreed

		Minister (ES Chapter 7: Historic Environment, Document 5.2.7, Volume 5).	
3.4.7	ES Assessment of Likely Significant Effects	City of York Council agree with the conclusions in relation to likely significant effects as described in Section 7.7 (ES Chapter 7: Historic Environment, Document 5.2.7, Volume 5) .	During pre-applications discussions, Historic Environment ES assessment of likely significant effects have not been raised as a matter for further discussion and is therefore considered agreed.
3.5 Chapter 8: Biodiversity (Volume 5)			
<i>Assessment Scope and Methodology</i>			
3.5.1	Scope of Surveys	<p>The City of York Council are content with the proposed scope of surveys for the following (as discussed in the meeting 28 March 2022):</p> <ul style="list-style-type: none"> - approach to biodiversity surveys where land is not accessible; - ornithological surveys; - extended Phase 1 habitat survey; - protected species surveys (otter and badger); - no requirement for great crested newt surveys due to employment of District Level Licensing; - no requirement for reptile, fish, tansy beetle or other invertebrate surveys. <p>(Table 8.8, ES Chapter 8: Biodiversity, Document 5.2.8, Volume 5).</p>	During pre-application discussions, the proposed scope of surveys has not been raised as a matter for further discussion and is therefore considered agreed
3.5.2	Assessment Methodology	Based on no comments to the contrary in the statutory consultation response and no change in approach since PEIR it is assumed that the City of York Council are content with the assessment methodology (Section 8.8, ES Chapter 8: Biodiversity, Document 5.2.8, Volume 5).	During pre-application discussions, ES assessment methodology proposed for Biodiversity has not been raised as a matter for further discussion and is therefore considered agreed

<i>Baseline</i>			
3.5.3	ES Baseline Description	City of York Council is content the baseline is appropriately described in Section 8.5, ES Chapter 8: Biodiversity, Document 5.2.8, Volume 5.	During pre-applications discussions, the biodiversity ES baseline has not been raised as a matter for further discussion and is therefore considered agreed
<i>Embedded Environmental Measures</i>			
3.5.4	Proposals for embedded mitigation and compensation measures – Outline Biodiversity Mitigation Strategy (BMS) and Code of Construction Practice (CoCP)	Based on no response to the contrary during statutory consultation, it is assumed that City of York Council agree with the Embedded environmental measures detailed in Section 8.6 (ES Chapter 8: Biodiversity, Document 5.2.8, Volume 5) . These mitigation measures will be included within Outline BMS, Document 5.3.3D, Volume 5.3 as secured through the CoCP, Document 5.3.3B, Volume 5.3 and are therefore also considered to be satisfactory to the City of York Council.	During pre-application discussions, Embedded Environmental Measures have not been raised as a matter for further discussion and is therefore considered agreed. <u>Paragraph 10.3 of the Local Impact Report [REP1-047] noted that the embedded environmental measures are welcomed and are considered necessary in the interests of mitigating the potential risks and general disturbance that could occur to ecological features during the construction phase.</u>
3.5.5	Mitigation specific to watercourse crossings	City of York Council is content with the pragmatic approach to culverts which has been utilised on the Project and the Embedded Environmental Measures to cover sensitive culvert design the Embedded Environmental Measures are detailed within Section 8.6 of the ES Chapter 8: Biodiversity Document 5.2.8, Volume 5.	During pre-application discussions, ES assessment mitigation proposed for Biodiversity has not been raised as a matter for further discussion and is therefore considered agreed.
<i>Assessment of Likely Significant Effects</i>			
3.5.6	ES assessment of likely significant effects	City of York Council agree with the conclusions in relation to likely significant effects as described in Section 8.11 (ES Chapter 8: Biodiversity, Document 5.2.8, Volume 5).	During pre-applications discussions, the biodiversity ES assessment of likely significant effects have not been raised as a matter for further discussion and is therefore considered agreed

3.6 Chapter 9: Hydrology and Flood Risk (Volume 5)			
<i>Assessment Scope and Methodology</i>			
3.6.1	Assessment Methodology	City of York Council are content with the assessment scope and methodology as described in Section 9.7 and 9.8 (ES Chapter 9: Hydrology and Flood Risk, Document 5.2.9, Volume 5).	During pre-applications discussions, ES assessment methodology proposed for Hydrology and Flood Risk has not been raised as a matter for further discussion and is therefore considered agreed
<i>Baseline</i>			
3.6.2	Flood Risk Assessment (FRA)	City of York Council is content the baseline is appropriately described in (9.5.36, ES Chapter 9: Hydrology and Flood Risk, Document 5.2.9, Volume 5).	During pre-application discussions, The Flood Risk Assessment (PFRA) has not been raised as a matter for further discussion and is therefore considered agreed
<i>Embedded Environmental Measures</i>			
3.6.3	ES Embedded Environmental Measures	City of York Council agree with the Embedded Environmental Measures as described in Section 9.6 (ES Chapter 9: Hydrology and Flood Risk, Document 5.2.9, Volume 5).	During pre-applications discussions, the Hydrology and Flood risk ES Embedded Environmental Measures have not been raised as a matter for further discussion and is therefore considered agreed
<i>Assessment of Likely Significant Effects</i>			
3.6.4	ES assessment of likely significant effects	City of York Council agree with the conclusions in relation to likely significant effects as described in Section 9.13 (ES Chapter 9: Hydrology and Flood Risk, Document 5.2.9, Volume 5).	During pre-applications discussions, the Hydrology and Flood risk ES assessment of likely significant effects have not been raised as a matter for further discussion and is therefore considered agreed
3.7 Chapter 10: Geology and Hydrogeology (Volume 5)			
<i>Assessment Scope and Methodology</i>			
3.7.1	ES Scope and Assessment Methodology	City of York Council are content with the assessment scope and methodology as described in Section 10.4 and 10.7 (ES Chapter 10: Geology and Hydrogeology, Document 5.2.10, Volume 5).	During pre-applications discussions, ES assessment methodology proposed for Geology and Hydrogeology has not been raised as a matter for further discussion and is therefore considered agreed.

<i>Baseline</i>			
3.7.2	ES Baseline Description	City of York Council is content the baseline is appropriately described in Section 10.5 (ES Chapter 10: Geology and Hydrogeology, Document 5.2.10, Volume 5) .	During pre-applications discussions, the Geology and Hydrogeology ES baseline has not been raised as a matter for further discussion and is therefore considered agreed.
<i>Embedded Environmental Measures</i>			
3.7.3	ES Embedded Environmental Measures	City of York Council agree with the Embedded Environmental Measures as described in Section 10.6 (ES Chapter 10: Geology and Hydrogeology, Document 5.2.10, Volume 5) .	During pre-applications discussions, the Geology and Hydrogeology ES Embedded Environmental Measures methodology have not been raised as a matter for further discussion and therefore it is considered agreed.
<i>Assessment of Likely Significant Effects</i>			
3.7.4	ES assessment of likely significant effects	City of York Council agree with the conclusions in relation to likely significant effects as described in Section 10.11(ES Chapter 10: Geology and Hydrogeology, Document 5.2.10, Volume 5) .	During pre-applications discussions, the Geology and Hydrogeology ES assessment of likely significant effects have not been raised as a matter for further discussion and therefore it is considered agreed.
3.8 Chapter 11: Agriculture and Soils (Volume 5)			
<i>Assessment Scope and Methodology</i>			
3.8.1	ES Scope and Assessment Methodology	City of York Council are content the assessment methodology for Agriculture and Soils is appropriately described in Section 11.7 (ES Chapter 11: Agriculture and Soils, Document 5.2.11, Volume 5) .	During pre-applications discussions, the Agriculture and Soils ES methodology approach has not been raised as a matter for further discussion.
<i>Baseline</i>			

3.8.2	ES Baseline Description	City of York Council is content the baseline is appropriately described in Section 11.4 (ES Chapter 11: Agriculture and Soils, Document 5.2.11, Volume 5) .	<p>During pre-applications discussions, the Agriculture and Soils ES baseline has not been raised as a matter for further discussion.</p> <p>We would seek to reach agreement with City of York Council on this matter once the Council has had the opportunity to review the draft SoCG and the DCO application documents.</p>
<i>Embedded Environmental Measures</i>			
3.8.3	ES Embedded Environmental Measures	City of York Council agree with the Embedded Environmental Measures as described in Section 11.5 (ES Chapter 11: Agriculture and Soils, Document 5.2.11, Volume 5) .	During pre-applications discussions, the Agriculture and Soils ES Embedded Environmental Measures has not been raised as a matter for further discussion and is therefore considered agreed.
<i>Assessment of Likely Significant Effects</i>			
3.8.4	ES assessment of likely significant effects	City of York Council agree with the conclusions in relation to likely significant effects as described in Section 11.10 (ES Chapter 11: Agriculture and Soils, Document 5.2.11, Volume 5) .	During pre-applications discussions, the Agriculture and Soils assessment of likely significant effects has not been raised as a matter for further discussion and is therefore considered agreed.
3.9 Chapter 12: Traffic and Transport (Volume 5)			
<i>Assessment Scope and Methodology</i>			
3.9.1	Speed Surveys	City of York Council agreed that speed surveys could be used to inform visibility splays and that the 85 th ile speed could be used based on DRMB design guidance to inform these splays (Table 12.5, ES Chapter 12: Traffic and Transport, Document 5.2.12, Volume 5). These surveys were undertaken in the area by City of York Council themselves.	11 February 2022

3.9.2	Traffic Survey Data	City of York Council confirmed that they were content with the approach to collect traffic survey data for all locations where data in the PEIR was older than 2019 or was a gap (due to COVID) (Table 12.5, ES Chapter 12: Traffic and Transport, Document 5.2.12, Volume 5).	6 May 2022
3.9.3	EIA Assessment and Methodology	City of York Council confirmed they were content with the use of the EIA assessment methodology based on Guidelines of the Environmental Assessment of Traffic (GEART) (IEA, 1993) to inform the EIA assessment (Table 12.5, ES Chapter 12: Traffic and Transport, Document 5.2.12, Volume 5).	6 May 2022
3.9.4	Methodology for traffic generation and distribution	City of York Council confirmed that they were content with the methodology for traffic generation and distribution and agreed that there was no requirement for a Transport Assessment as set out and agreed with PINS at scoping stage (Table 12.5, ES Chapter 12: Traffic and Transport, Document 5.2.12, Volume 5).	6 May 2022
3.9.5	Requirement for a Transport Assessment	City of York Council confirmed that they agreed that there was no requirement for a Transport Assessment as set out and agreed with PINS at the EIA scoping stage (Table 12.5, ES Chapter 12: Traffic and Transport, Document 5.2.12, Volume 5).	6 May 2022
<i>Baseline</i>			
3.9.6	Growth of DfT and count data	City of York Council confirmed that they were content with the growth of DfT and count data to a 2022 baseline (and future year baseline) using TEMPro Growth (Table 12.5, ES	6 May 2022

		Chapter 12: Traffic and Transport, Document 5.2.12, Volume 5).	
3.9.7	CYC accident data	City of York Council confirmed that they were content with the use of CYC accident data to be 5 year period back from April 2022 (Table 12.5, ES Chapter 12: Traffic and Transport, Document 5.2.12, Volume 5).	6 May 2022
3.9.8	DfT Historic Traffic data	City of York Council agreed that when using the DfT historic traffic data that the use of data older than 2019 would not be accepted and that data beyond 2019 would not be representative due to the impacts of the COVID-19 Pandemic. Historic data from 2019 was agreed as appropriate to use for the basis of assessment (Section 12.5.58, ES Chapter 12: Traffic and Transport, Document 5.2.12, Volume 5).	11 May 2022
<i>Embedded Environmental Measures</i>			
3.9.9	ES Embedded Environmental Measures	City of York Council agree with the Embedded Environmental Measures as described in Section 12.6, Chapter 12: Traffic and Transport, Document 5.2.12, Volume 5.	During pre-applications discussions, the Traffic and Transport ES Embedded Environmental Measures have not been raised as a matter for further discussion and is therefore considered agreed.
<i>Assessment of Likely Significant Effects</i>			
3.9.10	ES likely significant effects	City of York Council agree with the conclusions in relation to likely significant effects as described in Section 12.11, Chapter 12: Traffic and Transport, Document 5.2.12, Volume 5.	During pre-applications discussions, the Traffic and Transport assessment of likely significant effects has not been raised as a matter for further discussion and is therefore considered agreed.
3.10 Chapter 13: Air Quality (Volume 5)			
<i>Assessment Scope and Methodology</i>			

3.10.1	EIA Assessment and Methodology	City of York Council are content with the assessment scope and methodology as described in Section 13.8 (ES Chapter 13: Air Quality, Document 5.2.13, Volume 5).	During pre-applications discussions, the Air Quality assessment and methodology approach has not been raised as a matter for further discussion and is therefore considered agreed.
<i>Baseline</i>			
3.10.2	ES Baseline Description	City of York Council is content the baseline is appropriately described in Section 13.5 (ES Chapter 13: Air Quality, Document 5.2.13, Volume 5).	During pre-applications discussions, the Air Quality baseline has not been raised as a matter for further discussion and is therefore considered agreed.
<i>Embedded Environmental Measures</i>			
3.10.3	ES Embedded Environmental Measures	City of York Council agree with the Embedded Environmental Measures as described in Section 13.6 (ES Chapter 13: Air Quality, Document 5.2.13, Volume 5).	<u>During pre-applications</u> discussions, the Air Quality Embedded Environmental Measures have not been raised as a matter for further discussion and is therefore considered agreed. <u>The Local Impact Report [REP1-047] further notes in Section 11 that the measures set out within the submitted Construction Code of Practice are generally welcomed by the LPA.</u>
<i>Assessment of Likely Significant Effects</i>			
3.10.4	ES likely significant effects	City of York Council agree with the conclusions in relation to likely significant effects as described in Section 13.7 (ES Chapter 13: Air Quality, Document 5.2.13, Volume 5).	During pre-applications discussions, the Air Quality assessment of likely significant effects has not been raised as a matter for further discussion and is therefore considered agreed.
3.11 Chapter 14: Noise and Vibration (Volume 5)			
<i>Assessment Scope and Methodology</i>			
3.11.1	Scope of Assessment	City of York Council are content with the assessment scope and methodology as described in (Table 14.6, ES Chapter 14: Noise and Vibration, Document 5.2.14,	7 February 2022

		Volume 5). City of York Council agreed with approach to assessment.	
3.11.2	Noise Monitoring Locations	The City of York Council Environmental Health Officer agreed the Noise Monitoring locations proposed were acceptable.	2 February 2022
<i>Baseline</i>			
3.11.3	EIA Assessment and Methodology	City of York Council is content the baseline is appropriately described in Section 14.8 (ES Chapter 14: Noise and Vibration, Document 5.2.14, Volume 5).	During pre-applications discussions, the Noise and Vibration EIA assessment and methodology has not been raised as a matter for further discussion and is therefore considered agreed.
<i>Embedded Environmental Measures</i>			
3.11.4	ES Embedded Environmental Measures	City of York Council agree with the Embedded Environmental Measures as described in Section 14.6 (ES Chapter 14: Noise and Vibration, Document 5.2.14, Volume 5).	During pre-applications discussions, the Noise and Vibration Embedded Environmental Measures have not been raised as a matter for further discussion and is therefore considered agreed.
<i>Assessment of Likely Significant Effects</i>			
3.11.5	Core working hours	The City of York Council EHO has agreed to the proposed working hours.	1 December 2022 and further confirmed in the Local Impact Report [REP1-047] Section 11.
3.11.6	ES likely significant effects	City of York Council agree with the conclusions in relation to likely significant effects as described in Section 14.9 (ES Chapter 14: Noise and Vibration, Document 5.2.14, Volume 5).	During pre-applications discussions, the Noise and Vibration baseline ES likely significant effects have not been raised as a matter for further discussion and is therefore considered agreed.
3.12 Chapter 15: Health and Wellbeing (Volume 5)			
<i>Assessment Scope and Methodology</i>			
3.12.1	EIA Assessment and Methodology	City of York Council are content with the assessment scope and methodology as described in Section 15.8 (ES Chapter 15:	During pre-applications discussions, the Health and Wellbeing assessment and methodology have not been raised as a matter for further discussion and is therefore considered agreed.

		Health and Wellbeing, Document 5.2.15, Volume 5).	
<i>Baseline</i>			
3.12.2	ES Baseline Description	City of York Council is content the baseline is appropriately described in Section 15.5 (ES Chapter 15: Health and Wellbeing, Document 5.2.15, Volume 5).	During pre-applications discussions, the Health and Wellbeing baseline has not been raised as a matter for further discussion and is therefore considered agreed.
<i>Embedded Environmental Measures</i>			
3.12.3	ES Embedded Environmental Measures	City of York Council agree with the Embedded Environmental Measures as described in Section 15.6, ES Chapter 15: Health and Wellbeing, Document 5.2.15, Volume 5.	During pre-applications discussions, the Health and Wellbeing Embedded Environmental Measures have not been raised as a matter for further discussion and is therefore considered agreed
<i>Assessment of Likely Significant Effects</i>			
3.12.4	ES likely significant effects	City of York Council agree with the conclusions in relation to likely significant effects as described in Section 15.9, ES Chapter 15: Health and Wellbeing, Document 5.2.15, Volume 5.	During pre-applications discussions, the Health and Wellbeing ES likely significant effects have not been raised as a matter for further discussion and is therefore considered agreed.
3.13 Chapter 16: Socio-Economics (Volume 5)			
<i>Assessment Scope and Methodology</i>			
3.13.1	EIA Assessment and Methodology	City of York Council are content with the assessment scope and methodology as described in Section 16.7 (ES Chapter 16: Socio-Economics, Document 5.2.16, Volume 5).	During pre-applications discussions, the Socio-Economics EIA assessment and methodology have not been raised as a matter for further discussion and is therefore considered agreed.
<i>Baseline</i>			
3.13.2	ES Baseline Description	City of York Council is content the baseline is appropriately described in Section 16.4, ES Chapter 16: Socio-Economics, Document 5.2.16, Volume 5.	During pre-applications discussions, the Socio-Economics baseline has not been raised as a matter for further discussion and is therefore considered agreed.

<i>Embedded Environmental Measures</i>			
3.13.3	ES Embedded Environmental Measures	City of York Council agree with the Embedded Environmental Measures as described in Section 16.5 (ES Chapter 16: Socio-Economics, Document 5.2.16, Volume 5)	During pre-applications discussions, the Socio-Economics Embedded Environmental Measures has not been raised as a matter for further discussion and is therefore considered agreed.
<i>Assessment of Likely Significant Effects</i>			
3.13.4	ES likely significant effects	City of York Council agree with the conclusions in relation to likely significant effects as described in Section 16.8 (ES Chapter 16: Socio-Economics, Document 5.2.16, Volume 5).	During pre-applications discussions, the Socio-economic ES likely significant effects have not been raised as a matter for further discussion and is therefore considered agreed.
3.14 Chapter 17: Climate Change (Volume 5)			
<i>Assessment Scope and Methodology</i>			
3.14.1	EIA Assessment and Methodology	City of York Council are content with the assessment scope and methodology as described in Section 17.8 (ES Chapter 17: Climate Change, Document 5.2.17, Volume 5).	During pre-applications discussions, the Climate Change EIA assessment and methodology has not been raised as a matter for further discussion and is therefore considered agreed.
<i>Baseline</i>			
3.14.2	ES Baseline Description	City of York Council is content the baseline is appropriately described in Section 17.5 (ES Chapter 17: Climate Change, Document 5.2.17, Volume 5).	During pre-applications discussions, the Socio-Economics baseline has not been raised as a matter for further discussion and is therefore considered agreed.
<i>Embedded Environmental Measures</i>			
3.14.3	ES Embedded Environmental Measures	City of York Council agree with the Embedded Environmental Measures as described in Section 17.6 (ES Chapter 17: Climate Change, Document 5.2.17, Volume 5).	During pre-applications discussions, the Climate Change Embedded Environmental Measures has not been raised as a matter for further discussion and is therefore considered agreed.

<i>Assessment of Likely Significant Effects</i>			
3.14.4	ES likely significant effects	City of York Council agree with the conclusions in relation to likely significant effects as described in Section 17.9 (ES Chapter 17: Climate Change, Document 5.2.17, Volume 5) .	During pre-applications discussions, the Climate Change ES likely significant effects have not been raised as a matter for further discussion and is therefore considered agreed.
3.15 Chapter 18: Cumulative Effects (Volume 5)			
<i>Assessment Scope and Methodology</i>			
3.15.1	Inter-project cumulative effects assessment methodology	City of York Council are content with the inter-project Cumulative Effects assessment scope and methodology and are appropriately described in Section 18.4 (ES Chapter 18: Cumulative Effects, Document 5.2.18, Volume 5) .	During pre-applications discussions, the Inter-project Cumulative Effects assessment methodology has not been raised as a matter for further discussion and is therefore considered agreed.
3.15.2	Intra-project cumulative effects assessment methodology	City of York Council are content with the intra-project Cumulative Effects assessment scope and methodology, and are appropriately described in Section 18.5, ES Chapter 18: Cumulative Effects, Document 5.2.18, Volume 5 .	During pre-applications discussions, the Intra-project Cumulative Effects assessment methodology has not been raised as a matter for further discussion and is therefore considered agreed.
<i>Assessment of Significance</i>			
3.15.3	Significance Conclusions	The likely significance of Cumulative Effects from the Project are appropriately described in Section 18.9 (ES Chapter 18: Cumulative Effects, Document 5.2.18, Volume 5) .	During pre-applications discussions, the Cumulative Effects significance conclusions have not been raised as a matter for further discussion and is therefore considered agreed.
Volume 5.3 Environmental Statement Appendices			
3.16 Appendix 3C -Archaeological Written Scheme of Investigation			
3.16.1	Archaeological Written Scheme of Investigation	City of York Council are content the Archaeological Written Scheme of Investigation (ES Chapter 3: Archaeological Written Scheme of	During Preapplication discussions, this document has not been raised as a matter for further discussion, and therefore it is considered agreed.

		Investigation, Document 5.3.3C, Volume 5) secured in Requirement 5(2)(a) of the DCO appropriately reflects the mitigation required to protect archaeological assets.	
3.17 Appendix 3D - Biodiversity Mitigation Strategy			
3.17.1	Biodiversity Mitigation Strategy	City of York Council are content the Biodiversity Mitigation Strategy (ES Chapter 3: Biodiversity Mitigation Strategy, Document 5.3.3D) secured in Requirement 5(2)(b) of the DCO appropriately reflects the mitigation required to protect biodiversity assets.	During Preapplication discussions, this document has not been raised as a matter for further discussion, and therefore it is considered agreed.
3.18 Appendix 3E - Outline Soil Management Plan			
3.18.1	Outline Soil Management Plan	City of York Council are content the Outline soil management plan (ES Chapter 3: Outline soil management plan, Document 5.3.3E, Volume 5) secured in Requirement 5(3) of the DCO appropriately reflects the mitigation required to protect soil assets.	During Preapplication discussions, this document has not been raised as a matter for further discussion, and therefore it is considered agreed.
3.19 Appendix 3F - Construction Traffic Management Plan			
3.19.1	Construction Traffic Management Plan	City of York Council are content the Construction Traffic Management Plan (ES Chapter 3: Construction Traffic Management Plan, Document 5.3.3F, Volume 5) secured in Requirement 5(2)(d) of the DCO appropriately reflects the mitigation required to protect traffic assets.	During Preapplication discussions, this document has not been raised as a matter for further discussion, and therefore it is considered agreed. <u>Paragraph 12.6 of the Local Impact Report [REP1-047] confirms that the City of York welcome the inclusion of the CTMP.</u>
3.20 Appendix 3G - Public Rights of Way Management Plan			
3.20.1	Public Rights of Way Management Plan	City of York Council are content the Public Rights of Way Management Plan (ES Chapter 3: Public Rights of Way Management Plan, Document 5.3.3G,	During Preapplication discussions, this document has not been raised as a matter for further discussion, and therefore it is considered agreed.

		Volume 5) secured in Requirement 5(2)(e) of the DCO appropriately reflects the mitigation required to protect PRoW assets.	
3.21 Appendix 3H - Noise and Vibration Management Plan			
3.21.1	Noise and Vibration Management Plan	City of York Council are content the Noise and Vibration Management Plan (ES Chapter 3: Noise and Vibration Management Plan, Document 5.3.3H, Volume 5) secured in Requirement 5(2)(f) of the DCO appropriately reflects the noise and vibration mitigation required.	During Preapplication discussions, this document has not been raised as a matter for further discussion, and therefore it is considered agreed.
3.22 Appendix 3I -Arboricultural Impact Assessment			
3.22.1	Arboricultural Impact Assessment	City of York Council are content the Arboricultural Impact Assessment (ES Chapter 3: Arboricultural Impact Assessment, Document 5.3.3I, Volume 5) secured in Requirement 6(g), 8(a) and 10 of the DCO appropriately reflects the mitigation required to protect arboricultural assets.	During Preapplication discussions, this document has not been raised as a matter for further discussion, and therefore it is considered agreed.
3.23 Volume 7.1, Planning Statement			
Development plan documents			
3.23.1	Development plan documents	<p>The adopted development plan for consideration is the City of York Council Draft Local Plan Incorporating the 4th Set of Changes (April 2005).</p> <p>The emerging development plan for consideration is the City of York Council Local Plan (Publication Draft February 2018 (Regulation 19 Consultation)).</p>	During pre-application discussions, the development plan documents have not been raised as a matter for further discussion and therefore it is considered these documents are agreed.

		Key policies of relevance have been considered in the submitted Planning Statement.	
3.23.2	Planning Statement	City of York Council is content that the Planning Statement (Document 7.1, Volume 7) appropriately assesses the Project against the National Policy Statements, the NPPF and local plan policies.	During pre-applications discussions, the Planning Statement document has not been raised as a matter for further discussion and therefore it is considered agreed.
3.23.3	Design and Access Statement	The City of York Council are content that the Design and Access Statement (DAS) demonstrates how National Grid has taken into account the criteria for good design contained within EN-1 and EN-5 and explains the ways in which the design of the Project has evolved.	During Preapplication discussions, this document has not been raised as a matter for further discussion, and therefore it is considered agreed.
3.23.4	Details of Other Consents and Licences	The City of York Council agree that the Details of Other Consents and Licences (Document 7.3, Volume 7) clearly identifies the consents and licences, in addition to the DCO, which are expected to be necessary to the Project and confirms how these consents will be obtained.	The principles of these documents were discussed with the City of York Council from the outset of the Project and were available for the PEIR. On this basis the City of York Council are in agreement with their content.
3.23.5	Updated Need Case, Strategic Proposal Reports and Corridor and Preliminary Routeing and Siting Study	The City of York Council understand and agree with the findings of the Need Case (Document 7.4, Volume 7) and the project development process, including the Strategic Proposal Report 2019 and 2020 (Document 7.5 & 7.6, Volume 7) and the 2021 addendum (Document 7.7, Volume 7) and the Corridor and Preliminary Routeing and Siting Study ('the CPRSS'), (Document 7.8, Volume 7).	The principles of these documents were discussed with the City of York Council from the outset of the Project and were available for the PEIR. The City of York Council confirmed at the Briefing #13 meeting held on 29 November 2022 that they do not anticipate any issues with these documents subject to their review. <u>The Local Impact Report [REP1-047] submitted at Deadline 1 also acknowledges the overarching needs and justification for the proposed development.</u>
3.23.6	Consultation Report, Consultation Report	The City of York Council agree that they were given the opportunity to comment on the	The principles of these documents were discussed with the City of York Council from the outset of the

	<p>Appendices and Statement of Community Consultation (SoCC)</p>	<p>SoCC and their suggestions were included in the SoCC (see Consultation Report (Document 6.1, Volume 6) and Consultation Report Appendices (Document 6.2, Volume 6) including the Statement of Community Consultation ('SoCC') (Appendix B4, Volume 6, Document 6.2))</p>	<p>Project and were available for the PEIR. The City of York Council confirmed at the Briefing #13 meeting held on 29 November 2022 that they do not anticipate any issues with these documents subject to their review.</p>

4. Matters Not Agreed

4.1.1 Section 4 sets out matters not agreed between National Grid and City of York Council. **Table 4.1** details these matters.

Table 4.1 – Matters not agreed

SoCG ID	Matter	City of York Council position	National Grid position
4.1 Volume 7.1 Planning Statement			
4.1.1	Overhead Lines in the Green Belt	The City of York Council (in Briefing Session #8 on 28th June 2022) considered that overhead lines are inappropriate development in the Green Belt (Document 7.1, Volume 7). <u>The position is further elaborated upon in the Local Impact Report [REP1-047].</u>	The Planning Statement (Document 7.1, Volume 7) sets out that overhead line elements of the Project are considered engineering operations which do not constitute inappropriate development. By virtue of their nature and their purpose (to transport power large distances) overhead lines may occupy long corridors within Green Belt, they involve little physical change to the land through which they pass and leave a large majority of the land around and beneath them free from development and therefore open. As pylons are spaced up to 360m apart the perception of openness is maintained as one is able to ‘see through’ the widely spaced pylons and conductors to whatever is beyond. As a result, the proposed overhead line would not affect the purposes of the Green Belt designation (as set out Section 8.3 of the Planning Statement Volume 7), as they would not impact on the openness of the Green Belt.

			<p>Even if the City of York Council do not agree that overhead lines are engineering operations which do not constitute inappropriate development, there are Very Special Circumstances that support the case for the development taking place in the Green Belt. In summary, the very special circumstances are:</p> <ul style="list-style-type: none"> • an urgent need to reinforce the network in the Yorkshire area by 2027 in order to enable connection of three contracted customers. This will support the production of energy from renewable sources, particularly in terms of being able to connect onshore and additional off-shore wind (an energy target of 50GW by 2030) to the transmission network. The Project will enable The Continental Link, The Atlantic Super Connection and Hornsea Offshore P4, in support of delivering this target • the need to ensure future connections of renewable generation can be connected without incurring significant constraint costs; • the requirement to meet National Grid's transmission licence obligations; • the requirement to meet Net Zero includes moving from fossil fuels to renewable energy for our power, and abandoning vehicles run on petrol and diesel, in favour of those powered by alternative sources including electricity; • the national energy need which recognises that electricity demand will at least double by 2050 as the UK shifts to clean energy to charge electric vehicles, heat homes and power industry and the need to reinforce the National Electricity Transmission System.
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5. Matters outstanding

5.1.1 Section 5 sets out matters where agreement is currently outstanding between National Grid and City of York Council. In particular **Table 5.1** details these matters.

Table 5.1 – Matters outstanding

SoCG ID	Matter	City of York Council position	National Grid position
5.2 Chapter 8: Biodiversity			
<i>Assessment Scope and Methodology</i>			
5.2.1	Protected species survey approach (where revised since PEIR/meeting with North Yorkshire County Ecologist on 28 March 2022 – minutes issued to City of York Council)	City of York Council is still to review the revised methodology (Section 8.8, ES Chapter 8: Biodiversity, Document 5.2.8, Volume 5).	National Grid will continue to liaise with City of York Council to seek agreement regarding the approach to bat surveys and minor variation in timings of water vole surveys.
<i>Assessment of Likely Significant Effects</i>			
5.2.2	Sites of Importance for Nature Conservation (SINCs)	City of York Council is still to agree that the ES assessment has appropriately scoped and assessed the potential for significant effects on SINCs (Section 8.9 ES Chapter 8: Biodiversity, Document 5.2.8, Volume 5).	National Grid will continue to liaise with City of York Council to finalise agreement regarding the assessment of effects on SINCs within the Order Limits and City of York Council boundary: Overton Borrow Pits SINC, and River Ouse candidate SINC.
5.1 Draft Development Consent Order			
<u>Schedule 4 DCO requirements</u>			
<u>5.1.1</u>	<u>Timescales for discharge of requirements</u>	<u>The Local Impact Report [REP1-047] highlights that in order to allay concerns regarding the timescales imposed upon the LPA for discharging requirements, there</u>	<u>National Grid and City of York are in discussions over a draft S106 in order to secure a Planning Performance Agreement</u>

		<u>would need to be a mechanism to secure pre-applications discussions which have been suggested.</u>	<u>focus on the process for discharging requirements.</u>
5.3.2 Volume 7.9 Biodiversity Net Gain: Initial Biodiversity Net Gain Metric Calculation			
5.3.2.1	Biodiversity Net Gain (BNG)	The Senior Countryside and Ecology Officer welcomed the Project commitment to deliver 10% BNG (email 4 April 2022). City of York Council is still to agree the approach to BNG within the Project (Document 7.9, Volume 7.9).	<p>In summary, key points of our <u>National Grid's</u> approach for the Project to achieve BNG are:</p> <ul style="list-style-type: none"> - Avoiding loss of irreplaceable habitats - Adherence to the Mitigation hierarchy, especially to avoid and minimise habitat clearance (especially for priority habitats) - Achieving a minimum 10% increase in area-based units, in linear units and in river units in ways that meet the Biodiversity Metric V3.1 trading rules - For any off-site BNG delivery, we <u>National Grid</u> will seek for gains to be within the same LPA as the associated loss - For any off-site BNG delivery to be implemented and delivered in partnership with local conservation stakeholders where possible - Where this is not possible due to limited availability of suitable sites, or more favourable outcomes for biodiversity would be achieved by delivering BNG at a site outside the relevant LPA, delivery of 10% BNG would apply across the extent of the project rather than being split between LPAs. National Grid will look to engage with the affected LPAs to identify opportunities to deliver meaningful BNG enhancements across the extent of the project. <p>In terms of DCO submission, we <u>National Grid</u> have submitted an initial Biodiversity Net Gain report based on a number of precautionary</p>

			<p>assumptions, which provides a reasonable worst-case indication of the deficit in biodiversity units resulting from the Project (which is likely to overstate losses as a precaution) and the amount and type of on and off-site habitat creation required to achieve BNG.</p> <p><u>We-National Grid</u> will then undertake further BNG assessment at different stages through the project lifecycle updating the BNG report metric calculation with final baseline data and results of the Strategic Significance assessment. These updated reports will be produced post-consent at detailed design stage (including the BNG management and monitoring plan), and after construction (based on as-built information) to refine and finalise the assessment as further information becomes available. Delivery of 10% net gain would be secured via a Section 106 agreement with the LPAs, a draft version of which has been circulated to all relevant LPAs for comment.</p>
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6. Approvals

Section does not need to be completed at this stage

Signed	B. Kington
On Behalf of	National Grid
Name	Bethany Kington
Position	Consents officer
Date	2709.35.23

Signed	<u>M. Baldry</u>
On Behalf of	<u>City of York Council</u>
Name	<u>Mark Baldry</u>
Position	<u>Development Projects Senior Officer</u>
Date	<u>09/05/23</u>

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